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STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER

October 18, 2005

Mr. John A. Johnson
Commissioner
Office of Children and Family Services
54 Washington Avenue
Rensselaer, NY 12144

Re: Report 2005-F-23

Dear Mr. Johnson:

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) to implement the recommendation contained in our audit report, *Accounting for and Contacting Children in Foster Care* (Report 2003-S-35).

Background, Scope and Objectives

OCFS' mission, which is to promote the well-being and safety of children, families and communities, includes oversight of the State's foster care 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 (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).

OCFS uses the Child Case Review Service System (CCRS) to record the foster child's status and to record actions taken on the child's behalf. For example, CCRS documents actions taken by districts to initiate judicial proceedings intended to free the child for adoption. OCFS also uses CCRS information to pay foster care parents and other providers for foster care services. According to CCRS data, the State had 11,145 children in foster care outside of New York City as of June 30, 2005. Of this number, 10,709 children were In Care (placed in foster care); 230 children were identified as Absent from Care with Consent (temporarily absent from foster care placement with district approval); and 206 children were categorized as Absent without Consent (absent without district approval and unaccounted for), or AWOL.

Districts are responsible for the foster children in their custody, and must be able to account for each child. Title 18 of the New York Codes, Rules and Regulations (Title 18) also requires caseworkers to have face-to-face contacts with foster children to gauge the child's adjustment to placement and to arrange for services the child needs. Title 18 requires at least two contacts during the first month of placement; in subsequent months, caseworkers must provide at least one contact each month for children who have special needs for supervision and services, or at least one contact every three months for children without such needs. Title 18 requires that all services, contacts, visits, interviews and information be recorded in progress notes.

Our initial audit report, which was issued on June 24, 2004, found that districts can readily locate the foster children in their custody, and make diligent efforts to find AWOL foster children, as required by Title 18. Districts also meet or exceed Title 18 requirements for face-to-face contacts with caseworkers. We also found that OCFS' use of Safety and Permanency Assessments (SPAs) has contributed to improvements in district compliance with caseworker contact requirements. We encouraged OCFS to continue using SPAs to monitor district administration of foster care programs. 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 May 25, 2005 of the recommendation included in our initial report.

Summary Conclusions and Status of Audit Recommendation

We found that OCFS officials have implemented the recommendation contained in our report.

Follow-up Observations

Recommendation

Continue performing Safety and Permanency Assessments to make sure districts continue to meet foster care contact requirements.

Status - Implemented

Agency Action - As part of this follow-up audit, OCFS officials provided us with documentation that the agency continues performing Safety and Permanency Assessments to make sure districts continue to meet foster care contact requirements.

Major contributors to this report were Richard Sturm and Anthony Carbonelli.

We thank the management and staff of the Office of Children and Family Services for the courtesies and cooperation extended to our auditors during this process.

Very truly yours,

William P. Challice
Audit Director

cc: Robert Barnes, Division of the Budget