

B2H DD 1915 (c) Waiver

Standard/Quality	Degree of Compliance				Documentation/Citations	Direct quote and Page #
	Non-Compliant	Partially Compliant	Silent	Compliant		
<u>All Settings:</u>						The B2H waivers are slated for termination upon transition into a 1915(c) consolidated children's waiver under the Care at Home (CAH) waiver on April 1, 2019, if approved by CMS. The newly consolidated B2H/CAH waiver sub/regulations will address full compliance with all of the HCBS standards contained in this chart.
1. Fully integrated into the broader community to the same degree of access as individuals not receiving Medicaid HCBS.				X	Click here for link to 15-OCFS-ADM 21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)
					Click here for link to 18 NYCRR 441.25	(b) The reasonable and prudent parent standard must be applied by the foster parent with whom the child in foster care has been placed or by the authorized agency that is caring for the child in a child care facility, including a group home, agency boarding or supervised independent living program.
					Click here for link to 15-OCFS-ADM-18	As a child or youth in foster care in the State of New York, I have the right: 1: To live in a safe, nurturing, healthy, and suitable residence, to stay safe and to be free from exploitation, where I am treated with respect and where I have enough food and adequate clothing. I have the right to the least restrictive, most home-like setting where I can safely live and receive services. 10: To participate in activities that are appropriate for my age and development, such as after-school activities, summer activities, work experience, to attend or not to attend religious services in my faith, and to practice my religion, if I have one. When I am at least 16 years old, I have the right to apply for my driver's license. I have the right to ask for and to receive guidance in getting a job. (page 7)
					Click here for link to 18 NYCRR 430.11 (c)	(c) Continuity in the child's environment. (3)(i) Standard. Whenever possible, a child shall be placed in a foster care setting which permits the child to retain contact with the persons, groups and institutions with which the child was involved while living with his or her parents, or to which the child will be discharged. It shall be deemed inappropriate to place a child in a setting which conforms with this standard only if the child's service needs can only be met in another available setting at the same or lesser level of care. The initial placement of the child into foster care and all subsequent placements must take into account the appropriateness of the child's existing educational setting and the proximity of such setting to the child's placement location. When it is in the best interest of the foster child to continue to be enrolled in the same school in which the child is currently enrolled, the agency with case management, case planning or casework responsibility for the foster child must coordinate with applicable local school authorities to ensure that the child remains in such school. When it is not in the best interests of the foster child to continue to be enrolled in the same school in which the child is currently enrolled, the agency with case management, case planning or casework responsibility for the foster child must coordinate with applicable local school authorities where the foster child is placed in order that the foster child is provided with immediate and appropriate enrollment in a new school; and the agency with case management, case planning or casework responsibility for the foster child must coordinate with applicable local school authorities where the foster child previously attended in order that all of the applicable school records of the child are provided to the new school.

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-- opportunities to seek employment/ work in				X	Click here for link to 15-OCFS-ADM-21	Having a part-time job is a normative experience for adolescents. OCFS regulation, 18 NYCRR 441.10 recognizes the importance and value of work experiences for youth in foster care as they offer opportunities for beneficial skill development. Caregivers must apply the reasonable and prudent parent standard when considering whether a child is ready for a part-time job. Considerations should include the age and maturity of the child, the child's history of responsible behavior, the type of job, how the child will travel to/from the job, the number of hours and time in which the child shall work, how the job may impact the child's ability to perform academically, and the types of skills the child will develop from a part time job. (Attachment C, page 10)
					Click here for link to 18 NYCRR 441.10	(a) As part of its services an agency shall provide work experiences which have value by encouraging positive attitudes in children toward work and toward themselves. The particular work experience shall be individualized and related to an evaluation of the child's needs, and shall be appropriate to the child's age, physical strength and readiness to do the task.
-- engage in community life				X	Click here for link to 15-OCFS-ADM-21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)
					Click here for link to 15-OCFS-ADM-18	As a child or youth in foster care in the State of New York, I have the right: 1: To live in a safe, nurturing, healthy, and suitable residence, to stay safe and to be free from exploitation, where I am treated with respect and where I have enough food and adequate clothing. I have the right to the least restrictive, most home-like setting where I can safely live and receive services. 10: To participate in activities that are appropriate for my age and development, such as after-school activities, summer activities, work experience, to attend or not to attend religious services in my faith, and to practice my religion, if I have one. When I am at least 16 years old, I have the right to apply for my driver's license. I have the right to ask for and to receive guidance in getting a job. (page 7)
-- control personal resources				X	Click here for link to 06-INF-10	Youth 12 years of age and older should be able to provide input into selecting and purchasing their clothing. It is recommended that youth involvement begin earlier than 12 years based on developmental appropriateness. Youth 16 years of age and older should be responsible for purchasing their clothing with some support from a caring adult. The replacement clothing allowance should not be reduced when a youth has a part-time job or receives a cash gift. A youth should not be expected to use such funds for needed replacement clothing. A youth should be allowed to use money earned or cash gifts to purchase something extra or special for themselves or to save for the future. (page 5)
					Click here for link to 18 NYCRR 441.12	(a) Each child in care shall receive a regular allowance appropriate to age, which shall not be used to meet basic needs. Any money belonging to a child that is kept in custody by an agency shall be kept separate from agency funds, and account shall be kept of such money. Upon the discharge from care, or transfer of any child to the care of another agency, any money belonging to such child shall be turned over to the person or agency authorized to act as custodian of such money, or to the child, as may be appropriate.(b) An agency shall permit and encourage children to possess personal belongings, in addition to clothing and toilet articles, as may be appropriate.

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--receive services in the community				x	Click here for link to 18 NYCRR 430.11 (c)	(c) Continuity in the child's environment. (1)(i) Standard. Whenever possible, a child shall be placed in a foster care setting which permits the child to retain contact with the persons, groups and institutions with which the child was involved while living with his or her parents, or to which the child will be discharged. It shall be deemed inappropriate to place a child in a setting which conforms with this standard only if the child's service needs can only be met in another available setting at the same or lesser level of care. The initial placement of the child into foster care and all subsequent placements must take into account the appropriateness of the child's existing educational setting and the proximity of such setting to the child's placement location. When it is in the best interest of the foster child to continue to be enrolled in the same school in which the child is currently enrolled, the agency with case management, case planning or casework responsibility for the foster child must coordinate with applicable local school authorities to ensure that the child remains in such school. When it is not in the best interests of the foster child to continue to be enrolled in the same school in which the child is currently enrolled, the agency with case management, case planning or casework responsibility for the foster child must coordinate with applicable local school authorities where the foster child is placed in order that the foster child is provided with immediate and appropriate enrollment in a new school; and the agency with case management, case
					Click here for link to 18 NYCRR 441.15	Psychiatric, psychological and other essential services shall be made available appropriate to the needs of the children in care.
2. Selected by the individual among options including non-disability specific settings and an option for a private unit in a residential setting.		X			Click here for link to 15-OCFS-ADM-14	The Department will require that the Agency with designated case planning responsibility, or the Agency of the associated caseworker, document sufficient assessment information as required by 18 NYCRR 430.10 and 430.11 in the family assessment and service plan to justify the placement of the child into foster care and to justify the placement of a child into a specific type or level of placement. Such assessment must address the issue of educational stability of the foster child in accordance with 18 NYCRR 430.11(c)(1)(i) with regard to the initial and each subsequent foster care placement. If the placement does not meet the standards set out in 18 NYCRR 430.11 for that specific type/level of care, the Department will so notify the Agency and request modified and updated assessment information. (Pages 19-20)
					Local Department of Social Services Commissioner is responsible for all placement decisions, as stated in 15-OCFS-ADM-14. The participant's choice and preferences among options including non-disability specific settings, or of a private unit in a residential setting, will be documented in the child's B2H person centered service plan. OCFS will issue guidance about this documentation to the B2H Providers.	
					Click here for link to 18 NYCRR 428.6	2) Family assessment and service plans prepared at the time a child enters foster care or is moved from one foster care placement to another, as applicable, must also include but are not limited to the following: (ii) identification of all available placement alternatives and the specific reasons why they were rejected; (iv) the type and level of placement; documentation that the placement has been assessed to be one that can safely provide for the individual needs of the foster child; and the reasons for selecting the placement if it is not the least restrictive environment; (v) documentation that continuity in the child's environment has been maintained in accordance with the standards in section 430.11(c) of this Title, or the reasons why this is not practicable or in the best interests of the child;

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--the options are identified and documented in the person-centered service plan				X	Click here for link to 18 NYCRR Part 428	428.6 (a)(2) Family assessment and service plans prepared at the time a child enters foster care or is moved from one foster care placement to another, as applicable, must also include but are not limited to the following: (ii) identification of all available placement alternatives and the specific reasons why they were rejected; (iv) the type and level of placement; documentation that the placement has been assessed to be one that can safely provide for the individual needs of the foster child; and the reasons for selecting the placement if it is not the least restrictive environment; (v) documentation that continuity in the child's environment has been maintained in accordance with the standards in section 430.11(c) of this Title, or the reasons why this is not practicable or in the best interests of the child;
					Click here for link to 18 NYCRR 430.11	(b) The requirements of this section shall pertain to all children placed in foster care for whom a uniform case record, as described in Part 428 of this Title, is required. The appropriateness of a foster care placement shall be documented on the forms prescribed by the department in Part 428, according to the standards for documentation defined in the standard for continuity in the child's environment and the standards for appropriate level of placement, as set forth in subdivisions (c) and (d) of this section. In the absence of documentation in the uniform case record, the placement shall be deemed inappropriate.
--the options are based on the individual's needs, preferences, and for residential settings, resources available for room and board.				X	Click here for link to 18 NYCRR 430.11 (d)(1)	(d) Standard for appropriate level of placement.(1) The most appropriate level of placement for each child will always be considered to be the least restrictive and most homelike setting in which the child can be maintained safely and receive all services specified in his or her service plan.
3. Ensure an individual's rights of privacy.				X	Click here for link to 18 NYCRR 441.18	(a)(1) A child in care has an unrestricted right to send mail without prior censorship or prior reading; (b)(1) A child in care shall have the right to receive or refuse any and all calls made to him/her during reasonable hours to be set by the authorized agency or foster parent; (c) Nothing contained in subdivision (a) or (b) of this section shall be construed to impede access of a child to either his attorney or his clergyman; (d)(2) Only in instances when the conditions of paragraph (1) of this subdivision are present and, in addition, there is reasonable cause to believe that the child or other persons in the facility or home are in imminent danger of serious harm due to that child's intent to use or distribute an object(s) or substance(s) in his/her possession may the child's person be searched.
Ensure an individual's rights of dignity and respect.				X	Click here for link to 18 NYCRR 441.19	Each child care agency will provide for the safety of children in its care by requiring employees, volunteers and consultants of the facilities which it operates to use appropriate custodial conduct when caring for children.
					Click here for link to 15-OCFS-ADM-18	As a child or youth in foster care in the State of New York, I have the right: 1: To live in a safe, nurturing, healthy, and suitable residence, to stay safe and to be free from exploitation, where I am treated with respect and where I have enough food and adequate clothing. I have the right to the least restrictive, most home-like setting where I can safely live and receive services.
					Click here for link to 18 NYCRR 443.3 (b)(11)	(11) provide a family atmosphere of acceptance, kindness and understanding and endeavor to give each child the support, attention and recognition that facilitates adjustment to the home and that promotes the child's normal development;

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Ensure an individual's rights of freedom from coercion and restraint.				X	Click here for link to B2H Program Manual on OCFS website.	OCFS B2H Program Manual (pg 11-9) Staff from Health Care Integration Agencies and Waiver Service Provider agencies is not authorized to use restraints or restrictive interventions during the provision of Bridges to Health Waiver services. In the event an unauthorized restraint is necessary to ensure an enrollee or another individual's safety, a safety plan is required to be developed as part of the person-centered plan.
					Click here for link to 18 NYCRR 441.19	Each child care agency will provide for the safety of children in its care by requiring employees, volunteers and consultants of the facilities which it operates to use appropriate custodial conduct when caring for children.
					Click here for link to 18 NYCRR 441.17	(b) Restraint shall be used without purposely inflicting pain or harm, and only when other forms of intervention are either inappropriate or have been tried and proved unsuccessful. Restraint, including room isolation, will never be used for punishment or for the convenience of staff.
4. Optimize and doesn't regiment individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.				X	Click here for link to 15-OCFS-ADM-21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)
					Click here for link to 18 NYCRR 441.25	(b) The reasonable and prudent parent standard must be applied by the foster parent with whom the child in foster care has been placed or by the authorized agency that is caring for the child in a child care facility, including a group home, agency boarding or supervised independent living program.

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5. Facilitate individual choice regarding services and supports, and who provides them.				X	Click here for link to 15-OCFS-ADM-21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)
					Click here for link to 18 NYCRR 430.12(c)(2)(i)(a)(2)	(a) Efforts must be made to involve the following persons as participants in the development and review of the service plan and in the service plan review: (1) the child, if he or she is at least 10 but less than 14 years of age, unless there is a documented reason related to the current necessity of placement why the child should not be involved; (2) the child, if 14 years of age or older, in accordance with the standards set forth in section 428.3(i) of this Title;
Provider Owned or Controlled Settings:						
6. A specific place that can be owned, rented or occupied under a legally enforceable agreement by the individual receiving services.				X	Click here for link to 15-OCFS-ADM-14	The Agency agrees that in each child care facility (group home or agency boarding home) operated by the Agency, the Agency will have present on site at least one employee who is designated and trained to apply the reasonable and prudent parent standard to decisions involving the participation of foster children in the child care facility in age or developmentally appropriate activities in conformance with 18 NYCRR 441.25 and as prescribed by OCFS. (page 36)
					Click here for link to 18 NYCRR 448.3 (d)(4)	(2) Buildings and grounds. Buildings used in whole or in part as a group home must comply with all applicable laws, ordinances, rules, regulations and codes relating to buildings, fire protection, health and safety.

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The individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the jurisdiction's landlord/tenant law or equivalent.				X	Click here for link to 18 NYCRR 430.12.	(F)(4)(i) (a) Every child discharged to another planned living arrangement with a permanency resource and every child deemed to have been discharged to another planned living arrangement with a permanency resource must remain in a status of trial discharge for at least six months after discharge and must remain in the custody of the local commissioner during the entire period of trial discharge. Trial discharge may continue at the discretion of the district up to the age of 21 if the reassessment and service plan review indicates either the need for continued custody or a likelihood that the child may need to return to foster care. During the period of trial discharge, the district must provide after-care services to the child, including casework contacts with the child, with the number of face-to-face contacts and in-home contacts equal to those required for that child pursuant to section 431.16(c) of this Title during the six months immediately preceding the child's discharge. In addition, after-care services include the provision of services consistent with the service needs of the child identified in the uniform case record which would enable the child to live independently after he or she is discharged from care. In the event that the child becomes homeless during the period of trial discharge, the district must assist the child to obtain housing equivalent to that authorized by clause (c) of this subparagraph. Under no circumstances may a district refer or place a child during the 30-day period following the child's becoming homeless in a shelter for adults, shelter for families, single-room occupancy hotel, or any other congregate living arrangement which houses more than 10 unrelated persons. If appropriate housing is not available within 30 days of the date the child becomes homeless, the district must place the child in a suitable foster boarding home, agency boarding home, group home or institution
7. Each individual has privacy in their sleeping or living unit				X	Click here for link to 18 NYCRR 447.2 (b)(13)	(13) Separate and accessible drawer space for personal belongings, and sufficient closet space for indoor and outdoor clothing, shall be available for individual children.
					Click here for link to 18 NYCRR 448.3 (d)(4)	4) Sleeping rooms. (i) Every sleeping room occupied by children shall have good natural light and ventilation and shall have one or more windows opening directly to the exterior. (ii) Separate and accessible drawer space for personal belongings and sufficient closet space for indoor and outdoor clothing shall be available for each child. (iii) No bed shall be located in any unfinished attic, basement, stair hall, or room commonly used for other than bedroom purposes.(iv) Except for mothers and their children, children of different sexes over the age of five shall not sleep in the same room.(v) All single sleeping rooms for children shall contain not less than 80 square feet or floor area and a minimum horizontal dimension of seven feet. (a) No more than three children shall occupy any bedroom.(b) Each child shall have a separate bed spaced at least two feet apart from other beds.(vi) Staff members shall be provided with sleeping quarters separate from those of children.
-- units have entrance doors lockable by the individual with only appropriate staff having keys;				X	Click here for link to 15-OCFS-ADM-14	The Agency agrees that in each child care facility (group home or agency boarding home) operated by the Agency, the Agency will have present on site at least one employee who is designated and trained to apply the reasonable and prudent parent standard to decisions involving the participation of foster children in the child care facility in age or developmentally appropriate activities in conformance with 18 NYCRR 441.25 and as prescribed by OCFS. (page 36)

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-- individuals sharing units have a choice of roommates in that setting;				X	Click here for link to 18 NYCRR 428.6	2) Family assessment and service plans prepared at the time a child enters foster care or is moved from one foster care placement to another, as applicable, must also include but are not limited to the following: (ii) identification of all available placement alternatives and the specific reasons why they were rejected; (iv) the type and level of placement; documentation that the placement has been assessed to be one that can safely provide for the individual needs of the foster child; and the reasons for selecting the placement if it is not the least restrictive environment; (v) documentation that continuity in the child's environment has been maintained in accordance with the standards in section 430.11(c) of this Title, or the reasons why this is not practicable or in the best interests of the child;
-- Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.				X	Click here for link to 15-OCFS-ADM-21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)
8. Individuals have the freedom and support to: --control their own schedules and activities;				X	Click here for link to 15-OCFS-ADM-21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)

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					Click here for link to 18 NYCRR 441.25	(b) The reasonable and prudent parent standard must be applied by the foster parent with whom the child in foster care has been placed or by the authorized agency that is caring for the child in a child care facility, including a group home, agency boarding or supervised independent living program.
					Click here for link to 18 NYCRR 443.3 (b)(1)	(b) Certified and approved foster parents must execute an agreement with the authorized agency that granted the certificate or letter of approval to operate stipulating that the foster family boarding home parent will: (1) enable children received at board to mingle freely and on equal footing with other children in the household and in the community, to be accepted as members of the household and share in its pleasures and responsibilities and to apply the reasonable and prudent parent standard set forth in section 441.25 of this Title;
--have access to food at any time.				X	Click here for link to 18 NYCRR 443.3 (b)(5)	(5) provide children with sufficient nutritious, wholesome and properly prepared food, served at regular hours. Foster children must be permitted to eat meals at the table in the same manner as other family members with due consideration to their age and special needs
					Click here for link to 18 NYCRR 448.3 (g)	(1) Food supplied to the children shall be of good quality, properly prepared, served at regular hours and sufficient in quantity. The diet shall meet the nutritional standards recommended by the National Research Council. All milk and milk products shall be pasteurized.(2) No child will be denied a meal for any reason, except as ordered by a physician; where meals are denied as a result of a doctor's order, the reason for the denial shall be contained in the child's case record.
					Click here for link to 18 NYCRR 447.2 (d) (3)	(3) Food supplied to the children shall be of good quality, properly prepared, and served at regular hours, and sufficient in quantity. Pasteurized milk shall be provided
9. Individuals are able to have visitors of their choosing at any time.				X	Click here for link to 18 NYCRR 443.3 (b)(1)	(b) Certified and approved foster parents must execute an agreement with the authorized agency that granted the certificate or letter of approval to operate stipulating that the foster family boarding home parent will: (1) enable children received at board to mingle freely and on equal footing with other children in the household and in the community, to be accepted as members of the household and share in its pleasures and responsibilities and to apply the reasonable and prudent parent standard set forth in section 441.25 of this Title;
10. The setting is physically accessible to the individual.				X	Click here for link to 18 NYCRR 448.3 (d) (IX)	b) In the provision of public assistance, child welfare services, other care and services, no social services district or any member of its staff shall, on the basis of race, color, national origin, age, sex, religion or handicap: (7) make distinction in relation to use of physical facilities, intake and application procedures, caseload assignments, determination of the amount and type of aid, care, services and other benefits under the program and use thereof.
Heightened Scrutiny: (Note: if any site meets any of the below criteria then they fall under heightened scrutiny)						
YES (Indicate How Many)		No		List Heightened Scrutiny Sites - Use Additional Sheets If Necessary		

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11. Are any settings in facilities that also provide inpatient institutional services?			X			
12. Are any settings in facilities on the grounds of, or immediately adjacent to a public institution?	To be determined					
13. Do any of the settings serve to isolate individuals in receipt of Medicaid-funded HCBS from the broader community?			X			

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<u>All Settings:</u>						The B2H waivers are slated for termination upon transition into a 1915(c) consolidated children's waiver under the Care at Home (CAH) waiver on April 1, 2019, if approved by CMS. The newly consolidated B2H/CAH waiver sub/regulations will address full compliance with all of the HCBS standards contained in this chart.
1. Fully integrated into the broader community to the same degree of access as individuals not receiving Medicaid HCBS.				X	Click here for link to 15-OCFS-ADM 21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)
					Click here for link to 18 NYCRR 441.25	(b) The reasonable and prudent parent standard must be applied by the foster parent with whom the child in foster care has been placed or by the authorized agency that is caring for the child in a child care facility, including a group home, agency boarding or supervised independent living program.
					Click here for link to 15-OCFS-ADM-18	As a child or youth in foster care in the State of New York, I have the right: 1: To live in a safe, nurturing, healthy, and suitable residence, to stay safe and to be free from exploitation, where I am treated with respect and where I have enough food and adequate clothing. I have the right to the least restrictive, most home-like setting where I can safely live and receive services. 10: To participate in activities that are appropriate for my age and development, such as after-school activities, summer activities, work experience, to attend or not to attend religious services in my faith, and to practice my religion, if I have one. When I am at least 16 years old, I have the right to apply for my driver's license. I have the right to ask for and to receive guidance in getting a job. (page 7)
					Click here for link to 18 NYCRR 430.11 (c)	(c) Continuity in the child's environment. (3)(i) Standard. Whenever possible, a child shall be placed in a foster care setting which permits the child to retain contact with the persons, groups and institutions with which the child was involved while living with his or her parents, or to which the child will be discharged. It shall be deemed inappropriate to place a child in a setting which conforms with this standard only if the child's service needs can only be met in another available setting at the same or lesser level of care. The initial placement of the child into foster care and all subsequent placements must take into account the appropriateness of the child's existing educational setting and the proximity of such setting to the child's placement location. When it is in the best interest of the foster child to continue to be enrolled in the same school in which the child is currently enrolled, the agency with case management, case planning or casework responsibility for the foster child must coordinate with applicable local school authorities to ensure that the child remains in such school. When it is not in the best interests of the foster child to continue to be enrolled in the same school in which the child is currently enrolled, the agency with case management, case planning or casework responsibility for the foster child must coordinate with applicable local school authorities where the foster child is placed in order that the foster child is provided with immediate and appropriate enrollment in a new school; and the agency with case management, case planning or casework responsibility for the foster child must coordinate with applicable local school authorities where the foster child previously attended in order that all of the applicable school records of the child are provided to the new school.

Standard/Quality	Degree of Compliance				Documentation/Citations	Direct quote and Page #
	Non-Compliant	Partially Compliant	Silent	Compliant		
-- opportunities to seek employment/ work in				X	Click here for link to 15-OCFS-ADM-21	Having a part-time job is a normative experience for adolescents. OCFS regulation, 18 NYCRR 441.10 recognizes the importance and value of work experiences for youth in foster care as they offer opportunities for beneficial skill development. Caregivers must apply the reasonable and prudent parent standard when considering whether a child is ready for a part-time job. Considerations should include the age and maturity of the child, the child's history of responsible behavior, the type of job, how the child will travel to/from the job, the number of hours and time in which the child shall work, how the job may impact the child's ability to perform academically, and the types of skills the child will develop from a part time job. (Attachment C, page 10)
					Click here for link to 18 NYCRR 441.10	(a) As part of its services an agency shall provide work experiences which have value by encouraging positive attitudes in children toward work and toward themselves. The particular work experience shall be individualized and related to an evaluation of the child's needs, and shall be appropriate to the child's age, physical strength and readiness to do the task.
-- engage in community life				X	Click here for link to 15-OCFS-ADM-21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)
					Click here for link to 15-OCFS-ADM-18	As a child or youth in foster care in the State of New York, I have the right: 1: To live in a safe, nurturing, healthy, and suitable residence, to stay safe and to be free from exploitation, where I am treated with respect and where I have enough food and adequate clothing. I have the right to the least restrictive, most home-like setting where I can safely live and receive services. 10: To participate in activities that are appropriate for my age and development, such as after-school activities, summer activities, work experience, to attend or not to attend religious services in my faith, and to practice my religion, if I have one. When I am at least 16 years old, I have the right to apply for my driver's license. I have the right to ask for and to receive guidance in getting a job. (page 7)
-- control personal resources				X	Click here for link to 06-INF-10	Youth 12 years of age and older should be able to provide input into selecting and purchasing their clothing. It is recommended that youth involvement begin earlier than 12 years based on developmental appropriateness. Youth 16 years of age and older should be responsible for purchasing their clothing with some support from a caring adult. The replacement clothing allowance should not be reduced when a youth has a part-time job or receives a cash gift. A youth should not be expected to use such funds for needed replacement clothing. A youth should be allowed to use money earned or cash gifts to purchase something extra or special for themselves or to save for the future. (page 5)
					Click here for link to 18 NYCRR 441.12	(a) Each child in care shall receive a regular allowance appropriate to age, which shall not be used to meet basic needs. Any money belonging to a child that is kept in custody by an agency shall be kept separate from agency funds, and account shall be kept of such money. Upon the discharge from care, or transfer of any child to the care of another agency, any money belonging to such child shall be turned over to the person or agency authorized to act as custodian of such money, or to the child, as may be appropriate.(b) An agency shall permit and encourage children to possess personal belongings, in addition to clothing and toilet articles, as may be appropriate.

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	Non-Compliant	Partially Compliant	Silent	Compliant		
--receive services in the community				x	Click here for link to 18 NYCRR 430.11 (c)	(c) Continuity in the child's environment. (1)(i) Standard. Whenever possible, a child shall be placed in a foster care setting which permits the child to retain contact with the persons, groups and institutions with which the child was involved while living with his or her parents, or to which the child will be discharged. It shall be deemed inappropriate to place a child in a setting which conforms with this standard only if the child's service needs can only be met in another available setting at the same or lesser level of care. The initial placement of the child into foster care and all subsequent placements must take into account the appropriateness of the child's existing educational setting and the proximity of such setting to the child's placement location. When it is in the best interest of the foster child to continue to be enrolled in the same school in which the child is currently enrolled, the agency with case management, case planning or casework responsibility for the foster child must coordinate with applicable local school authorities to ensure that the child remains in such school. When it is not in the best interests of the foster child to continue to be enrolled in the same school in which the child is currently enrolled, the agency with case management, case planning or casework responsibility for the foster child must coordinate with applicable local school authorities where the foster child is placed in order that the foster child is provided with immediate and appropriate enrollment in a new school; and the agency with case management, case
					Click here for link to 18 NYCRR 441.15	Psychiatric, psychological and other essential services shall be made available appropriate to the needs of the children in care.
2. Selected by the individual among options including non-disability specific settings and an option for a private unit in a residential setting.		X			Click here for link to 15-OCFS-ADM-14	The Department will require that the Agency with designated case planning responsibility, or the Agency of the associated caseworker, document sufficient assessment information as required by 18 NYCRR 430.10 and 430.11 in the family assessment and service plan to justify the placement of the child into foster care and to justify the placement of a child into a specific type or level of placement. Such assessment must address the issue of educational stability of the foster child in accordance with 18 NYCRR 430.11(c)(1)(i) with regard to the initial and each subsequent foster care placement. If the placement does not meet the standards set out in 18 NYCRR 430.11 for that specific type/level of care, the Department will so notify the Agency and request modified and updated assessment information. (Pages 19-20)
					Local Department of Social Services Commissioner is responsible for all placement decisions, as stated in 15-OCFS-ADM-14. The participant's choice and preferences among options including non-disability specific settings, or of a private unit in a residential setting, will be documented in the child's B2H person centered service plan. OCFS will issue guidance about this documentation to the B2H Providers.	
					Click here for link to 18 NYCRR 428.6	2) Family assessment and service plans prepared at the time a child enters foster care or is moved from one foster care placement to another, as applicable, must also include but are not limited to the following: (ii) identification of all available placement alternatives and the specific reasons why they were rejected; (iv) the type and level of placement; documentation that the placement has been assessed to be one that can safely provide for the individual needs of the foster child; and the reasons for selecting the placement if it is not the least restrictive environment; (v) documentation that continuity in the child's environment has been maintained in accordance with the standards in section 430.11(c) of this Title, or the reasons why this is not practicable or in the best interests of the child;

Standard/Quality	Degree of Compliance				Documentation/Citations	Direct quote and Page #
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--the options are identified and documented in the person-centered service plan				X	Click here for link to 18 NYCRR Part 428	428.6 (a)(2) Family assessment and service plans prepared at the time a child enters foster care or is moved from one foster care placement to another, as applicable, must also include but are not limited to the following: (ii) identification of all available placement alternatives and the specific reasons why they were rejected; (iv) the type and level of placement; documentation that the placement has been assessed to be one that can safely provide for the individual needs of the foster child; and the reasons for selecting the placement if it is not the least restrictive environment; (v) documentation that continuity in the child's environment has been maintained in accordance with the standards in section 430.11(c) of this Title, or the reasons why this is not practicable or in the best interests of the child;
					Click here for link to 18 NYCRR 430.11	(b) The requirements of this section shall pertain to all children placed in foster care for whom a uniform case record, as described in Part 428 of this Title, is required. The appropriateness of a foster care placement shall be documented on the forms prescribed by the department in Part 428, according to the standards for documentation defined in the standard for continuity in the child's environment and the standards for appropriate level of placement, as set forth in subdivisions (c) and (d) of this section. In the absence of documentation in the uniform case record, the placement shall be deemed inappropriate.
--the options are based on the individual's needs, preferences, and for residential settings, resources available for room and board.				X	Click here for link to 18 NYCRR 430.11 (d)(1)	(d) Standard for appropriate level of placement.(1) The most appropriate level of placement for each child will always be considered to be the least restrictive and most homelike setting in which the child can be maintained safely and receive all services specified in his or her service plan.
3. Ensure an individual's rights of privacy.				X	Click here for link to 18 NYCRR 441.18	(a)(1) A child in care has an unrestricted right to send mail without prior censorship or prior reading; (b)(1) A child in care shall have the right to receive or refuse any and all calls made to him/her during reasonable hours to be set by the authorized agency or foster parent; (c) Nothing contained in subdivision (a) or (b) of this section shall be construed to impede access of a child to either his attorney or his clergyman; (d)(2) Only in instances when the conditions of paragraph (1) of this subdivision are present and, in addition, there is reasonable cause to believe that the child or other persons in the facility or home are in imminent danger of serious harm due to that child's intent to use or distribute an object(s) or substance(s) in his/her possession may the child's person be searched.
Ensure an individual's rights of dignity and respect.				X	Click here for link to 18 NYCRR 441.19	Each child care agency will provide for the safety of children in its care by requiring employees, volunteers and consultants of the facilities which it operates to use appropriate custodial conduct when caring for children.
					Click here for link to 15-OCFS-ADM-18	As a child or youth in foster care in the State of New York, I have the right: 1: To live in a safe, nurturing, healthy, and suitable residence, to stay safe and to be free from exploitation, where I am treated with respect and where I have enough food and adequate clothing. I have the right to the least restrictive, most home-like setting where I can safely live and receive services.
					Click here for link to 18 NYCRR 443.3 (b)(11)	(11) provide a family atmosphere of acceptance, kindness and understanding and endeavor to give each child the support, attention and recognition that facilitates adjustment to the home and that promotes the child's normal development;

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Ensure an individual's rights of freedom from coercion and restraint.				X	Click here for link to B2H Program Manual on OCFS website.	OCFS B2H Program Manual (pg 11-9) Staff from Health Care Integration Agencies and Waiver Service Provider agencies is not authorized to use restraints or restrictive interventions during the provision of Bridges to Health Waiver services. In the event an unauthorized restraint is necessary to ensure an enrollee or another individual's safety, a safety plan is required to be developed as part of the person-centered plan.
					Click here for link to 18 NYCRR 441.19	Each child care agency will provide for the safety of children in its care by requiring employees, volunteers and consultants of the facilities which it operates to use appropriate custodial conduct when caring for children.
					Click here for link to 18 NYCRR 441.17	(b) Restraint shall be used without purposely inflicting pain or harm, and only when other forms of intervention are either inappropriate or have been tried and proved unsuccessful. Restraint, including room isolation, will never be used for punishment or for the convenience of staff.
4. Optimize and doesn't regiment individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.				X	Click here for link to 15-OCFS-ADM-21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)
					Click here for link to 18 NYCRR 441.25	(b) The reasonable and prudent parent standard must be applied by the foster parent with whom the child in foster care has been placed or by the authorized agency that is caring for the child in a child care facility, including a group home, agency boarding or supervised independent living program.

Standard/Quality	Degree of Compliance				Documentation/Citations	Direct quote and Page #
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5. Facilitate individual choice regarding services and supports, and who provides them.				X	Click here for link to 15-OCFS-ADM-21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)
					Click here for link to 18 NYCRR 430.12(c)(2)(i)(a)(2)	(a) Efforts must be made to involve the following persons as participants in the development and review of the service plan and in the service plan review: (1) the child, if he or she is at least 10 but less than 14 years of age, unless there is a documented reason related to the current necessity of placement why the child should not be involved; (2) the child, if 14 years of age or older, in accordance with the standards set forth in section 428.3(i) of this Title;
Provider Owned or Controlled Settings:						
6. A specific place that can be owned, rented or occupied under a legally enforceable agreement by the individual receiving services.				X	Click here for link to 15-OCFS-ADM-14	The Agency agrees that in each child care facility (group home or agency boarding home) operated by the Agency, the Agency will have present on site at least one employee who is designated and trained to apply the reasonable and prudent parent standard to decisions involving the participation of foster children in the child care facility in age or developmentally appropriate activities in conformance with 18 NYCRR 441.25 and as prescribed by OCFS. (page 36)
					Click here for link to 18 NYCRR 448.3 (d)(4)	(2) Buildings and grounds. Buildings used in whole or in part as a group home must comply with all applicable laws, ordinances, rules, regulations and codes relating to buildings, fire protection, health and safety.

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The individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the jurisdiction's landlord/tenant law or equivalent.				X	Click here for link to 18 NYCRR 430.12.	(F)(4)(i) (a) Every child discharged to another planned living arrangement with a permanency resource and every child deemed to have been discharged to another planned living arrangement with a permanency resource must remain in a status of trial discharge for at least six months after discharge and must remain in the custody of the local commissioner during the entire period of trial discharge. Trial discharge may continue at the discretion of the district up to the age of 21 if the reassessment and service plan review indicates either the need for continued custody or a likelihood that the child may need to return to foster care. During the period of trial discharge, the district must provide after-care services to the child, including casework contacts with the child, with the number of face-to-face contacts and in-home contacts equal to those required for that child pursuant to section 431.16(c) of this Title during the six months immediately preceding the child's discharge. In addition, after-care services include the provision of services consistent with the service needs of the child identified in the uniform case record which would enable the child to live independently after he or she is discharged from care. In the event that the child becomes homeless during the period of trial discharge, the district must assist the child to obtain housing equivalent to that authorized by clause (c) of this subparagraph. Under no circumstances may a district refer or place a child during the 30-day period following the child's becoming homeless in a shelter for adults, shelter for families, single-room occupancy hotel, or any other congregate living arrangement which houses more than 10 unrelated persons. If appropriate housing is not available within 30 days of the date the child becomes homeless, the district must place the child in a suitable foster boarding home, agency boarding home, group home or institution
7. Each individual has privacy in their sleeping or living unit				X	Click here for link to 18 NYCRR 447.2 (b)(13)	(13) Separate and accessible drawer space for personal belongings, and sufficient closet space for indoor and outdoor clothing, shall be available for individual children.
					Click here for link to 18 NYCRR 448.3 (d)(4)	4) Sleeping rooms. (i) Every sleeping room occupied by children shall have good natural light and ventilation and shall have one or more windows opening directly to the exterior. (ii) Separate and accessible drawer space for personal belongings and sufficient closet space for indoor and outdoor clothing shall be available for each child. (iii) No bed shall be located in any unfinished attic, basement, stair hall, or room commonly used for other than bedroom purposes.(iv) Except for mothers and their children, children of different sexes over the age of five shall not sleep in the same room.(v) All single sleeping rooms for children shall contain not less than 80 square feet or floor area and a minimum horizontal dimension of seven feet. (a) No more than three children shall occupy any bedroom.(b) Each child shall have a separate bed spaced at least two feet apart from other beds.(vi) Staff members shall be provided with sleeping quarters separate from those of children.
-- units have entrance doors lockable by the individual with only appropriate staff having keys;				X	Click here for link to 15-OCFS-ADM-14	The Agency agrees that in each child care facility (group home or agency boarding home) operated by the Agency, the Agency will have present on site at least one employee who is designated and trained to apply the reasonable and prudent parent standard to decisions involving the participation of foster children in the child care facility in age or developmentally appropriate activities in conformance with 18 NYCRR 441.25 and as prescribed by OCFS. (page 36)

Standard/Quality	Degree of Compliance				Documentation/Citations	Direct quote and Page #
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-- individuals sharing units have a choice of roommates in that setting;				X	Click here for link to 18 NYCRR 428.6	2) Family assessment and service plans prepared at the time a child enters foster care or is moved from one foster care placement to another, as applicable, must also include but are not limited to the following: (ii) identification of all available placement alternatives and the specific reasons why they were rejected; (iv) the type and level of placement; documentation that the placement has been assessed to be one that can safely provide for the individual needs of the foster child; and the reasons for selecting the placement if it is not the least restrictive environment; (v) documentation that continuity in the child's environment has been maintained in accordance with the standards in section 430.11(c) of this Title, or the reasons why this is not practicable or in the best interests of the child;
-- Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.				X	Click here for link to 15-OCFS-ADM-21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)
8. Individuals have the freedom and support to: --control their own schedules and activities;				X	Click here for link to 15-OCFS-ADM-21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)

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					Click here for link to 18 NYCRR 441.25	(b) The reasonable and prudent parent standard must be applied by the foster parent with whom the child in foster care has been placed or by the authorized agency that is caring for the child in a child care facility, including a group home, agency boarding or supervised independent living program.
					Click here for link to 18 NYCRR 443.3 (b)(1)	(b) Certified and approved foster parents must execute an agreement with the authorized agency that granted the certificate or letter of approval to operate stipulating that the foster family boarding home parent will: (1) enable children received at board to mingle freely and on equal footing with other children in the household and in the community, to be accepted as members of the household and share in its pleasures and responsibilities and to apply the reasonable and prudent parent standard set forth in section 441.25 of this Title;
--have access to food at any time.				X	Click here for link to 18 NYCRR 443.3 (b)(5)	(5) provide children with sufficient nutritious, wholesome and properly prepared food, served at regular hours. Foster children must be permitted to eat meals at the table in the same manner as other family members with due consideration to their age and special needs
					Click here for link to 18 NYCRR 448.3 (g)	(1) Food supplied to the children shall be of good quality, properly prepared, served at regular hours and sufficient in quantity. The diet shall meet the nutritional standards recommended by the National Research Council. All milk and milk products shall be pasteurized.(2) No child will be denied a meal for any reason, except as ordered by a physician; where meals are denied as a result of a doctor's order, the reason for the denial shall be contained in the child's case record.
					Click here for link to 18 NYCRR 447.2 (d) (3)	(3) Food supplied to the children shall be of good quality, properly prepared, and served at regular hours, and sufficient in quantity. Pasteurized milk shall be provided
9. Individuals are able to have visitors of their choosing at any time.				X	Click here for link to 18 NYCRR 443.3 (b)(1)	(b) Certified and approved foster parents must execute an agreement with the authorized agency that granted the certificate or letter of approval to operate stipulating that the foster family boarding home parent will: (1) enable children received at board to mingle freely and on equal footing with other children in the household and in the community, to be accepted as members of the household and share in its pleasures and responsibilities and to apply the reasonable and prudent parent standard set forth in section 441.25 of this Title;
10. The setting is physically accessible to the individual.				X	Click here for link to 18 NYCRR 448.3 (d) (IX)	b) In the provision of public assistance, child welfare services, other care and services, no social services district or any member of its staff shall, on the basis of race, color, national origin, age, sex, religion or handicap: (7) make distinction in relation to use of physical facilities, intake and application procedures, caseload assignments, determination of the amount and type of aid, care, services and other benefits under the program and use thereof.
Heightened Scrutiny: (Note: if any site meets any of the below criteria then they fall under heightened scrutiny)						
YES (Indicate How Many)		No		List Heightened Scrutiny Sites - Use Additional Sheets If Necessary		

Standard/Quality	Degree of Compliance				Documentation/Citations	Direct quote and Page #
	Non-Compliant	Partially Compliant	Silent	Compliant		
11. Are any settings in facilities that also provide inpatient institutional services?			X			
12. Are any settings in facilities on the grounds of, or immediately adjacent to a public institution?	To be determined					
13. Do any of the settings serve to isolate individuals in receipt of Medicaid-funded HCBS from the broader community?			X			

B2H MedF 1915 (c) Waiver

Standard/Quality	Degree of Compliance				Documentation/Citations	Direct quote and Page #
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<u>All Settings:</u>						The B2H waivers are slated for termination upon transition into a 1915(c) consolidated children's waiver under the Care at Home (CAH) waiver on April 1, 2019, if approved by CMS. The newly consolidated B2H/CAH waiver sub/regulations will address full compliance with all of the HCBS standards contained in this chart.
1. Fully integrated into the broader community to the same degree of access as individuals not receiving Medicaid HCBS.				X	Click here for link to 15-OCFS-ADM 21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)
					Click here for link to 18 NYCRR 441.25	(b) The reasonable and prudent parent standard must be applied by the foster parent with whom the child in foster care has been placed or by the authorized agency that is caring for the child in a child care facility, including a group home, agency boarding or supervised independent living program.
					Click here for link to 15-OCFS-ADM-18	As a child or youth in foster care in the State of New York, I have the right: 1: To live in a safe, nurturing, healthy, and suitable residence, to stay safe and to be free from exploitation, where I am treated with respect and where I have enough food and adequate clothing. I have the right to the least restrictive, most home-like setting where I can safely live and receive services. 10: To participate in activities that are appropriate for my age and development, such as after-school activities, summer activities, work experience, to attend or not to attend religious services in my faith, and to practice my religion, if I have one. When I am at least 16 years old, I have the right to apply for my driver's license. I have the right to ask for and to receive guidance in getting a job. (page 7)
					Click here for link to 18 NYCRR 430.11 (c)	(c) Continuity in the child's environment. (1)(i) Standard. Whenever possible, a child shall be placed in a foster care setting which permits the child to retain contact with the persons, groups and institutions with which the child was involved while living with his or her parents, or to which the child will be discharged. It shall be deemed inappropriate to place a child in a setting which conforms with this standard only if the child's service needs can only be met in another available setting at the same or lesser level of care. The initial placement of the child into foster care and all subsequent placements must take into account the appropriateness of the child's existing educational setting and the proximity of such setting to the child's placement location. When it is in the best interest of the foster child to continue to be enrolled in the same school in which the child is currently enrolled, the agency with case management, case planning or casework responsibility for the foster child must coordinate with applicable local school authorities to ensure that the child remains in such school. When it is not in the best interests of the foster child to continue to be enrolled in the same school in which the child is currently enrolled, the agency with case management, case planning or casework responsibility for the foster child must coordinate with applicable local school authorities where the foster child is placed in order that the foster child is provided with immediate and appropriate enrollment in a new school; and the agency with case management, case planning or casework responsibility for the foster child must coordinate with applicable local school authorities where the foster child previously attended in order that all of the applicable school records of the child are provided to the new school.

Standard/Quality	Degree of Compliance				Documentation/Citations	Direct quote and Page #
	Non-Compliant	Partially Compliant	Silent	Compliant		
-- opportunities to seek employment/ work in				X	Click here for link to 15-OCFS-ADM-21	Having a part-time job is a normative experience for adolescents. OCFS regulation, 18 NYCRR 441.10 recognizes the importance and value of work experiences for youth in foster care as they offer opportunities for beneficial skill development. Caregivers must apply the reasonable and prudent parent standard when considering whether a child is ready for a part-time job. Considerations should include the age and maturity of the child, the child's history of responsible behavior, the type of job, how the child will travel to/from the job, the number of hours and time in which the child shall work, how the job may impact the child's ability to perform academically, and the types of skills the child will develop from a part time job. (Attachment C, page 10)
					Click here for link to 18 NYCRR 441.10	(a) As part of its services an agency shall provide work experiences which have value by encouraging positive attitudes in children toward work and toward themselves. The particular work experience shall be individualized and related to an evaluation of the child's needs, and shall be appropriate to the child's age, physical strength and readiness to do the task.
-- engage in community life				X	Click here for link to 15-OCFS-ADM-21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)
					Click here for link to 15-OCFS-ADM-18	As a child or youth in foster care in the State of New York, I have the right: 1: To live in a safe, nurturing, healthy, and suitable residence, to stay safe and to be free from exploitation, where I am treated with respect and where I have enough food and adequate clothing. I have the right to the least restrictive, most home-like setting where I can safely live and receive services. 10: To participate in activities that are appropriate for my age and development, such as after-school activities, summer activities, work experience, to attend or not to attend religious services in my faith, and to practice my religion, if I have one. When I am at least 16 years old, I have the right to apply for my driver's license. I have the right to ask for and to receive guidance in getting a job. (page 7)
-- control personal resources				X	Click here for link to 06-INF-10	Youth 12 years of age and older should be able to provide input into selecting and purchasing their clothing. It is recommended that youth involvement begin earlier than 12 years based on developmental appropriateness. Youth 16 years of age and older should be responsible for purchasing their clothing with some support from a caring adult. The replacement clothing allowance should not be reduced when a youth has a part-time job or receives a cash gift. A youth should not be expected to use such funds for needed replacement clothing. A youth should be allowed to use money earned or cash gifts to purchase something extra or special for themselves or to save for the future. (page 5)
					Click here for link to 18 NYCRR 441.12	(a) Each child in care shall receive a regular allowance appropriate to age, which shall not be used to meet basic needs. Any money belonging to a child that is kept in custody by an agency shall be kept separate from agency funds, and account shall be kept of such money. Upon the discharge from care, or transfer of any child to the care of another agency, any money belonging to such child shall be turned over to the person or agency authorized to act as custodian of such money, or to the child, as may be appropriate.(b) An agency shall permit and encourage children to possess personal belongings, in addition to clothing and toilet articles, as may be appropriate.

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--receive services in the community				x	Click here for link to 18 NYCRR 430.11 (c)	(c) Continuity in the child's environment. (1)(i) Standard. Whenever possible, a child shall be placed in a foster care setting which permits the child to retain contact with the persons, groups and institutions with which the child was involved while living with his or her parents, or to which the child will be discharged. It shall be deemed inappropriate to place a child in a setting which conforms with this standard only if the child's service needs can only be met in another available setting at the same or lesser level of care. The initial placement of the child into foster care and all subsequent placements must take into account the appropriateness of the child's existing educational setting and the proximity of such setting to the child's placement location. When it is in the best interest of the foster child to continue to be enrolled in the same school in which the child is currently enrolled, the agency with case management, case planning or casework responsibility for the foster child must coordinate with applicable local school authorities to ensure that the child remains in such school. When it is not in the best interests of the foster child to continue to be enrolled in the same school in which the child is currently enrolled, the agency with case management, case planning or casework responsibility for the foster child must coordinate with applicable local school authorities where the foster child is placed in order that the foster child is provided with immediate and appropriate enrollment in a new school; and the agency with case management, case
					Click here for link to 18 NYCRR 441.15	Psychiatric, psychological and other essential services shall be made available appropriate to the needs of the children in care.
2. Selected by the individual among options including non-disability specific settings and an option for a private unit in a residential setting.		X			Click here for link to 15-OCFS-ADM-14	The Department will require that the Agency with designated case planning responsibility, or the Agency of the associated caseworker, document sufficient assessment information as required by 18 NYCRR 430.10 and 430.11 in the family assessment and service plan to justify the placement of the child into foster care and to justify the placement of a child into a specific type or level of placement. Such assessment must address the issue of educational stability of the foster child in accordance with 18 NYCRR 430.11(c)(1)(i) with regard to the initial and each subsequent foster care placement. If the placement does not meet the standards set out in 18 NYCRR 430.11 for that specific type/level of care, the Department will so notify the Agency and request modified and updated assessment information. (Pages 19-20)
					Local Department of Social Services Commissioner is responsible for all placement decisions, as stated in 15-OCFS-ADM-14. The participant's choice and preferences among options including non-disability specific settings, or of a private unit in a residential setting, will be documented in the child's B2H person centered service plan. OCFS will issue guidance about this documentation to the B2H Providers.	
					Click here for link to 18 NYCRR 428.6	2) Family assessment and service plans prepared at the time a child enters foster care or is moved from one foster care placement to another, as applicable, must also include but are not limited to the following: (ii) identification of all available placement alternatives and the specific reasons why they were rejected; (iv) the type and level of placement; documentation that the placement has been assessed to be one that can safely provide for the individual needs of the foster child; and the reasons for selecting the placement if it is not the least restrictive environment; (v) documentation that continuity in the child's environment has been maintained in accordance with the standards in section 430.11(c) of this Title, or the reasons why this is not practicable or in the best interests of the child;

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--the options are identified and documented in the person-centered service plan				X	Click here for link to 18 NYCRR Part 428	428.6 (a)(2) Family assessment and service plans prepared at the time a child enters foster care or is moved from one foster care placement to another, as applicable, must also include but are not limited to the following: (ii) identification of all available placement alternatives and the specific reasons why they were rejected; (iv) the type and level of placement; documentation that the placement has been assessed to be one that can safely provide for the individual needs of the foster child; and the reasons for selecting the placement if it is not the least restrictive environment; (v) documentation that continuity in the child's environment has been maintained in accordance with the standards in section 430.11(c) of this Title, or the reasons why this is not practicable or in the best interests of the child;
					Click here for link to 18 NYCRR 430.11	(b) The requirements of this section shall pertain to all children placed in foster care for whom a uniform case record, as described in Part 428 of this Title, is required. The appropriateness of a foster care placement shall be documented on the forms prescribed by the department in Part 428, according to the standards for documentation defined in the standard for continuity in the child's environment and the standards for appropriate level of placement, as set forth in subdivisions (c) and (d) of this section. In the absence of documentation in the uniform case record, the placement shall be deemed inappropriate.
--the options are based on the individual's needs, preferences, and for residential settings, resources available for room and board.				X	Click here for link to 18 NYCRR 430.11 (d)(1)	(d) Standard for appropriate level of placement.(1) The most appropriate level of placement for each child will always be considered to be the least restrictive and most homelike setting in which the child can be maintained safely and receive all services specified in his or her service plan.
3. Ensure an individual's rights of privacy.				X	Click here for link to 18 NYCRR 441.18	(a)(1) A child in care has an unrestricted right to send mail without prior censorship or prior reading; (b)(1) A child in care shall have the right to receive or refuse any and all calls made to him/her during reasonable hours to be set by the authorized agency or foster parent; (c) Nothing contained in subdivision (a) or (b) of this section shall be construed to impede access of a child to either his attorney or his clergyman; (d)(2) Only in instances when the conditions of paragraph (1) of this subdivision are present and, in addition, there is reasonable cause to believe that the child or other persons in the facility or home are in imminent danger of serious harm due to that child's intent to use or distribute an object(s) or substance(s) in his/her possession may the child's person be searched.
Ensure an individual's rights of dignity and respect.				X	Click here for link to 18 NYCRR 441.19	Each child care agency will provide for the safety of children in its care by requiring employees, volunteers and consultants of the facilities which it operates to use appropriate custodial conduct when caring for children.
					Click here for link to 15-OCFS-ADM-18	As a child or youth in foster care in the State of New York, I have the right: 1: To live in a safe, nurturing, healthy, and suitable residence, to stay safe and to be free from exploitation, where I am treated with respect and where I have enough food and adequate clothing. I have the right to the least restrictive, most home-like setting where I can safely live and receive services.
					Click here for link to 18 NYCRR 443.3 (b)(11)	(11) provide a family atmosphere of acceptance, kindness and understanding and endeavor to give each child the support, attention and recognition that facilitates adjustment to the home and that promotes the child's normal development;

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Ensure an individual's rights of freedom from coercion and restraint.				X	Click here for link to OCFS website for B2H Program Manual	OCFS B2H Program Manual (pg 11-9) Staff from Health Care Integration Agencies and Waiver Service Provider agencies is not authorized to use restraints or restrictive interventions during the provision of Bridges to Health Waiver services. In the event an unauthorized restraint is necessary to ensure an enrollee or another individual's safety, a safety plan is required to be developed as part of the person-centered plan.
					Click here for link to 18 NYCRR 441.19	Each child care agency will provide for the safety of children in its care by requiring employees, volunteers and consultants of the facilities which it operates to use appropriate custodial conduct when caring for children.
					Click here for link to 18 NYCRR 441.17	(b) Restraint shall be used without purposely inflicting pain or harm, and only when other forms of intervention are either inappropriate or have been tried and proved unsuccessful. Restraint, including room isolation, will never be used for punishment or for the convenience of staff.
4. Optimize and doesn't regiment individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact.				X	Click here for link to 15-OCFS-ADM-21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)
					Click here for link to 18 NYCRR 441.25	(b) The reasonable and prudent parent standard must be applied by the foster parent with whom the child in foster care has been placed or by the authorized agency that is caring for the child in a child care facility, including a group home, agency boarding or supervised independent living program.

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5. Facilitate individual choice regarding services and supports, and who provides them.				X	Click here for link to 15-OCFS-ADM-21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)
					Click here for link to 18 NYCRR 430.12(c)(2)(i)(a)(2)	(a) Efforts must be made to involve the following persons as participants in the development and review of the service plan and in the service plan review: (1) the child, if he or she is at least 10 but less than 14 years of age, unless there is a documented reason related to the current necessity of placement why the child should not be involved; (2) the child, if 14 years of age or older, in accordance with the standards set forth in section 428.3(i) of this Title;
Provider Owned or Controlled Settings:						
6. A specific place that can be owned, rented or occupied under a legally enforceable agreement by the individual receiving services.				X	Click here for link to 15-OCFS-ADM-14	The Agency agrees that in each child care facility (group home or agency boarding home) operated by the Agency, the Agency will have present on site at least one employee who is designated and trained to apply the reasonable and prudent parent standard to decisions involving the participation of foster children in the child care facility in age or developmentally appropriate activities in conformance with 18 NYCRR 441.25 and as prescribed by OCFS. (page 36)
					Click here for link to 18 NYCRR 448.3 (d)(4)	(2) Buildings and grounds. Buildings used in whole or in part as a group home must comply with all applicable laws, ordinances, rules, regulations and codes relating to buildings, fire protection, health and safety.

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The individual has, at a minimum, the same responsibilities and protections from eviction that tenants have under the jurisdiction's landlord/tenant law or equivalent.				X	Click here for link to 18 NYCRR 430.12.	(F)(4)(i) (a) Every child discharged to another planned living arrangement with a permanency resource and every child deemed to have been discharged to another planned living arrangement with a permanency resource must remain in a status of trial discharge for at least six months after discharge and must remain in the custody of the local commissioner during the entire period of trial discharge. Trial discharge may continue at the discretion of the district up to the age of 21 if the reassessment and service plan review indicates either the need for continued custody or a likelihood that the child may need to return to foster care. During the period of trial discharge, the district must provide after-care services to the child, including casework contacts with the child, with the number of face-to-face contacts and in-home contacts equal to those required for that child pursuant to section 431.16(c) of this Title during the six months immediately preceding the child's discharge. In addition, after-care services include the provision of services consistent with the service needs of the child identified in the uniform case record which would enable the child to live independently after he or she is discharged from care. In the event that the child becomes homeless during the period of trial discharge, the district must assist the child to obtain housing equivalent to that authorized by clause (c) of this subparagraph. Under no circumstances may a district refer or place a child during the 30-day period following the child's becoming homeless in a shelter for adults, shelter for families, single-room occupancy hotel, or any other congregate living arrangement which houses more than 10 unrelated persons. If appropriate housing is not available within 30 days of the date the child becomes homeless, the district must place the child in a suitable foster boarding home, agency boarding home, group home or institution
7. Each individual has privacy in their sleeping or living unit				X	Click here for link to 18 NYCRR 447.2 (b)(13)	(13) Separate and accessible drawer space for personal belongings, and sufficient closet space for indoor and outdoor clothing, shall be available for individual children.
					Click here for link to 18 NYCRR 448.3 (d)(4)	4) Sleeping rooms. (i) Every sleeping room occupied by children shall have good natural light and ventilation and shall have one or more windows opening directly to the exterior. (ii) Separate and accessible drawer space for personal belongings and sufficient closet space for indoor and outdoor clothing shall be available for each child. (iii) No bed shall be located in any unfinished attic, basement, stair hall, or room commonly used for other than bedroom purposes.(iv) Except for mothers and their children, children of different sexes over the age of five shall not sleep in the same room.(v) All single sleeping rooms for children shall contain not less than 80 square feet or floor area and a minimum horizontal dimension of seven feet. (a) No more than three children shall occupy any bedroom.(b) Each child shall have a separate bed spaced at least two feet apart from other beds.(vi) Staff members shall be provided with sleeping quarters separate from those of children.
-- units have entrance doors lockable by the individual with only appropriate staff having keys;				X	Click here for link to 15-OCFS-ADM-14	The Agency agrees that in each child care facility (group home or agency boarding home) operated by the Agency, the Agency will have present on site at least one employee who is designated and trained to apply the reasonable and prudent parent standard to decisions involving the participation of foster children in the child care facility in age or developmentally appropriate activities in conformance with 18 NYCRR 441.25 and as prescribed by OCFS. (page 36)

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-- individuals sharing units have a choice of roommates in that setting;				X	Click here for link to 18 NYCRR 428.6	2) Family assessment and service plans prepared at the time a child enters foster care or is moved from one foster care placement to another, as applicable, must also include but are not limited to the following: (ii) identification of all available placement alternatives and the specific reasons why they were rejected; (iv) the type and level of placement; documentation that the placement has been assessed to be one that can safely provide for the individual needs of the foster child; and the reasons for selecting the placement if it is not the least restrictive environment; (v) documentation that continuity in the child's environment has been maintained in accordance with the standards in section 430.11(c) of this Title, or the reasons why this is not practicable or in the best interests of the child;
-- Individuals have the freedom to furnish and decorate their sleeping or living units within the lease or other agreement.				X	Click here for link to 15-OCFS-ADM-21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)
8. Individuals have the freedom and support to: --control their own schedules and activities;				X	Click here for link to 15-OCFS-ADM-21	Section 111 of the Act, "Supporting Normalcy for Children in Foster Care," requires states to support normative experiences for children through the implementation of the reasonable and prudent parent standard. The standard allows for a foster parent or a designated employee of a child care facility to make parental decisions that maintain the health, safety, and best interests of the child, as well as decisions about the child's participation in extracurricular, enrichment, cultural, and social activities that are age and developmentally appropriate, in a way that protects the child while allowing for normative experiences. (Page 2) LDSSs and VAs should explore opportunities in which the child can participate both within and outside of the congregate care setting that will support the child in the development and honing of critical life skills. Such opportunities may include, but are not limited to, the child's participation on sports teams and in other extracurricular activities outside of the congregate care setting; providing and supporting peer-to-peer mentorship; volunteering in the community; and working a part-time job. (page 12)

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					Click here for link to 18 NYCRR 441.25	(b) The reasonable and prudent parent standard must be applied by the foster parent with whom the child in foster care has been placed or by the authorized agency that is caring for the child in a child care facility, including a group home, agency boarding or supervised independent living program.
					Click here for link to 18 NYCRR 443.3 (b)(1)	(b) Certified and approved foster parents must execute an agreement with the authorized agency that granted the certificate or letter of approval to operate stipulating that the foster family boarding home parent will: (1) enable children received at board to mingle freely and on equal footing with other children in the household and in the community, to be accepted as members of the household and share in its pleasures and responsibilities and to apply the reasonable and prudent parent standard set forth in section 441.25 of this Title;
--have access to food at any time.				X	Click here for link to 18 NYCRR 443.3 (b)(5)	(5) provide children with sufficient nutritious, wholesome and properly prepared food, served at regular hours. Foster children must be permitted to eat meals at the table in the same manner as other family members with due consideration to their age and special needs
					Click here for link to 18 NYCRR 448.3 (g)	(1) Food supplied to the children shall be of good quality, properly prepared, served at regular hours and sufficient in quantity. The diet shall meet the nutritional standards recommended by the National Research Council. All milk and milk products shall be pasteurized.(2) No child will be denied a meal for any reason, except as ordered by a physician; where meals are denied as a result of a doctor's order, the reason for the denial shall be contained in the child's case record.
					Click here for link to 18 NYCRR 447.2 (d) (3)	(3) Food supplied to the children shall be of good quality, properly prepared, and served at regular hours, and sufficient in quantity. Pasteurized milk shall be provided
9. Individuals are able to have visitors of their choosing at any time.				X	Click here for link to 18 NYCRR 443.3 (b)(1)	(b) Certified and approved foster parents must execute an agreement with the authorized agency that granted the certificate or letter of approval to operate stipulating that the foster family boarding home parent will: (1) enable children received at board to mingle freely and on equal footing with other children in the household and in the community, to be accepted as members of the household and share in its pleasures and responsibilities and to apply the reasonable and prudent parent standard set forth in section 441.25 of this Title;
10. The setting is physically accessible to the individual.				X	Click here for link to 18 NYCRR 448.3 (d) (IX)	b) In the provision of public assistance, child welfare services, other care and services, no social services district or any member of its staff shall, on the basis of race, color, national origin, age, sex, religion or handicap: (7) make distinction in relation to use of physical facilities, intake and application procedures, caseload assignments, determination of the amount and type of aid, care, services and other benefits under the program and use thereof.
Heightened Scrutiny: (Note: if any site meets any of the below criteria then they fall under heightened scrutiny)						
YES (Indicate How Many)		No		List Heightened Scrutiny Sites - Use Additional Sheets If Necessary		

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11. Are any settings in facilities that also provide inpatient institutional services?			X			
12. Are any settings in facilities on the grounds of, or immediately adjacent to a public institution?	To be determined					
13. Do any of the settings serve to isolate individuals in receipt of Medicaid-funded HCBS from the broader community?			X			