



Andrew M. Cuomo
Governor

52 WASHINGTON STREET
RENSSELAER, NY 12144

Sheila J. Poole
Commissioner

Administrative Directive

Transmittal:	20-OCFS-ADM-15
To:	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies
Issuing Division/Office:	Child Welfare and Community Services
Date:	September 11, 2020
Subject:	Adoption-Only Home Study Forms
Suggested Distribution:	Directors of Social Services Adoption Supervisors Child Welfare Supervisors Foster Care Supervisors Home Finder/Agency Workers Home Finder/Agency Worker Supervisors CONNECTIONS Implementation Coordinators
Contact Person(s):	Section VI
Attachments:	Self-Assessment (OCFS-5200A) Adoptive Parent Application (OCFS-5200B) Family Adoption Registry Information (OCFS-5200C) Adoptive Applicant Medical Report (OCFS-5200D) Safety Review Form (OCFS-5200E) Household Composition and Relationships (OCFS-5200F) Sample Genogram Template (OCFS-5200G) Personal Reference (OCFS-5200H) Resource Characteristics (OCFS-5200I) Final Assessment and Determination (OCFS-5200J)

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
17-OCFS-ADM-05 18-OCFS-ADM-07 19-OCFS-ADM-07		18 NYCRR Part 421	SSL §§372-b, 374-a, 378-a and 424-a DRL §115-d		

I. Purpose

The purpose of this Administrative Directive (ADM) is to release a set of new standardized forms that must be used for the adoption home study process for the approval of prospective adoptive parent(s) who are not also seeking certification or approval as foster parent(s). These new templates provide a standardized, statewide approach to an adoption home study process. For the purposes of this ADM, when an applicant is seeking approval solely as an adoptive parent this is called “adoption only.” In New York State, any person seeking to adopt through an authorized agency who does not wish to be approved or certified as a foster parent must be offered the opportunity to apply as an adoptive applicant only.¹ This ADM also reminds local departments of social services (LDSSs) and voluntary authorized agencies (VAs) of the regulatory requirements regarding approving adoptive applicants. This includes any agency authorized by the New York State Office of Children and Family Services (OCFS) to provide adoption services in New York State.

II. Background

In New York State, all LDSSs have the statutory authority to provide both foster care and adoption services. VAs, on the other hand, must have specific corporate authority with OCFS approval to either (1) provide foster care services (“board-out” authority), (2) provide adoption services (“place-out” authority) OR (3) provide both foster care AND adoptive services (“board-out” and “place-out” authority). VAs are responsible for knowing what authority they have, especially when contracting with an LDSS for foster care and/or adoptive services. If unknown, VAs should review their corporate authority filed with the New York State Department of State.

OCFS regulations outline the requirements for LDSSs and VAs that conduct adoption home studies as well as the process a person must follow to become an approved adoptive parent.² To optimize this process, OCFS convened a workgroup of multiple stakeholders to obtain their perspectives on the critical components of an adoption home study and gather ideas for creating a thorough and standardized process. The workgroup developed templates that are now required when an LDSS or VA conducts an adoption-only home study. The adoption-only home study templates are intended to provide a clearer, more comprehensive assessment of the motivation and ability of an applicant to adopt.

¹ 18 NYCRR 421.11(f).

² 18 NYCRR Part 421.

In 2007, OCFS released the Comprehensive Adoption Report (CAR), a previous template that agencies could use to submit information to the court as part of the Adoption Packet.³ The new templates reflect an updated understanding of what an in-depth adoption study process should look like. Therefore, the new forms included with this policy must be used to complete the adoptive home approval process regardless of whether the CAR is also used.

III. Program Implications

There are several paths to approval as an approved adoptive parent, each requiring a different process. All LDSSs and VAs must do the following:

- For adoption-only applicants: Utilize the forms released with this ADM for all applicant(s) who express interest in adoption only after the issuance of this ADM.
- For applicants seeking concurrent certification/approval as foster/adoptive parents: Follow the process outlined in [18-OCFS-ADM-07, Foster/Adoptive Home Certification or Approval Process](#) and utilize the forms in [19-OCFS-ADM-07, FFPSA Model Licensing Standards and Updated Forms for the Certification or Approval of Foster/Adoptive Homes](#).⁴
- For foster parents who are not concurrently approved as adoptive parents: See section IV. Required Actions.

The templates created to support adoption-only approval have been incorporated into the existing adoptive home approval process and are required within the time frames set forth in regulation. The templates are appended to this policy. The templates optimize the current adoption study process, and there are no changes to requirements set forth in regulation.

The adoption-only templates are required in **all** instances where a person expresses interest in adoption only. These include the following scenarios:

- **Public/Adoption Agencies:** New York State LDSSs and authorized adoption VAs conducting adoption-only home studies for the purposes of the adoption of children must use the adoption-only templates.
- **Interstate Compact for the Placement of Children (ICPC):** The adoption-only templates are required when an LDSS or VA receives an ICPC request form for an adoption home study.⁵ Upgrade requests from foster care to adoption regularly occur in ICPC cases. The process for conducting a home study for a foster parent seeking to adopt is provided in section IV. Required Actions.
- **International Adoptions:** The adoption-only templates must be used when a home study is conducted for an international adoption for the purpose of approving a person as an adoptive parent. OCFS recognizes that some country-specific information may be required by the sending-country as a part of the international adoption. Any such information must be verified and included as part of the adoption home study to address the country-specific standards. Additionally, separate documentation may be used to include such information.

³ [07-OCFS-INF-02, Comprehensive Adoption Report \(CAR\)](#).

⁴ 18 NYCRR 443.9.

⁵ Similarly, when an ICPC request is received for a foster care placement, the standardized concurrent foster care/adoption templates must be used (see 19-OCFS-ADM-07, *FFPSA Model Licensing Standards and Updated Forms for the Certification or Approval of Foster/Adoptive Homes*).

An applicant may be ineligible to receive a child from a particular country because of such country's specific placement standards.

- **Court Certification for Private Adoption:** The process by which a person seeks to be certified by a court to adopt pursuant to §DRL §115-d is not the same as the process by which an individual may become an approved adoptive parent in accordance with 18 NYCRR Part 421. As such, being certified by the court to adopt pursuant to DRL §115-d is not the equivalent of being an approved adoptive parent under the regulation. Therefore, should the court-certified adoptive parent apply to the LDSS or VA for adoption approval, the LDSS or VA is still required to follow the adoption approval process outlined above, in accordance with 18 NYCRR Part 421 and use the adoption-only templates.

IV. Required Actions

All LDSSs and VAs must utilize the templates released with this ADM for all applicant(s) who express interest in applying to become an approved adoptive-only parent(s). These forms cannot be altered under any circumstances. LDSSs and VAs may provide a cover letter written on LDSS or VA letterhead, attached to the home study as a cover page. LDSSs and VAs may include additional documentation as needed. For example, courts frequently request child-specific recommendations. Such information would be added as additional documentation to the home study on LDSS or VA letterhead. Additional documentation for child-specific recommendations may be necessary regardless of whether the applicant(s) is concurrently certified as foster/adoptive or is an adoptive-only applicant(s).

Adoption-only home studies currently in progress and utilizing previous forms must be completed no later than four months after the issuance of this ADM. At that time, the new templates must be used for all adoption-only home studies where the prospective adoptive parent has applied to an LDSS or VA for approval as an adoptive parent.

Foster parents seeking to adopt

The process for conducting an adoption home study for a certified or approved foster parent(s), who is not also duly approved as an adoptive parent(s), varies from the adoption-only home study process. Regulations require that, for existing certified or approved foster parents, LDSSs and authorized adoption agencies are required to conduct an adoption home study process that does not repeat information gathering activities regarding information already available. LDSSs and authorized VA adoption agencies must assess and prepare foster parent adoptive applicants as rapidly as possible by reviewing the information about the family

- obtained in the original home study,
- obtained in annual reauthorization, and
- available to agency caseworkers supervising the home and the child at issue.⁶

The following process applies to foster parents seeking to adopt, who are not already duly approved as adoptive parents:

- LDSSs/VAs must review information in the original foster/adoptive home study, identify those items of information needed in an adoption study that are lacking or are insufficiently

⁶ 18 NYCRR 421.19 (e).

current, and must identify any additional information needed including areas of family functioning, which may need further exploration or strengthening.

- If the foster parent is transferred from a VA to an LDSS for an adoption home study, the LDSS must use the *Final Assessment and Determination* (OCFS-5200J) to document the decision on whether to approve the foster parent as an adoptive parent.
- If the foster parent seeks an adoption home study with the same LDSS or VA that originally certified or approved the foster parent, the LDSS or VA must approve the foster parent as an adoptive parent using the interim home study (Section V. of OCFS-5183K), or if within 90 days of the authorization end date, the annual reauthorization (OCFS-5183L).
 - If using the interim home study, the approval of the foster parent as an adoptive parent must be documented under “Program Types” in Section V. of OCFS-5183K.
 - If using the reauthorization, the approval of the foster parent as an adoptive parent must be documented under “Summary and Conclusion” in Section VIII. of OCFS-5183L.

The new adoption-only templates are as follows:

Self-Assessment (OCFS-5200A)

The *Self-Assessment* form (OCFS-5200A) includes a series of questions designed to have applicants and their families, if applicable, consider why they want to become adoptive parents, stimulate conversation about the various aspects of the process, and provide an opportunity for the family to assess the potential impact that becoming adoptive parents would have on their lives. The applicants and any children in the home (dependent on the child’s age and developmental appropriateness) should complete the *Self-Assessment* form together as a family. *Note: It is unlikely that every person in the family will answer each question the same way, so multiple answers can be listed for each question. If the question is not applicable to the applicant(s) and their family, “N/A” should be written in the space provided.*

The *Self-Assessment* form should be completed at least once in the process after the applicant(s) have attended the initial interview or orientation. However, it is recommended that it be completed as needed throughout the process as the applicant’s family circumstances and understanding of adoption evolve. Each time the *Self-Assessment* form is reviewed, and the level of family readiness is assessed, the applicant(s), the home finder/agency worker and the home finder/agency worker’s supervisor must sign the completed form. The hard copy must be maintained in the adoptive family’s file.

After the applicant(s) complete the *Self-Assessment* form, the home finder/agency worker and the family should discuss and identify together which level of readiness the family is at and what needs to be done to help support the family.

There are three levels of family readiness:

1. Early Stages
The family has some understanding about what adopting is but needs more information and discussion about the impact on their family.
2. Minimal Support Needed
The family needs some support and/or more information from the LDSS or VA on what the experience of adopting a child will be like and what impact it will have on their family. The family is willing and able to learn.
3. Acceptable

The family is prepared and knowledgeable about the experience of adopting a child, and the impact on their family.

Home finders/agency workers must use the information to assess the appropriate next steps in the home study process, including what supports, if any, are needed before approving the applicant(s).

[Adoptive Parent Application⁷ \(OCFS-5200B\)](#)

The *Adoptive Parent Application* (OCFS-5200B) was created to provide a uniform application that is used by all LDSSs and VAs throughout New York State. The *Adoptive Parent Application* replaces any existing applications used by LDSSs and VAs for approval of adoptive homes. Each applicant is required to independently complete the *Adoptive Parent Application*. The application must be provided at the initial orientation session.⁸ The *Adoptive Parent Application* is used to elicit information about the applicant(s), including the following:

- Basic demographic information
- Current and past employment information
- Household composition
- Foster/Adoptive parenting experience
- Transportation
- References
- Education history
- Financial information

The *Adoptive Parent Application* also includes a section requiring each applicant(s) to submit a sworn statement indicating whether, to the best of the applicant's knowledge, the applicant or any other person over the age of 18 currently residing in the home has ever been convicted of a crime in New York State or in any other jurisdiction.⁹

[Family Adoption Registry Information \(OCFS-5200C\)](#)

The registry is a tool for families who are interested in adopting photolisted children. It contains a list of characteristics of children that a family is willing and able to adopt. This form replaces the *Application to Adopt* (LDSS-0857). It must be provided at the initial orientation session.¹⁰

[Adoptive Applicant Medical Report \(OCFS-5200D\)](#)

The LDSS and VA must also collect information on the health of the prospective adoptive parent and each household member residing with the prospective adoptive parent.¹¹ The *Adoptive Applicant Medical Report* (OCFS-5200D) is a general health review and attestation of the medical status of each applicant and household member.

The form is divided into two parts. Part One collects information on the medical status of the adoptive applicant(s) and is divided into three sections to be completed as follows:

⁷ 18 NYCRR 421.12.

⁸ 18 NYCRR 421.11(f).

⁹ 18 NYCRR 443.2(b)(13)(iv).

¹⁰ 18 NYCRR 421.11(f).

¹¹ 18 NYCRR 421.16(c).

- Section 1 is to be completed by the applicant.
- Section 2 is to be completed by the LDSS or VA.
- Section 3 is to be completed by a physician, physician's assistant, nurse practitioner or other licensed and qualified health care practitioner.

Part Two collects medical information on household members and is divided into three sections to be completed as follows:

- Section 1 is to be completed by the applicant if the household member is under 18 years of age or by the household member if he/she is 18 years of age or older.
- Section 2 is to be completed by the LDSS or VA.
- Section 3 is to be completed by a physician, physician's assistant, nurse practitioner or other licensed and qualified health care practitioner.

One medical report must be completed for each applicant and for each household member.

[Safety Review Form \(OCFS-5200E\)](#)

The *Safety Review Form* (OCFS-5200E) is a form that is completed by the LDSS or VA during an inspection of the applicant's physical residence. This form must also be completed if there is a significant structural or physical change to the home and/or the applicant moves. Information collected in the form must be considered as part of the final assessment and determination as to whether to approve the adoptive applicant(s).

[Household Composition and Relationships \(OCFS-5200F\)](#)

The *Household Composition and Relationships* form (OCFS-5200F) is divided into two parts, and is to be completed by the home finder/agency worker with the applicant(s) and household member, as applicable, as addressed below:

Part One

- Relationship: completed by home finder/agency worker individually with each adult applicant
- Family: completed by the home finder/agency worker with each household member
- Parenting: completed separately by the home finder/agency worker with each applicant individually
- Psychosocial Interview: to be completed by home finder/agency worker with each adult applicant.
 - The purpose of the psychosocial interview is to explore the applicant's history and current psychological/social factors and their impact on the capacity, willingness and readiness to adopt a child, and to develop support plans where applicable.
 - The psychosocial interview is divided into three sections: "Personal History," "Coping Skills and Stress Management" and "Behavioral Health for All Household Members." The form provides sample questions and guidance to lead the conversations; however, the home finder/agency worker needs to use their engagement and assessment skills to explore each section with the applicant(s) independently.
 - A genogram should also be completed during the psychosocial interview. A genogram is a multigenerational diagram of the applicant's family and social network. Symbols are linked with lines to depict relationships. *A Sample Genogram*

Template (OCFS-5183G) is provided with this ADM for home finder/agency workers to use as a reference; however, any genogram template can be used for this process.

Part Two

- Child Interview: one form completed for each household member under the age of 18, depending on the child's developmental stage. The family, home finder and supervisor will determine whether the child will participate and whether the applicant(s) should be present. If a decision is made for a child not to participate, the reason must be explained on the form.

Personal Reference (OCFS-5200H)

References are required from at least three persons per applicant, only one of which may be related to the applicant(s) who can attest to the character, habits, reputation, personal qualifications and suitability for caring for a child.¹² A form is sent to each of the applicant's three personal references to fill out. The forms must be returned directly to the home finder/agency worker. Applicants must be informed at the first meeting held as part of the adoption study process that such references are required for approval as an adoptive parent.

Resource Characteristics (OCFS-5200I)

The adoptive applicant(s) must complete *Resource Characteristics* (OCFS-5200I). The OCFS-5200I is a list of characteristics of children who may need an adoptive placement. Applicant(s) complete the form by checking "yes" or "no" by each child characteristic that they feel they are willing and able to parent.

Final Assessment and Determination (OCFS-5200J)

At the completion of the applicant's home study, the LDSSs and VAs must complete a *Final Assessment and Determination* (OCFS-5200J). The LDSS or VA must provide a written analysis of the decision to approve or not approve the adoptive applicant. This decision is based on all the information gathered through trainings, completed forms, interviews/home visits and ongoing communication. The home finder/agency worker must summarize and describe the applicant(s) ability to meet all regulatory requirements, support and meet the needs of children placed in their home, and to partner with birth families and the LDSS or VA.

Section I contains a list of regulatory requirements that must be completed during the home study process for each applicant. The home finder/agency worker must select "yes" if the requirement is satisfied or "no" if it is not. There is also a space for the home finder/agency worker to explain the decision.

Section II is an assessment of the home study components. The home finder/agency worker must take the information gathered in the *Household Composition and Relationships* form (OCFS-5200J) and summarize each area assessed as it impacts the applicant's ability to adopt. The home finder/agency worker must list strengths, considerations and supports needed for each section.

¹² 18 NYCRR 421.15(c)(2).

Section III is the space where the agency records the determination on whether to approve, not approve, withdraw or discontinue the application. The home finder/agency worker must consider all regulatory standards set forth in 18 NYCRR Part 421 necessary to approve an application when making a final decision on whether the home can be approved, which also includes all components of the application and home study process. This is a decision that must be made by the home finder/agency worker and supervisor.

If an LDSS or VA denies approval upon completion of the home study, it must advise the applicant(s) in writing of the reasons for the agency's decision and must offer an opportunity for an in-person discussion of the decision. If the rejection is based in whole or part on the existence of an indicated report, that fact and an explanation must be included in the notice. The notice must inform the applicant that he/she may apply for a hearing regarding the rejection of the application and must state the procedure to be used for this purpose.¹³

Section IV is where any comments the applicant(s) has about the home study and agency determination are entered.

Section V reflects any and all changes since the last approval. This is referred to as an "update/addendum."

Section VI is the space where the home finder/agency worker records the determination on whether to approve or not approve the update/addendum.

Section VII is the space where any comments the applicant(s) has about the update/addendum and agency determination are entered.

V. Systems Implications

LDSSs and VAs will be informed should changes be made to the FAD section of CONNECTIONS to incorporate the new templates associated with the approval process for adoptive parents. Currently, all adoption-only home study forms must be completed outside of CONNECTIONS and kept as hard copy. LDSSs and VAs must use the "My Uploads" feature to upload all adoption-only home study forms to CONNECTIONS.

VI. Contacts

Any questions concerning this release should be directed to the appropriate regional office, Division of Child Welfare and Community Services:

Buffalo Regional Office – Amanda Darling (716) 847-3145

Amanda.Darling@ocfs.ny.gov

Rochester Regional Office – Christopher M. Bruno (585) 238-8201

Christopher.Bruno@ocfs.ny.gov

Syracuse Regional Office – Sara Simon (315) 423-1200

Sara.Simon@ocfs.ny.gov

Albany Regional Office – John Lockwood (518) 486-7078

John.Lockwood@ocfs.ny.gov

¹³ 18 NYCRR 421.15(g).

Westchester Regional Office –Sheletha Chang (845) 708-2498

Sheletha.Chang@ocfs.ny.gov

New York City Regional Office – Ronni Fuchs (212) 383-4873

Ronni.Fuchs@ocfs.ny.gov

Native American Services – Heather LaForme (716) 847-3123

Heather.LaForme@ocfs.ny.gov

VII. Effective Date

This policy directive is effective immediately.

/s/ Lisa Gharthey Ogundimu

Issued By:

Name: Lisa Gharthey Ogundimu

Title: Deputy Commissioner

Division/Office: Child Welfare and Community Services