



## Office of Children and Family Services

**KATHY HOCHUL**  
Governor

**SUZANNE MILES-GUSTAVE, ESQ.**  
Acting Commissioner

February 16, 2023

The Honorable Liz Krueger  
Chair, Senate Finance Committee  
State Capitol, Room 416  
Albany, NY 12247  
[financechair@nysenate.gov](mailto:financechair@nysenate.gov)

The Honorable Helene Weinstein  
Chair, Assembly Ways and Means Committee  
Legislative Office Building, Room 923  
Albany, NY 12248  
[wamchair@nyassembly.gov](mailto:wamchair@nyassembly.gov)

**\*\*\*via e-mail\*\*\***

Dear Chairs Krueger and Weinstein:

Thank you again for the opportunity to present Governor Hochul's proposed budget as it relates to the Office of Children and Family Services (OCFS) at the Human Services Budget Hearing on February 13, 2023. Please see below for responses to inquiries where follow-up was necessary.

In response to Senator Brisport, OCFS is pleased to report that since July 2022, New York State has actually seen an increase of over 12,000 child care slots and an additional 194 new child care providers. This speaks to the profound impact the more than \$1 billion in total stabilization grants, \$100 million in Desert 1.0 and 2.0 grants, and other investments in child care have had on existing providers to sustain and grow their programs, and also for helping new providers emerge in parts of the state in greatest need.

Regarding the child care workforce, we have seen a dramatic decrease in the early childhood workforce as the economy recovers from the pandemic. Among other factors, there continues to be high competition for workers in other fields and turnover has been increasing in the last year. OCFS is still seeing steady numbers of applications for clearances for staff at child care programs, an indicator we use to track volume of employees, but retention efforts to keep staff are needed now more than ever.

Regarding the Governor's proposal for \$389 million for workforce retention grants to providers, although New York has exhausted its allotment of American Rescue Plan Act (ARPA) stabilization funds, other unspent pandemic funds were reallocated to support this critical initiative.

Lastly in response to Senator Brisport, no one would argue against more money for preventive and other child welfare services, but OCFS is incredibly proud that New York's current level of reimbursement for these services has driven the state's foster care caseloads to historic lows and resulted in New York having one of the lowest foster care admission rates in the nation. Local social services districts across the state spend heavily on preventive services, which the Governor's budget acknowledges by increasing the appropriation authority so that the state can be sure it has the ability to continue supporting local programming.

Responding to Senator Rolison, there are currently 178 secure/specialized secure beds in the state outside of New York City, plus eight intermittent additional annex beds for juvenile delinquents (JDs) in Monroe County. As I mentioned in the hearing, there are currently 212 beds in New York City. To reiterate my comments, though, not all of these beds may be available on a given day if a facility is experiencing staffing challenges and isn't able to safely staff them.

In response to Senator Ashby, OCFS does not have authority to waive statutory requirements related to level of care an operator of a Family Type Home for Adults (FTHA) can provide. However, we certainly recognize that residents of a FTHA may require additional services, such as hospice, as they age, and their health begins to decline. In such instances, OCFS will work with the FTHA to determine whether a waiver of regulations will meet the needs of the resident. With regard to hospice services in particular, such services must be provided in a manner that assures all residents' safety and in partnership with the resident and their family or representatives, hospice providers, the local social services district and OCFS. We have issued waivers to several of our FTHAs across the state related to hospice services for residents within the past 60 days.

Responding to Assemblymember Mitaynes, as many others have noted, it's incredibly challenging to obtain an accurate estimate of the number of undocumented families living in New York, which makes it equally difficult to calculate a fiscal estimate to provide child care assistance to those families. The average amount of child care assistance a family receives annually in New York is \$15,000.

Thank you for your dedication to the people of New York and for your perseverance through the countless hours of testimony over the course of these Joint Hearings. I look forward to our continued partnership in promoting the safety, permanency and well-being of New York's children, families, and communities.

Sincerely,

Suzanne Miles-Gustave, Esq.  
Acting Commissioner