



ASSEMBLY STANDING COMMITTEE ON CHILDREN AND FAMILIES

NOTICE OF PUBLIC HEARING

SUBJECT: The impact of alternative placement options for foster care youth.

PURPOSE: To examine placement options that are utilized as alternatives to foster care when children are temporarily removed from the home due to a potential instance of abuse or maltreatment.

**Thursday, May 19th, 2022
10:00am
Hearing Room C
Legislative Office Building
Albany, NY 12248**

In 2020, the New York State Comptroller conducted an audit regarding the Office of Children and Family Services (OCFS), and the oversight they provide for children who are placed in direct placements by the Family Court. The Comptroller concluded that “OCFS did not maintain adequate oversight of direct placements to ensure that local districts are complying with applicable laws and regulations and that children are placed in safe environments.” Additionally, the Comptroller noted that during the investigation they found that casework records “lacked evidence that caseworkers made required contacts with foster children, foster parents, and parents.”

Additionally, according to a New York Times article published in December of 2021, “How Shadow Foster Care is Tearing Families Apart”, states have increasingly relied on and implemented a system of “hidden foster care.” This system has allowed local social services districts to place children with relatives or family friends, without the legal protections required for formal foster care placements or any oversight by the courts. A recent lawsuit filed against OCFS has highlighted New York’s reliance on these informal arrangements. As part of their complaint, the plaintiffs argue that the State is implementing “an extrajudicial system without approval from the Legislature, exceeding its authority under existing family law.” Additionally, one of the leading administrative judges for family court in New York City indicated that OCFS was creating “a form of out-of-home care but without any of the protections afforded in foster care cases.”

Over the years, advocates have continued to raise concerns about New York’s use of these direct placements and informal arrangements and the detrimental effects the arrangements are having on families. The Committee would like to receive information and recommendations about the alternative placement options that are utilized in New York and how to advance and strengthen supports for children and their caregivers.

Persons wishing to present pertinent testimony to the Committees at the above hearing should complete and return the enclosed reply form no later than **Tuesday, May 17th, 2022**. It is important that the reply form be fully completed and returned so that persons may be notified of means by which to testify and/or in the event of emergency postponement or cancellation.

Oral testimony will be limited to 5 minutes’ duration. In preparing the order of witnesses, the Committees will attempt to accommodate individual requests to speak at particular times in view of special circumstances. These requests should be made on the attached reply form or communicated to Committee staff as early as possible.

Ten copies of prepared testimony should be submitted at the hearing registration desk and a copy of prepared statements should be emailed in advance of the hearing to Fred Floss at flossf@nyassembly.gov.

Attendees and participants at any legislative public hearing should be aware that these proceedings are video recorded. Their likenesses may be included in any video coverage shown on television or the internet.

In order to further publicize these hearings, please inform interested parties and organizations of the Committees' interest in hearing testimony from all sources.

In order to meet the needs of those who may have a disability, the Assembly, in accordance with its policy of non-discrimination on the basis of disability, as well as the 1990 Americans with Disabilities Act (ADA), has made its facilities and services available to all individuals with disabilities. For individuals with disabilities, accommodations will be provided, upon reasonable request, to afford such individuals access and admission to Assembly facilities and activities.

Andrew Hevesi
Member of Assembly
Chair
Committee on Children and Families

PUBLIC HEARING REPLY FORM

Persons wishing to present testimony at the public hearing on Alternative Placement Options for Foster Care are requested to complete this reply form by **Tuesday, May 17th, 2022**, and mail, email, or fax it to:

Fred Floss
Legislative Analyst
Assembly Committee on Children and Families
Room 442 - Capitol
Albany, NY 12248
Email: flossf@nyassembly.gov
Phone: (518) 455-4371
Fax: (518) 455-4693

- I plan to attend the following public hearing on Alternative Placement Options for Foster Care to be conducted by the Assembly Committee on Children and Families on Thursday, May 19th, 2022.
- I plan to make a public statement at the hearing. My statement will be limited to 5 minutes, and I will answer any questions which may arise. I will provide 10 copies of my prepared statement.
- I will address my remarks to the following subjects: _____

- I do not plan to attend the above hearing.
- I would like to be added to the Committee mailing list for notices and reports.
- I would like to be removed from the Committee mailing list.
- I will require assistance and/or handicapped accessibility information. **Please specify the type of assistance required:** _____

ALL INFORMATION BELOW MUST BE COMPLETED:

NAME: _____
TITLE: _____
ORGANIZATION: _____
ADDRESS: _____
E-MAIL: _____
TELEPHONE: _____