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Book 1 of 2

DEPARTMENT OF STATE
Division of Administrative Rules

NEW YORK STATE REGISTER

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State agencies must specify in each notice which proposes a rule the last date on which they will accept public comment. Agencies must always accept public comment: for a minimum of 60 days following publication in the *Register* of a Notice of Proposed Rule Making, or a Notice of Emergency Adoption and Proposed Rule Making; and for 45 days after publication of a Notice of Revised Rule Making, or a Notice of Emergency Adoption and Revised Rule Making in the *Register*. When a public hearing is required by statute, the hearing cannot be held until 60 days after publication of the notice, and comments must be accepted for at least 5 days after the last required hearing. When the public comment period ends on a Saturday, Sunday or legal holiday, agencies must accept comment through the close of business on the next succeeding workday.

For notices published in this issue:
– the 60-day period expires on December 26, 2021
– the 45-day period expires on December 11, 2021
– the 30-day period expires on November 26, 2021

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NEW YORK STATE
REGISTER

Be a part of the rule making process!

The public is encouraged to comment on any of the proposed rules appearing in this issue. Comments must be made in writing and must be submitted to the agency that is proposing the rule. Address your comments to the agency representative whose name and address are printed in the notice of rule making. No special form is required; a handwritten letter will do. Individuals who access the online *Register* (www.dos.ny.gov) may send public comment via electronic mail to those recipients who provide an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings.

To be considered, comments should reach the agency before expiration of the public comment period. The law provides for a minimum 60-day public comment period after publication in the *Register* of every Notice of Proposed Rule Making, and a 45-day public comment period for every Notice of Revised Rule Making. If a public hearing is required by statute, public comments are accepted for at least five days after the last such hearing. Agencies are also required to specify in each notice the last date on which they will accept public comment.

When a time frame calculation ends on a Saturday or Sunday, the agency accepts public comment through the following Monday; when calculation ends on a holiday, public comment will be accepted through the following workday. Agencies cannot take action to adopt until the day after expiration of the public comment period.

The Administrative Regulations Review Commission (ARRC) reviews newly proposed regulations to examine issues of compliance with legislative intent, impact on the economy, and impact on affected parties. In addition to sending comments or recommendations to the agency, please do not hesitate to transmit your views to ARRC:

Administrative Regulations Review Commission
State Capitol
Albany, NY 12247
Telephone: (518) 455-5091 or 455-2731

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KEY: (P) Proposal; (RP) Revised Proposal; (E) Emergency; (EP) Emergency and Proposal; (A) Adoption; (AA) Amended Adoption; (W) Withdrawal

Individuals may send public comment via electronic mail to those recipients who provided an e-mail address in Notices of Proposed Rule Making. This includes Proposed, Emergency Proposed, Revised Proposed and Emergency Revised Proposed rule makings. Choose pertinent issue of the *Register* and follow the procedures on the website (www.dos.ny.gov)

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RULE MAKING ACTIVITIES

Each rule making is identified by an I.D. No., which consists of 13 characters. For example, the I.D. No. AAM-01-96-00001-E indicates the following:

AAM -the abbreviation to identify the adopting agency
01 -the *State Register* issue number
96 -the year
00001 -the Department of State number, assigned upon receipt of notice.
E -Emergency Rule Making—permanent action not intended (This character could also be: A for Adoption; P for Proposed Rule Making; RP for Revised Rule Making; EP for a combined Emergency and Proposed Rule Making; EA for an Emergency Rule Making that is permanent and does not expire 90 days after filing.)

Italics contained in text denote new material. Brackets indicate material to be deleted.

Office of Alcoholism and Substance Abuse Services

PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED

Standards for the Reimbursement and Participation in the Medical Assistance Program

I.D. No. ASA-43-21-00001-P

Proposed Action: Repeal of Part 841; addition of new Part 841 to Title 14 NYCRR. This rule is proposed pursuant to SAPA section 207(3), 5-Year Review of Existing Rules.

Statutory authority: Mental Hygiene Law, sections 19.07(e), 19.09(b), 19.40, 32.01, 32.07(a), 43.01, 43.02; Social Services Law, section 364; Executive Law, art. 15, part 86-8

Subject: Standards for the reimbursement and participation in the Medical Assistance Program.

Purpose: Update language and conform to current State Plan Amendment.

Text of proposed rule: Repeal and replace 14 NYCRR Part 841:

Medical Assistance For Addiction Services

Section 841.1 Background and intent.

(a) The purpose of this Part is to establish standards for reimbursement and participation in the Medical Assistance Program, as authorized by title 11 of article 5 of the Social Services Law, for services provided by addiction services providers certified or co-certified by the Office. This Part does not apply to programs dually licensed by Article 28 of the public health law and Article 32 of the mental hygiene law.

(b) The payments determined under the standards and methods established by this Part are intended to be reasonable and adequate to meet the costs that must be incurred by efficiently and economically operated programs in order to provide addiction services in conformity with applicable State and Federal laws, regulations and safety standards.

841.2 Legal basis.

(a) Section 19.07(e) of the Mental Hygiene Law authorizes the Commissioner to adopt standards including necessary rules and regulations pertaining to addiction services.

(b) Section 19.09(b) of the Mental Hygiene Law authorizes the Commissioner to adopt regulations necessary and proper to implement any matter under their jurisdiction.

(c) Section 32.01 of the Mental Hygiene Law authorizes the Commissioner to adopt any regulation reasonably necessary to implement and effectively exercise the powers and perform the duties conferred by Article 32 of the Mental Hygiene Law.

(d) Section 32.07(a) of the Mental Hygiene Law authorizes the Commissioner to adopt regulations to effectuate the provisions and purposes of Article 32 of the Mental Hygiene Law.

(e) Sections 43.01 and 43.02 of the Mental Hygiene Law grant the Commissioner the power and responsibility to adopt regulations that are necessary and proper to implement matters under his/her jurisdiction and to establish standards and methods of payment made by government agencies pursuant to title 11 of article 5 of the Social Services Law for eligible addiction services certified by the Office.

(f) Section 364 of the Social Services Law provides that each office within the Department of Mental Hygiene shall be responsible for establishing and maintaining standards for medical care and services in institutions serving Medicaid patients.

(g) Pursuant to section 23 of Part C of chapter 58 of the laws of 2009, the Commissioner is authorized, with the approval of the Commissioner of Health and the Director of the Budget, to promulgate regulations pursuant to Article 32 of the Mental Hygiene Law utilizing the Ambulatory Patient Group (APG) methodology for the purpose of establishing standards and methods of payments made by government agencies pursuant to title 11 of article 5 of the Social Services Law for addiction services otherwise subject to the provisions of this Part.

(h) Article 15 of the executive law defines the protected classes included in the state human rights law.

(i) Title 10 of the New York Code of Rules and Regulations Part 86-8 defines reporting and rate certifications for outpatient services ambulatory patient group.

841.3 Applicability.

This Part is applicable to any eligible provider as defined herein and as certified, approved or otherwise authorized pursuant to this Title.

841.4 Definitions.

(a) "Medicaid program" shall mean the medical assistance program, under Title XIX of the federal Social Security Act, in accordance with a state plan approved by the United States Department of Health and Human Services.

(b) "Eligible provider" shall operate an addiction services program and shall be approved by the single state agency to provide services and operate as a Medicaid provider; and is one of the following:

(1) a substance use disorder withdrawal and stabilization services program which is certified under Part 816 of this Title; or

(2) a substance use disorder residential rehabilitation services for youth program certified under Part 817 of this Title; or

(3) a substance use disorder inpatient rehabilitation services program which is certified under Part 818 of this Title; or

(4) a residential services program certified under Part 820 of this Title by the Office; or

(5) a substance use disorder outpatient program certified under Part 822 of this Title; or

(6) a children and family treatment and support services program certified or designated under Part 823 of this Title.

(c) "Single state agency" shall mean the New York State Department of Health.

(d) "Allowable costs" shall mean those costs incurred by an eligible

inpatient provider which are eligible for payment by government agencies in accordance with title 11 of article 5 of the Social Services Law. To be allowable, costs must be reasonable and necessary for efficient provision of addiction services, related to patient care, and approved by the commissioner.

(e) "Per diem" or "patient day" shall mean the unit of measure denoting services rendered to one patient between the census taking hours on two successive days. In computing patient days, the day of admission shall be counted but not the day of discharge. When a patient is admitted and discharged on the same day, this period shall be counted as one patient day.

(f) "Base year" shall mean the cost reporting period for which fiscal and patient data are utilized to calculate rates of payment.

841.5 Provisions applicable to all eligible providers.

(a) Limits on Compensation. The maximum reimbursable costs for salaries for positions/titles shall be consistent with the requirements of the limits on executive compensation in this Title.

(b) Financial and Statistical Reporting:

(1) Each eligible provider shall maintain financial records and records relative to numbers and types of services provided and shall prepare and submit to the Office financial and statistical reports in accordance with the requirements of the Office.

(2) All financial reports to be prepared and submitted to the Office shall:

(i) be prepared in accordance with generally acceptable accounting principles;

(ii) be certified by an independent certified public accountant or an independent licensed accountant and shall include a statement of opinion on the data therein, unless this requirement is otherwise waived or modified by the Office; and

(iii) be accompanied by a complete copy of the eligible provider's certified financial statements.

(3) All reports to be prepared and submitted to the Office shall:

(i) be certified by the chief administrative officer or director of the eligible provider;

(ii) be on forms prescribed by the Office; and

(iii) include financial and statistical data for each service for which rates or fees are established.

(4) Reporting Requirements. Reports required to be submitted by this section shall be submitted within 120 days after the close of the eligible provider's fiscal year. Extensions of time for filing reports may be granted by the commissioner upon application received prior to the due date of the report and only in circumstances where the eligible provider establishes by documentary evidence that the reports cannot be filed by the due date for reasons beyond the control of the eligible provider.

(5) If the eligible provider determines that the information on reports filed is inaccurate, incomplete or incorrect, the eligible provider shall immediately file with the Office the corrected reports which comply with the requirements of this section.

(6) If the required financial and statistical reports are determined by the Office to be incomplete, inaccurate or incorrect, the eligible provider has 30 days from the date of receipt of notification from the office to provide the correct or additional data.

(7) Penalties for Non-compliance. (i) If an eligible provider fails to file the required financial and statistical reports, in accordance with this Part, on or before the due date, or Office approved extended due date, the Office may, at its discretion, reduce said eligible provider's existing Medicaid payments by up to twenty (20) percent, beginning the first day of the month following the original due date or approved extended due date and continuing until the first day of the month in which the reports are received by the Office. If the eligible provider fails to file the required financial and statistical reports by the end of the rate period during which the reports were due, such reduction may be increased in each subsequent month by up to ten (10) percent until receipt of the required information. All funds shall be returned to the provider once the provider is determined by the Office to be in compliance.

(8) Revocation of operating certificate. If, after a period of noncompliance resulting in reduced Medicaid payments, the Office determines that a program will likely be unable to meet its financial obligations, the Office may request the program voluntarily surrender its operating certificate or take action to revoke the operating certificate in accordance with this Title.

(c) Record keeping. An eligible provider shall furnish to the Office any information that it may request regarding payments claimed by the provider for furnishing services.

(d) Billing.

(1) The eligible provider shall levy no additional charges to patients for services paid for by the Medicaid Program.

(2) Claims for payment by the Medicaid Program shall be submitted at rates and/or fees established by the Office and approved by the Director of the Budget. Such billings shall be net of any individual or third-party liability.

(3) Claims shall be submitted only for services which were actually furnished to eligible persons and for which documentation of medical necessity is available at the time the services were furnished.

(4) Claims shall be submitted on officially authorized claim forms in formats and in accordance with the Department of Health standards and procedures for claims submission.

(5) All information provided in relation to any claim for payment shall be true, accurate and complete.

(e) Compliance with general medical assistance program requirements. Each eligible provider shall comply with all applicable medical assistance program requirements of the Department of Health.

(f) Calculation of allowable costs.

(1) General. To be considered as allowable, costs must be properly chargeable to necessary patient care as determined by the Office and rendered in accordance with the operating, financial and reporting requirements of the Office pursuant to this Title, and as such may be amended from time to time. The allowability of costs shall be determined in accordance with the following:

(i) Except where specific rules concerning allowability of costs are stated herein, the Office shall use as its major determining factor in deciding on the allowability of costs, the most recent edition of the Medicare Provider Reimbursement Manual, commonly referred to as HIM15, published by the U.S. Department of Health and Human Services' Centers for Medicaid and Medicare Services.

(ii) Where specific rules stated herein or in HIM15 are silent concerning the allowability of costs, the Office shall determine allowability of costs based on reasonableness and relationship to patient care and generally accepted accounting principles.

(2) Services. Allowable operating costs shall include the costs of all services necessary to meet the operating requirements of the Office pursuant to this Title and the special needs of the patient population to be served by an eligible provider.

(3) Capital expenditures. No capital expenditures for which approval by the Office is required in accordance with this Part shall be included in allowable capital costs for purposes of computation of the rate of payment unless such approval shall have been secured. Reimbursement for capital and start-up costs will be limited to those costs determined by the Office to be both reasonable and necessary.

(g) Application Procedures. To qualify for medical assistance payments, an eligible provider, with a current operating certificate issued by the office, shall apply for enrollment as a Medicaid provider on application forms as required by the NYS Department of Health.

(h) Approval of rates. Payment rates established in accordance with the provisions of this Part will remain in effect until such time as they are revised with the approval of the NYS Division of the Budget and the Centers for Medicare and Medicaid Services (where Federal share is applicable).

841.6 Medical assistance payments for inpatient substance use disorder withdrawal and stabilization services.

(a) The provisions of this section are applicable to programs certified as substance use disorder inpatient withdrawal and stabilization services pursuant to Part 816.

(b) Rates of Payment.

(1) Rates will be calculated using a cost-based fee methodology inclusive of operating costs and capital reimbursement. There shall be no capital add-on to these fees, nor any separate Medicaid reimbursement for capital costs.

(2) Fees will be established using a regression model based on the relationship between normalized cost and program capacity, recognizing both regional cost differentials and economies of scale. The calculated statewide fees based on program capacity, will then be adjusted using regional cost factors (based on the county in which the facility is located).

(3) Fees will be deemed to be inclusive of all service delivery costs and will be considered payment in full for fee-for-service Medicaid reimbursed services.

(4) Fee schedules used to determine rates will be posted on the Office website. Fee schedules used to determine rates include:

(i) Statewide OASAS Medically Supervised Inpatient Withdrawal (MSIW) fee chart based on bed size; and

(ii) Geographic region and regional cost factor chart.

(c) Bed size.

(1) New facilities: Bed size for new facilities used for the fee calculation shall be based on 80% of the certified capacity rounded to the nearest integer. After the first full year of operation, the fee calculation shall be revised based on 90% of certified capacity rounded to the nearest integer. If the certified capacity changes for any MSIW program, including programs that have been in operation for less than one year, the fee shall be revised based on 90% of the new certified capacity, effective on the date of the capacity change.

(2) Minimum and maximum standards: Facilities with fewer than six (6) beds shall use the six (6) bed fee. Facilities with an excess of 120 beds (meaning "bed size" as calculated above) shall use the 120-bed fee.

(d) Appeals of medically supervised inpatient withdrawal fees.

(1) Fee adjustment for underutilization. MSIW providers may request retroactive fee adjustments based on documented low service volume relative to certified capacity that resulted in an overall net loss in the program. These adjustments are approvable solely at the discretion of the Office and will require compelling justification relative to the program’s underutilization. MSIW beds that were used as "swing beds" for other programs (e.g., Medically Monitored Inpatient Withdrawal) do not constitute underutilization and will not justify a fee increase.

(2) Other items of appeal. MSIW providers may also request retroactive fee adjustments based on significant financial losses in the program that resulted from programmatic expenses that were significantly out of proportion to the established level of reimbursement. The provider must fully and properly demonstrate that the fee adjustment requested in the appeal is necessary to ensure efficient and economic operation of the facility. The final determination as to the extent, if any, of a fee adjustment shall be made solely at the discretion of the Office.

(e) Base year. From time to time, and at the discretion of the Office, the fee calculation may be revised using new base year data. The base year for new fee calculations will be the most recent, substantially complete Consolidated Fiscal Report period available at the time of the calculation.

841.7 Medical assistance payments and utilization review for substance use disorder residential rehabilitation services for youth.

(a) The provisions of this section are applicable to programs certified under Part 817.

(b) Rates of Payment.

(1) Rates will be calculated using a cost-based fee methodology inclusive of operating costs and capital reimbursement. There shall be no capital add-on to these fees, nor any separate Medicaid reimbursement for capital costs. There shall be no admission review team add-on.

(2) Fees will be established using a regression model based on the relationship between normalized cost and program capacity, recognizing both regional cost differentials and economies of scale. The calculated statewide fees based on program capacity, will then be adjusted using regional cost factors (based on the county in which the facility is located).

(3) Fees will be deemed to be inclusive of all service delivery costs and will be considered payment in full for fee-for-service Medicaid reimbursed services.

(4) Fee schedules used to determine rates will be posted on the Office website. Schedules used to determine fees include:

(i) Statewide OASAS Residential Rehabilitation Services for Youth (RRSY) fee chart based on bed size; and

(ii) Geographic region and regional cost factor chart.

(c) Bed size.

(1) For existing and new inpatient rehabilitation facilities, the bed size will be based on the certified capacity of the program site.

(2) If the certified bed size changes, the fee will be revised accordingly and will be effective on the date of the bed size change.

(3) Facilities with fewer than fourteen (14) certified beds will use the fourteen-bed fee. Facilities with sixty (60) or more certified beds will use the sixty-bed fee.

(4) Bed size is determined at certification and listed on the program operating certificate issued by the Office.

(d) Base year. The base year for new fee calculations will be the most recent, substantially complete Consolidated Fiscal Report period available at the time of the calculation.

(e) Certification for treatment, utilization review and control.

(1) For an individual who is a Medicaid recipient when admitted to the residential rehabilitation services for youth program, certification of services must be made by an independent team as defined in Part 817 of this Title.

(2) For individuals who apply for Medicaid after admission to the residential rehabilitation for youth program, or for emergency admissions, certification of services must be made by the multidisciplinary team as defined in Part 817 of this Title. This team must include a physician. Emergency admission certification must be made within 14 days after admission. Certification must be made at the time of admission or, if an individual applies for Medicaid while in the facility, at the time of application.

(3) The utilization review plan of an eligible residential rehabilitation services for youth provider shall include the following:

(i) provision for review of each Medicaid recipient's need for services furnished in accordance with the criteria of Part 817 of this Title;

(ii) provisions to ensure that utilization review of a Medicaid recipient's treatment plan and services shall be performed by a multidisciplinary team that includes a physician as defined in Part 817 of this Title;

(iii) procedures to be used by the committee to ensure that staff of the eligible residential rehabilitation services for youth provider take needed corrective action;

(iv) provisions to ensure that the patient's record includes all information required by Part 817 of this Title, as well as the name of the patient's physician, the dates of Medicaid application and authorization if made after admission, initial and subsequent continued stay review dates, the reasons and plan for continued stay if continued stay is necessary, and other supporting material found necessary and appropriate by the multidisciplinary team;

(v) specification of records and reports to be made by the utilization review group;

(vi) provisions for maintaining the confidentiality of the identities of patients in the records and reports of the utilization review group; and

(vii) written criteria to assess the need for continued stay which conform to the requirements of Part 817 of this Title.

(4) The group performing utilization review shall ensure that subsequent reviews for continued stay of a recipient in an eligible residential service for youth program are conducted no later than each thirty-day period following the initial continued stay review. The date assigned for each subsequent continued stay review shall be noted in the patient's record.

(5) Continued stay reviews shall be performed in accordance with the following:

(i) Review for continued stay shall be conducted by the multidisciplinary team defined in Part 817 of this Title.

(ii) The review shall be conducted on or before the review date assigned.

(iii) The multidisciplinary team shall review and evaluate the documentation referred to in this Part in relation to the criteria established in this Part.

(iv) If the multidisciplinary team finds that a recipient's continued stay is needed, the multidisciplinary team shall assign a new continued stay review date in accordance with paragraph (4) of this subdivision.

(v) Any decision of the multidisciplinary team that continued stay is unnecessary shall be provided in writing within two days to the director, the attending physician, the primary counselor, and the patient; and Medicaid billing shall cease as of the day of notification. However, any decision to discharge or retain the patient shall be made on clinical grounds independent of the utilization review group's determination.

(vi) A multidisciplinary team must certify that the services continue to be needed by each recipient.

(vii) If the multidisciplinary team finds that a continued stay is not needed, it shall notify the recipient's attending physician and primary counselor within one working day and provide them two working days to present their views before a final decision.

841.8 Medical assistance payments for substance use disorder inpatient rehabilitation services.

(a) The provisions of this section are applicable to programs certified under Part 818.

(b) Rates of Payment.

(1) Rates will be calculated using a cost-based fee methodology inclusive of operating costs and capital reimbursement. There shall be no capital add-on to these fees, nor any separate Medicaid reimbursement for capital costs.

(2) Fees will be established using a regression model based on the relationship between normalized cost and program capacity, recognizing both regional cost differentials and economies of scale. The calculated statewide fees based on program capacity, will then be adjusted using regional cost factors (based on the county in which the facility is located). Geographic region and regional cost factor charts will be posted on the OASAS website.

(3) Fees will be deemed to be inclusive of all service delivery costs and will be considered payment in full for fee-for-service Medicaid reimbursed services.

(4) Fee schedules used to determine rates will be posted on the Office website. Schedules used to determine fees include:

(i) statewide OASAS Freestanding Inpatient Rehabilitation fee chart based on bed size; and

(ii) geographic region and regional cost factor chart.

(c) Bed size.

(1) For existing and new inpatient rehabilitation facilities, the bed size will be based on the certified capacity of the program site.

(2) If the certified bed size changes, the fee will be revised accordingly and will be effective on the date of the bed size change.

(3) Facilities with fewer than 14 certified beds will use the 14-bed fee. Facilities with 120 or more certified beds will use the 120-bed fee.

(4) Bed size is determined at certification and listed on the program operating certificate issued by the Office.

(d) Base year. From time to time, and at the discretion of the Office, the fees may be revised using new base year data. The base year for new fee

calculations will be the most recent, substantially complete Consolidated Fiscal Report period available at the time of the calculation.

841.9 Medical assistance payments for residential services.

(a) The provisions of this section are applicable to programs certified to provide residential services under Part 820.

(b) The program's services are provided in three elements: Stabilization, rehabilitation, and reintegration. Only elements that are approved for federal financial participation are eligible for Medicaid reimbursement. Each reimbursable element shall have regional fees established and posted on the website of the Office. The regions include Downstate and Upstate. The Downstate region shall consist of New York City, as well as the counties of Nassau, Suffolk, Westchester, Rockland, Orange, Putnam, and Dutchess. Upstate shall consist of all other counties in the state. Any annual or periodic fee adjustments shall be published on the Office's website. The initial fees shall be effective July 1, 2016.

(c) Allowable treatment costs shall be determined by the application of principles developed for determining reasonable cost payments for direct and indirect costs. Room and board related costs are not included in the rate.

(d) The fee development methodology shall consider each component of provider cost, as necessary to comply with requirements regarding economy, efficiency, and quality of care. Provider enrollment and retention will be reviewed periodically to ensure that access to care and adequacy of payments are maintained. The fee development methodology will primarily consist of provider cost modeling, though provider compensation studies, cost data, available funding, and comparable fees of other States residential Medicaid programs may be considered as well. The fees shall be established using the ratio of the calculated or estimated total annual allowable provider cost to the estimated annual billable per diem units.

(e) Periodic fee updates may be performed using provider cost modeling, reported actual cost, and/or any of the factors listed in the prior paragraph. Fee updates will require federal approval and will be posted to the Office website.

841.10 Medical assistance payments for substance use disorder outpatient programs.

(a) Applicability. The provisions of this section are applicable to programs certified or co-certified to provide ambulatory care services provided by the following:

(1) substance use disorder outpatient clinics certified or co-certified pursuant to Part 822 of this Title;

(2) opioid treatment programs providing opioid full agonist treatment medications and certified under Part 822 of this Title;

(3) substance use disorder outpatient rehabilitation programs certified or co-certified pursuant to Part 822 of this Title; and

(4) substance use disorder medically supervised outpatient withdrawal and stabilization services certified under Section 816.8 of this Title; and

(5) integrated outpatient programs certified pursuant to Part 825.

Each program shall contain two peer groups, one upstate and one downstate.

(b) Billable services requirements and limitations must be delivered in accordance with the provisions of the Ambulatory Patient Groups (APG) Clinical and Medicaid Billing Guidance, as incorporated by reference in this Title (hereinafter referred to as the APG Manual), in effect at the time the service(s) was delivered.

(c) Definitions. All applicable definitions and rules covering standardized APG pricing logic for New York State’s Medical Assistance program are found at Title 10 NYCRR Part 86-8.

(d) APGs and associated weights.

(1) APGs shall be subject to periodic revision; the most current listing shall be published in the APG Manual available on the Office website.

(2) The Department of Health, in consultation with the office, shall assign weights associated with all CPT and HCPCS procedure codes that can be used to bill under the APG methodology.

The office shall maintain and update a list of weights associated with APGs as published in the "APG Policy and Medicaid Billing Guidance" manual on the OASAS website. Such list may include APGs not specifically associated with addiction outpatient and opioid treatment services, but which may appropriately be billed by providers subject to this Part.

(e) Base Rates. Base rates for addiction outpatient services shall be developed by the Office, and subject to the approval of the Department of Health, in accordance with the following:

(1) Separate base rates shall be established for each peer group. Base rates shall reflect differing regional cost factors, variations in patient population and service delivery, available funding levels, and capital expenditures;

(2) Additional discrete base rates may be developed by the Office for such peer groups as may be established by regulation in this Part; and

(3) Base rates may be periodically adjusted to reflect changes in provider case mix, service costs and other factors as determined by the Office.

(4) All base rates established by the Office shall be published on the Office's website.

(f) System Updating. The following elements of the APG rate-setting system shall be reviewed at least annually, with all changes posted on the New York State Department of Health's website:

(1) The listing of reimbursable APGs and associated weights,

(2) The applicable International Statistical Classification of Diseases and Related Health Problems, as incorporated by reference in this Title (ICD),-10 codes, or subsequent ICD categorization, utilized in the APG software system,

(3) The Applicable CPT/HCPCS codes utilized in the APG software system; and

(4) The APG software system's grouping and pricing logic.

(g) Bundled payment for opioid treatment program (OTP) services.

(1) OASAS will establish regional weekly bundled payments for freestanding opioid treatment programs. Such payments will be available as an alternative to the reimbursement under the Ambulatory Patient Group (APG) fee methodology already in place for OTPs. Programs may bill any given week of OTP service for any given patient under either methodology (APGs or the bundled payment methodology), but not both. The initial bundled fees shall be effective March 16, 2020.

(2) For purposes of these bundled payments there will be two regions, downstate and upstate, with the regional assignment based on program location. The downstate region includes the following counties: New York, Kings, Queens, Richmond, Bronx, Nassau, Suffolk, Westchester, Rockland, Putnam, Dutchess and Orange. The upstate region includes all other counties in the State.

(3) The proposed bundled payments are based on service delivery that mirrors a subset of the Medicare OTP bundles in terms of both services and practitioners, as well as in terms of cost by practitioner for each service. Services covered by the bundled payment include: FDA-approved opioid agonist and antagonist treatment medications, dispensing and administering medications, substance use disorder counseling, individual and group therapy, toxicology testing, intake activities, and periodic assessments.

(4) Weekly fees shall be established in the following rate code classifications:

(i) Methadone Dispensing and/or Counseling – This code covers all of the services listed above for a patient being treated with Methadone.

(ii) Methadone Take Home – This code is billable when the patent has a supply of take-home medication in their possession for the week being billed. It cannot be billed for the same week as the dispensing and/or counseling code.

(iii) Buprenorphine Dispensing and/or Counseling – This code covers all of the services listed above for a patient being treated with Buprenorphine.

(iv) Buprenorphine Take Home – This code is billable when the patent has a supply of take-home medication in their possession for the week being billed. It cannot be billed for the same week as the dispensing and/or counseling code.

(5) The initial bundled payments, effective March 16, 2020, shall be calculated by using the unregionalized Medicare fees for the same services, meaning those fees shall not vary by region.

(6) Effective August 2, 2021 the fees shall be regionalized using the OASAS OTP regional factor of 1.1700 (Downstate relative to Upstate) for freestanding facilities. The regional factor shall be applied on a budget neutral basis assuming that the Downstate region would have 94.41% of the methadone bundle service volume based on a historical volume calculation by the Office. The medication take home fees shall continue to be identical to those used by Medicare, and, as with Medicare, not regionalized.

(7) The Office, may, at its discretion, periodically update the bundled fees using trends, actual cost, Medicare benchmarking, program modeling, or some combination of these techniques – subject to available funding, Federal approval, and NYS Division of the Budget approval.

841.11 Medical assistance payments for children and family treatment and support services.

(a) The provisions of this section are applicable to rehabilitative health and behavioral health services provided by programs or providers certified or designated pursuant to Part 823 to provide Children and Family Treatment and Support Services (CFTSS).

(b) Billable Services: Billable services are those authorized and defined in the Children and Family Treatment Support Services Manual posted on the Department of Health website:

(1) Crisis Intervention (CI);

(2) Other Licensed Practitioners (OLP);

(3) Community Psychiatric Support and Treatment (CPST);

(4) Psychosocial Rehabilitation (PSR);
(5) Family Peer Support Services (FPSS); and
(6) Youth Peer Support and Training (YPST).
(c) Approved Modality and Setting.
(1) Modality. Unless otherwise authorized, services should include face-to-face interaction with the child/youth and their family, as appropriate. Any such interactions, or the reason(s) such interaction could not be completed, should be documented in the patient treatment/recovery plan and case record.
(2) Setting. Services may be provided in a variety of settings, including an emergency room, health or behavioral health clinic setting, or other community location where the child/youth lives, attends school, works or engages in social activities. Services should be offered in the best setting suited for the desired outcomes and as referenced in the Manual.
(d) Rate Setting. Rate of reimbursement is as posted on the Department of Health website. The rate development methodology is composed of provider cost modeling, provider compensation studies and cost data. The following list outlines components which may be used in determining rate development:
(1) staffing assumptions and staff wages;
(2) employee-related expenses;
(3) program-related expenses; and
(4) program billable units.
841.12 Capital costs.
(a) This section shall apply to programs with Medicaid reimbursement calculated pursuant to this Part.
(b) No program or service governed by this Part shall have its own facility specific or program specific capital add-on. Instead, capital costs from submitted cost reports shall be reviewed by the Office and a regional, and not separately identifiable, capital component shall be built into the operating fees. Such fees shall constitute payment in full for all costs of operating the program, including capital costs, unless otherwise specified.
(c) Allowable Costs. (1) Allowable capital costs means the costs to a program operated by an applicant with respect to the acquisition of real property estates, interests, and cooperative interests in realty, their design, construction, reconstruction, rehabilitation and improvement, original furnishings and equipment, site development, and appurtenances of a facility and as otherwise identified in this Title.
(2) Unless otherwise specified in this Part, costs of ownership of real property shall be allowable in the following categories; depreciation, interest, and closing costs on the purchase and financing of real property, including fees related to loans from the Dormitory Authority of the State of New York (DASNY). Providers should not report costs that were not actually incurred by the provider (e.g., debt service or fees on DASNY loans that were paid by the State of New York or refunded to the provider by the State of New York).
(3) Costs related to Dormitory Authority loans shall be allowable, unless otherwise paid by the State of New York, as follows:
(i) Interest cost accruing from Dormitory Authority mortgage loans pursuant to subdivision 13-d of section 5 of the Facilities Development Corporation Act, net of the portion of such interest cost attributable to operating costs, is an allowable cost. That portion of the interest cost attributable to allowable start-up costs is also allowable. That portion of the loan principal that is attributable to depreciable or amortizable costs, under the rules of HIM 15, is an allowable cost and shall be reimbursed as depreciation or amortization in accordance with any requirements and conditions. Any portion of the loan principal that is attributable to costs that are not depreciable or amortizable under the rules of HIM 15 is not allowable for reimbursement.
(ii) Fees imposed by the office and annual administrative fees imposed by the Dormitory Authority in connection with Dormitory Authority mortgage loans shall be allowable costs.
(iii) Interest payments on Dormitory Authority loans pursuant to this subdivision for capital indebtedness and start-up costs will be considered allowable where such interest expense results from approved capital indebtedness and/or start-up costs in accordance with this Title.
(iv) Interest payment on Dormitory Authority loans pursuant to the provisions of this Part are allowable in excess of the amount associated with the outstanding principal balance prior to refinancing only if the purpose of the additional debt is to acquire assets to be used for care of the persons served by the program and all other applicable requirements of this Part are met.
(v) The Office may recoup, in full or in part, the interest and fee reimbursement for DASNY loans attributable to a particular service. The office may also recoup, in full or in part, the annual depreciation or amortization reimbursement for costs financing through DASNY mortgage loans. The amount of Dormitory Authority mortgage loan interest, fee, depreciation, and amortization recoupments shall be equal to or less than the provider's actual reimbursement for such costs. In no case shall these recoupments exceed such reimbursement.
(d) Start-up costs. Upon the approval by the office, the approved start-up costs of new programs shall be amortized and reimbursed to the provider over a period not to exceed five years.
816.13 Utilization Review.
(a) Except as otherwise specified, programs shall provide that:
(1) An Office approved tool was utilized to identify the appropriate level of care for treatment delivered to the patient.
(2) A practitioner must certify for each Medicaid recipient that services of the type provided are or were needed in accordance with the controlling Part under this Title.
(3) The utilization review plan of an eligible provider shall ensure that each provider have policies and procedures to address:
(i) Patients continue to require services furnished in accordance with the applicable criteria of the controlling Part of this Title and review of treatment planning and progress notes;
(ii) Patients are receiving care consistent with psychosocial needs and diagnosis for which they are receiving treatment; and,
(iii) patients have been referred for additional services consistent with their health and physical.
(4) Providers shall have policies and procedures for a utilization management team charged with meeting at least twice annually. Such team shall review the results of audits, utilization management process and other quality assurance activities that are related to charting and to create a comprehensive corrective action plan as needed to ensure compliance with state and federal laws, regulations and guidance issued by the Office.
841.14 Severability.
If any provision of this Part or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Part which can be given effect without the invalid provisions or applications, and to this end the provisions of this Part are declared to be severable.

Text of proposed rule and any required statements and analyses may be obtained from: Kelly E. Grace, Senior Attorney, OASAS, 1450 Western Ave., Albany, NY 12203, (518) 366-7958, email: Kelly.Grace@OASAS.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

1. Statutory Authority:

§ 841.2 Legal base

(a) Section 19.07(e) of the Mental Hygiene Law authorizes the Commissioner to adopt standards including necessary rules and regulations pertaining to addiction services.

(b) Section 19.09(b) of the Mental Hygiene Law authorizes the Commissioner to adopt regulations necessary and proper to implement any matter under their jurisdiction.

(c) Section 32.01 of the Mental Hygiene Law authorizes the Commissioner to adopt any regulation reasonably necessary to implement and effectively exercise the powers and perform the duties conferred by Article 32 of the Mental Hygiene Law.

(d) Section 32.07(a) of the Mental Hygiene Law authorizes the Commissioner to adopt regulations to effectuate the provisions and purposes of Article 32 of the Mental Hygiene Law.

(e) Sections 43.01 and 43.02 of the Mental Hygiene Law grant the Commissioner the power and responsibility to adopt regulations that are necessary and proper to implement matters under his/her jurisdiction and to establish standards and methods of payment made by government agencies pursuant to Title 11 of article 5 of the Social Services Law for eligible addiction services certified by the Office.

(f) Section 264 of the Social Services Law provides that each office within the Department of Mental Hygiene shall be responsible for establishing and maintaining standards for medical care and services in institutions serving Medicaid patients.

(g) Pursuant to section 23 of Part C of chapter 58 of the laws of 2009, the Commissioner is authorized, with the approval of the Commissioner of Health and the Director of Budget, to promulgate regulations pursuant to Article 32 of the Mental Hygiene Law utilizing the Ambulatory Patient Group (APG) methodology for the purpose of establishing standards of payments made by government agencies pursuant to title 11 of article 5 of the Social Services Law for addiction services otherwise subject to the provisions of this Part.

(h) Article 15 of the executive law defines the protected classes included in the state human rights law.

(i) Title 10 of the New York Code of Rules and Regulations Part 86-8 defines reporting and rate certification for outpatient services ambulatory patient group.

2. Legislative Objectives: The legislature has authorized OASAS to es-

tablish regulations governing the reimbursement and participation in the Medical Assistance Program, and the amendments to this rule conform to the current OASAS State Plan Amendment relating to rate setting methodologies.

3. Needs and Benefits: The proposed rule repeals the old Part 841 and replaces it with the new Part 841. The reason that OASAS chose to repeal and replace rather than just make amendments throughout is that the amendments were substantial and it was more efficient to repeal and replace the language. This amended regulation results from a revised State Plan (i.e., State Plan Amendment) which was approved by CMS and resulted in a Medicaid rate package that was approved by the Division of Budget. The goal of this change was to eliminate cost-based rates and use the same fee methodology for all providers within a given space. This is what the amendments to 841 accomplish to reflect this change. This amendment removes outdated and irrelevant language and reflects the new State Plan Amendment. Medicaid rules (and therefore the OASAS State Plan) have updated the way OASAS Providers bill for services, and the regulatory language was updated to reflect this. These changes will allow for rate methodologies that promote efficiency, meaning fees rather than cost based rates, for inpatient services. Overall, the changes provide for more accurate and fair reimbursement, as well as add simplicity to the entire regulation.

4. Costs: No additional administrative costs to the agency and/or providers are anticipated.

5. Paperwork: There is no additional paperwork beyond what is already required.

6. Local Government Mandates: There are no new local government mandates.

7. Duplications: This proposed rule does not duplicate, overlap, or conflict with any State or federal statute or rule.

8. Alternatives: The alternative is to leave the regulation as it currently reads, with outdated language.

9. Federal Standards: This regulation does not conflict with federal standards.

10. Compliance Schedule: This rule making will be effective upon publication of a Notice of Adoption in the State Register.

Regulatory Flexibility Analysis

OASAS has determined that the rule will not impose any adverse economic impact or reporting, recordkeeping or other compliance requirements on small businesses or local governments because the amended regulation does not impose any new requirements on providers, it only updates the regulation to conform to the OASAS State Plan Amendment.

Rural Area Flexibility Analysis

OASAS has determined that the rule will not impose any adverse impact on rural areas or reporting, recordkeeping or other compliance requirements on public or private entities in rural areas because the changes do not impose any new requirements, it was only updated to accurately reflect changes to the OASAS State Plan.

Job Impact Statement

No change in the number of jobs and employment opportunities is anticipated as a result of the proposed repeal and replacement of Part 841, because the new Part pertains only to standards for reimbursement and participation in the Medical Assistance Program. The Office will not need to hire additional staff or reduce staff size; the proposed changes will not adversely impact jobs outside of the agency; the proposed changes will not result in the loss of any jobs within New York State.

Department of Economic Development

EMERGENCY RULE MAKING

New York City Musical and Theatrical Production Tax Credit Program

I.D. No. EDV-43-21-00005-E

Filing No. 1076

Filing Date: 2021-10-08

Effective Date: 2021-10-08

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of Part 270 of Title 5 NYCRR.

Statutory authority: L. 2021, ch. 59, part PP, subpart B

Finding of necessity for emergency rule: Preservation of general welfare.

Specific reasons underlying the finding of necessity: The New York City Musical and Theatrical Production Tax Credit program was enacted in response to the devastating impact of the COVID-19 pandemic on the arts, entertainment, tourism, and recreation sectors in New York State generally, and on the New York City tourism and musical and theatrical industries in particular. This new program will provide incentives to qualified New York City musical and theatrical production companies for productions that produce either paused or new performances shows during the next two years.

Arts, entertainment, and recreation has been one of the most impacted sectors in New York City and the sector where employment increases have been the slowest. According to recent statistics from the Department of Labor, employment in the "arts, entertainment and recreation" sector dropped by more than 66% from 87,000 in 2020 to about 34,100 in April 2021. A healthy, vibrant Broadway is essential to the recovery of New York's tourism and hospitality industries. Prior to the pandemic, almost 250,000 people saw a Broadway show every week. Broadway supports nearly 97,000 local jobs and contributes over $14 billion every year to the New York City economy. Broadway productions draw visitors to New York City from all around the country and the world, helping drive the regional tourism economy.

Due to the indoor venues of eligible shows and the close proximity of patrons, actors, and crew, the reopening of large indoor recurring productions must be slower and more carefully planned than reopening for many other segments of the industry. Governor Cuomo has announced that Broadway productions are permitted to open; however, the financing of such large in-person events remains extremely challenging. As news of the New York City Musical and Theatrical Production Tax Credit has spread, industry plans have rebounded. Since the passage of the credit program, additional shows have been announced/planned for the fall and some are planning to open over this summer. The incentive this tax credit provides to Broadway is critical as the industry struggles to resume productions in a still highly uncertain economic environment and lingering public health threat. These regulations must be promulgated immediately so that the Department of Economic Development can launch the Program and begin accepting applications in advance of the first performances anticipated for June and August 2021, earlier than had initially been anticipated in September or November 2021.

Emergency adoption of this rule will enable the State to act to provide relief to New York City Musical and Theatrical Production Companies as they begin rehiring the thousands of New Yorkers who work directly in the industry and to help support the recovery of New York's tourism and hospitality industries in the process. Pursuant to Chapter 59 of the Laws of 2021, the Commissioner of Economic Development is expressly authorized to promulgate regulations for this Program on an emergency basis.

Subject: New York City Musical and Theatrical Production Tax Credit program.

Purpose: To create the administrative processes for the New York City Musical and Theatrical Production Tax Credit program.

Text of emergency rule: Part 270. New York City Musical and Theatrical Production Tax Credit Program

§ 270.1 Purpose and general description

The purpose of these regulations is to set forth the application process by which a qualified musical and theatrical production company may apply for benefits under the New York City Musical and Theatrical Production Tax Credit Program established by Chapter 59 of the Laws of 2021. These regulations include provisions describing the application process, the timing of such applications, the standards that will be used to evaluate the applications, the documentation that will be provided by applicants to substantiate the amount of qualified production expenditures of such applicants, and such other provisions as deemed necessary and appropriate. The New York State Department of Economic Development shall administer the program.

§ 270.2 Definitions

As used in this regulation, the following terms shall have the following meanings:

(a) Applicant means a taxpayer that is a qualified New York City musical and theatrical production company that is engaged in the production of a qualified musical and theatrical production. For the purposes of this definition, only one qualified New York City musical and theatrical company may receive this credit per production.

(b) Certificate of conditional eligibility means a notification by the Department to the applicant indicating that the applicant appears to be a qualified New York City musical and theatrical production company scheduled to produce a qualified musical and theatrical production. Such notification may include, but need not be limited to, the following

information: name and address of the applicant, taxpayer identification number, a statement that the applicant appears to be scheduled to produce a qualified musical and theatrical production, and a disclaimer stating that actual receipt of the tax credit is subject to completion and approval of the final application and the availability of state funds.

(c) Certificate of tax credit means a certificate issued by the Department which states the amount of the New York City Musical and Theatrical Production Tax Credit that the applicant has qualified for based on the Department's analysis under section 24-c of the Tax Law and the provisions of this Part. Such certificate shall include, but need not be limited to, the following information: name and address of the applicant, name of the qualified musical or theatrical production to which the credit applies, the amount of the tax credit to be received by the applicant, the allocation year of the tax credit, and a disclaimer stating that actual receipt of the tax credit is subject to the statutory maximum amount of credits that are allocated for the program and the availability of state funds.

(d) Commissioner means the Commissioner or Acting Commissioner of the New York State Department of Economic Development.

(e) Completeness of the application means that all questions on the application were fully addressed by the applicant and that any additional substantiating documents that were requested by the Department were provided.

(f) Credit period of a qualified New York city musical and theatrical production company is the period starting on the production start date and ending on: 1) the date the production has expended sufficient qualified production expenditures to reach its credit cap; 2) March 31, 2023; or 3) the date the qualified musical and theatrical production closes, whichever comes first.

(g) Date the qualified musical and theatrical production closes is the date after the production's final public performance on which the move of all physical production assets (i.e. sets, costumes, lighting and audio equipment) from the qualified New York City production facility to their subsequent facilities (such as lessor vendor facilities and storage facilities) is complete.

(h) Department means the New York State Department of Economic Development.

(i) Diversity and arts job training program plan means a description of the programmatic, operational and/or financial ways applicants will participate in New York State diversity and arts job training programs in the theater industry. A list of options, as well as criteria for additional opportunities to satisfy this requirement, shall be outlined in the initial application and its instructions.

(j) Final application means a document created by the Department and submitted by an applicant which contains information concerning actual production expenditures regarding a New York City qualified musical or theatrical production that could make it eligible for the New York City Musical and Theatrical Production Tax Credit under the provisions of this Part. Such application shall include, but need not be limited to: actual data with regard to the qualified musical or theatrical production's total production budget, its production schedule and any other information the Department determines is necessary.

(k) First performance means the first public performance of a qualified musical and theatrical production after April 19, 2021 at which tickets are available to the public for purchase, including a preview or opening performance but not a dress rehearsal.

(l) Initial application means a document created by the Department which an applicant must complete in order to prove its eligibility for the program and contains information concerning estimated production expenditures regarding a New York City qualified musical or theatrical production. Such application shall include, but need not be limited to: the qualified musical or theatrical production's total production budget, schedule and their diversity and arts job training program plan, their public access and availability plan, and their New York State Council on the Arts contribution attestation and any other information the Department determines is necessary.

(m) Net operating profits shall be defined, for the purposes of section 270.3(3), as all ongoing revenue minus all ongoing production costs including marketing and advertising costs and shall be calculated on a quarterly basis.

(n) New York State Council on the Arts contribution attestation is a document an applicant shall complete as part of their initial application affirming they shall make the necessary contributions required under paragraph (3) of subdivision (g) of section 24-c of the tax law.

(o) Ongoing production costs shall be defined, for the purposes of section 270.3(3) as weekly operating expenses associated with the production after the end of the credit period, not including marketing and advertising as reflected on a quarterly basis.

(p) Ongoing revenue prospectively after the end of the credit period shall be defined, for the purposes of section 270.3(3), as all gross weekly box office revenues after the end of the credit period as reflected on a quarterly basis.

(q) Production start date is the date that is up to twelve (12) weeks prior to the first performance of the qualified musical and theatrical production.

(r) Program means the New York City Musical and Theatrical Production Tax Credit Program.

(s) Public access and availability plan means a plan as part of the applicant's initial application for how the production will be available for low or no-cost to low income New Yorkers. The Department in its initial application and instructions shall outline criteria and minimum standards for this plan.

(t) Qualified musical and theatrical production means a for-profit, live, scripted, dramatic performance by one or more performers of a narrative presentation with or without musical performances and/or accompaniment that, in its original or adaptive version, is performed in a qualified New York City production facility. A qualified musical and theatrical production shall not include ballet, opera, musical solo, group, band, or orchestra performance; solo, duo or several performers' standup comedy performance. For the purposes of this Program, the Department shall make final determinations on which productions meet these criteria.

Whether or not such production was first performed in a qualified New York City production facility prior to the state disaster emergency pursuant to executive order 202 of 2020 as amended, it shall still be treated as a qualified musical and theatrical production.

(u) Qualified New York City musical and theatrical production company is a corporation, partnership, limited partnership, or other entity or individual which or who is principally engaged in the production of a qualified musical or theatrical production that is to be performed in a qualified New York city production facility.

(v) Qualified production expenditure means any costs paid by the applicant for tangible property used and services performed directly and predominantly in the production of a qualified musical and theatrical production within the state including:

(1) expenditures for design, construction and operation, including sets, special and visual effects, costumes, wardrobes, make-up, accessories and costs associated with sound, lighting, and staging;

(2) all salaries, wages, fees, per diems, payroll tax expenditures, fees for workers' compensation insurance, and other compensation including related benefits for services performed of which the total allowable expense shall not exceed $200,000 per week;

(3) technical and crew production costs, such as expenditures for qualified production facilities, or any part thereof, props, make-up, wardrobe, costumes, equipment used for special and visual effects, sound recording, set construction, and lighting; and

(4) up to 50% of marketing and advertising costs as calculated on a monthly basis.

For the purposes of this definition, expenses may only be counted once on a single qualified production.

(w) Qualified New York City production facility means a facility located within the city of New York (i) in which live theatrical productions are or are intended to be primarily presented, (ii) that contains at least one stage with a seating capacity of five hundred or more seats, and dressing rooms, storage areas, and other ancillary amenities necessary for the qualified musical and theatrical production, and (iii) for which receipts attributable to ticket sales constitute seventy-five percent or more of gross receipts of the facility.

(x) Qualified certified public accountant means a New York State certified public accountant approved by the Department to conduct a third party verification.

(y) Third party verification means an evaluation conducted by a qualified certified public accountant of an applicant's application using agreed upon procedures as prescribed by the Department to verify that all criteria pursuant to section 270.5 of this Part have been met. Such agreed upon procedures shall be posted online.

§ 270.3 Eligibility requirements

An applicant whose qualified musical and theatrical production is held in a qualified New York city production facility and applies to receive a credit under this section shall be required to complete an initial application, which shall include:

(1) an attestation that they will participate in a New York State diversity and arts job training program and complete a diversity and arts training program plan outlining their proposed methods of execution of such plan;

(2) an attestation that they will ensure that their production is available and accessible for low-or no-cost to low income New Yorkers and outline their proposed methods of doing so in a public accessibility and availability plan; and

(3) an attestation that they intend to comply with the legal requirement to contribute to the New York State council on the arts cultural program fund an amount up to fifty percent of the total credits received if its production earns ongoing revenue prospectively after the end of the credit period that is at least equal to two hundred percent of its ongoing

production costs, with such amount payable from twenty-five percent of net operating profits, such amounts payable on a monthly basis, up until such fifty percent of the total credit amount is reached.

(4) In addition, an applicant who has filed an initial application for this program shall be required to file a final application within ninety (90) days of the end of the Credit Period of a qualified New York city musical and theatrical production company to claim the tax credit. As part of their final application, applicants shall submit proof of the execution of their plans listed in paragraphs 1-2 above. In order to receive the tax credit under this Part, an applicant must actually carry out and implement all of the requirements they have attested to pursuant to paragraphs 1-3 above.

For the purposes of this Part, an applicant who: 1) meets the requirements as set forth in this Part; 2) completes both an initial and final application as required in section 270.4 of this part; and 3) meets the evaluation requirements of section 270.5 of this Part shall be eligible to receive the New York City Musical and Theatrical Production Tax Credit.

§ 270.4 Application Process

(a) Initial application. (1) An applicant shall submit an initial application to the Department prior to the scheduled first performance of the production for which it seeks a tax credit under this article. The purpose of the initial application is to notify the Department of its intent to produce a qualified New York City musical and theatrical production in a qualified New York City production facility and to submit a final application for the New York City Musical and Theatrical Production Tax Credit Program.

(2) The Department shall evaluate the initial application based upon the completeness of the application and whether it complies with section 270.3 herein and is submitted in accordance with paragraph one of this subdivision.

(3) After review of the initial application, the Department shall notify the applicant of its eligibility and, if deemed eligible, shall issue a certificate of conditional eligibility to the applicant.

(4) In no event may a qualified New York City musical and theatrical production submit an initial application for this program after December 31, 2022.

(b) Final application. (1) An applicant shall submit a final application to the Department within ninety (90) days of the end of the Credit Period of a qualified New York city musical and theatrical production company.

(2) Upon receipt of a final application, the Department may request additional documentation, including copies of receipts of qualified musical and theatrical production expenditures, to determine if the production qualifies for the New York City musical and theatrical production tax credit. The Department shall approve or disapprove the final application based upon criteria set forth in section 270.5 of this Part. If the final application is approved, the Department shall issue a certificate of tax credit to the approved applicant. The Department shall provide a copy of such certificate of tax credit to the Department of Taxation and Finance. If the final application is disapproved, the Department shall provide the applicant with a notice of disapproval which shall state the reasons therefor. Such disapproval shall be a rejection of the applicant's final application. A disapproved applicant may appeal such decision pursuant to section 270.9 of this Part or reapply pursuant to the provisions of this Part.

§ 270.5 Criteria for evaluation of final applications

A final application shall not be approved by the Department unless the Department determines, in its discretion, that the following criteria are met:

(a) the application is complete;

(b) the applicant did not knowingly provide false or misleading information to the Department;

(c) the applicant produced a qualified New York City musical and theatrical production that was performed in a qualified New York city production facility;

(d) the applicant met the specific requirements of section 270.3 herein.

§ 270.6 Allocation of New York City Musical and Theatrical Production Tax Credit

(a) Amount of credit

The amount of the credit shall be the product (or pro rata share of the product, in the case of a member of a partnership) of 25 percent and the sum of the qualified production expenditures paid for during the qualified New York city musical and theatrical production's credit period. The amount of the credit shall not exceed $3 million dollars per qualified New York city musical and theatrical production for productions whose first performance is during the first year in which applications are accepted.

For productions who first performance is during the second year in which applications are accepted, such per production cap shall decrease to $1.5 million per qualified New York city musical and theatrical production unless the Department, in consultation with the Division of the Budget, determines that the New York City tourism economy has not sufficiently recovered based on analysis of key New York city economic indicators which shall include, but not be limited to, hotel occupancy rates, leisure and hospitality job rates, Metropolitan Transit Authority travel data, aviation data and other economic and travel metrics. Such analysis shall be informed by the status of any COVID-19 regulations affecting New York city musical and theatrical productions.

In no event may a New York city musical and theatrical production be eligible for more than one credit under this program. In no event may expenses claimed under this credit program also be claimed under the musical and theatrical production tax credit program pursuant to section 24-a of the tax law.

(b) Maximum amount of tax credits

The aggregate amount of tax credits allowed under this Program shall be one hundred ($100) million dollars. Such aggregate amount of credits shall be allocated by the Department among taxpayers based on the date of first performance of the qualified New York city musical and theatrical production.

The credit shall be allowed for the taxable year beginning on or after January 1, 2021 but before January 1, 2024.

§ 270.7 Third party verifications

The Department may accept from an applicant a third party verification as part of an applicant's final application. Submission of a third party verification shall be voluntary and shall be subject to review and approval by the Department. The voluntary submission of a third party verification by an applicant as part of its final application shall in no way or manner affect the review and approval by the Department of a final application submitted by an applicant that elects not to submit a third party verification. Such final application shall be subject to review and approval by the Department pursuant to section 270.4(b)(2) of this Part.

§ 270.8 Record retention/cultural fund reporting

(a) All applicants must maintain records, in paper or electronic form, of any qualified musical and theatrical production costs used to calculate their potential or actual benefit(s) under the program for a minimum of three years from the date the applicant claims a New York city musical and theatrical production tax credit. The Department shall have access to the records during normal business hours at an office of the applicant within the State or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying.

(b) With respect to the contribution requirement set forth in section 270.3(3) herein, an applicant that claims and receives a tax credit under this program shall complete its contributions no later than Dec 31, 2025 and shall submit an annual report to the Department detailing their contributions, as applicable, to the New York state council on the arts cultural program fund. Such requirement shall expire on the earlier of: 1) December 31, 2025; or 2) upon repayment of 50% of the total credit received by the applicant; provided, however, if a production closes and the applicant demonstrates that the production is not subject to the requirements of section 270.3(3) of this part, then the applicant no longer needs to submit an annual report.

§ 270.9 Appeal process

(a) If an applicant's final application is disapproved by the Department, or if an applicant disagrees with the amount of a New York city musical and theatrical production tax credit granted by the Department, the applicant shall have a right to appeal. In the case of an appeal from a disapproval of a final application, such appeal shall be made by sending a letter to the New York State Department of Economic Development, Attn: Counsel's Office, 625 Broadway, 8th Floor, Albany NY 12245, within 30 days from the date of the denial letter issued by the Department. In the case of an appeal from a disagreement of the amount of the tax credit issued, such appeal shall be made by sending a letter to the same address as listed above within 30 days from the date of issuance of the certificate of tax credit. Failure to request an appeal within 30 days shall be deemed a waiver of an applicant's right to appeal.

(b) Upon receipt of a timely letter of appeal, an independent hearing officer will be appointed by the commissioner to handle the appeal.

(c) An appeal may be conducted via written submission, or, with the approval of both parties, via administrative hearing.

(d) The independent hearing officer shall render a recommended order on the appeal to the commissioner within 60 days of the conclusion of a hearing or receipt of the written submission of both parties. The commissioner or his or her designee shall issue a final order within 60 days of receipt of the report of the independent hearing officer. A copy of the final order will be issued to the appellant within 10 days after the date the commissioner or his or her designee renders the final order.

§ 270.10 Exchange of Information with Department of Taxation and Finance

(a) Employees and officers of the Department and the Department of Taxation and Finance shall be allowed and are directed to share and exchange information regarding the credits applied for, allowed, or claimed under the program, as well as information regarding taxpayers who are applying for credits or who are claiming credits, including information contained in or derived from credit claim forms submitted to the

Department of Taxation and Finance and applications for certification submitted to the Department.

(b) The commissioner and the commissioner of the Department of Taxation and Finance may release the names and addresses of any taxpayer claiming a credit under the program and the amount of the credit issued to the taxpayer. Provided, however, if a taxpayer claims this credit because it is a member of a limited liability company or a partner in a partnership, only the amount of credit earned by the entity and not the amount of credit claimed by the taxpayer may be released.

This notice is intended to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires January 5, 2022.

Text of rule and any required statements and analyses may be obtained from: Thomas Regan, Department of Economic Development, 625 Broadway, Albany NY 12245, (518) 292-5120, email: thomas.regan@esd.ny.gov

Regulatory Impact Statement

STATUTORY AUTHORITY:

Chapter 59 of the Laws of 2021 allow the Commissioner of the Department of Economic Development (the "Department") to promulgate regulations establishing the application process for the New York City Musical and Theatrical Production Tax Credit Program. These regulations include provisions describing the application process, the due dates for such applications, the standards that will be used to evaluate the applications, the documentation that will be provided by applicants to substantiate to the department the amount of qualified production expenditures of such applicants, and such other provisions as deemed necessary and appropriate.

LEGISLATIVE OBJECTIVES:

The proposed/emergency rule gives effect to the intention of the legislature in adopting this new tax credit program which was to provide immediate financial incentives to qualified New York City musical and theatrical production companies for productions that produce either paused or new performances shows during the next two years.

NEEDS AND BENEFITS:

This proposed/emergency is necessary in order to create the administrative process for a new tax credit program enacted in response to the devastating impact of the COVID-19 pandemic on the arts, entertainment, tourism, and recreation sectors in New York State generally, and on the New York City tourism and musical and theatrical industries in particular.

Arts, entertainment, and recreation has been one of the most COVID-19 impacted sectors in New York City and the sector where employment increases have been the slowest. According to recent statistics from the Department of Labor, employment in the "arts, entertainment and recreation" sector dropped by more than 66% from 87,000 in 2020 to about 34,100 in April 2021. A healthy, vibrant Broadway is essential to the recovery of New York's tourism and hospitality industries. Broadway productions draw visitors to New York City from all around the country and the world, helping drive the regional tourism economy.

Due to the indoor venues of eligible shows and the close proximity of patrons, actors, and crew, the reopening of large indoor recurring productions must be slower and more carefully planned than reopening for many other segments of the industry. Broadway productions are permitted to open; however, the financing of such large in-person events remains extremely challenging. As news of the New York City Musical and Theatrical Production Tax Credit has spread, industry plans have rebounded. Since the passage of the credit program, additional shows have been announced/planned for the fall and some are planning to open over this summer. The incentive this tax credit provides to Broadway is critical as the industry struggles to resume productions in a still highly uncertain economic environment and lingering public health threat.

The proposed/emergency rule provides the administrative framework for this new tax credit program. Specifically, the regulation provides the needed definitions for the program along with the eligibility criteria. It describes the application process and sets forth the evaluation criteria for final applications. It details that the credit shall be the product of 25 percent and the sum of the qualified production expenditures paid for during the qualified New York city musical and theatrical production's credit period and the credit shall not exceed $3 million dollars per qualified New York city musical and theatrical production for productions whose first performance is during the first year in which applications are accepted. For productions who first performance is during the second year in which applications are accepted, such per production cap shall decrease to $1.5 million per qualified New York city musical and theatrical production unless the Department determines that the New York City tourism economy has not sufficiently recovered based on analysis of key New York city economic indicators which shall include, but not be limited to, hotel occupancy rates, leisure and hospitality job rates, Metropolitan Transit Authority travel data, aviation data and other economic and travel metrics.

The regulation concludes by delineating that the overall fiscal cap on the program is one hundred ($100) million dollars and goes on to delineate the specifics of a third party verification process, a record retention/diversity reporting section, an appeal process for those disapproved applicants and the authorization for the Department of Economic Development and Department of Taxation and Finance to exchange information with each other for the purposes of this program.

COSTS:

I. Costs to private regulated parties (the business applicants): None. The proposed/emergency rule will not impose any additional costs to eligible business applicants.

II. Costs to the regulating agency for the implementation and continued administration of the rule: None.

III. Costs to the State government: None.

IV. Costs to local governments: None. The proposed/emergency rule will not impose any costs on local governments.

LOCAL GOVERNMENT MANDATES:

None. There are no local government mandates associated with this program.

PAPERWORK:

The proposed/emergency rule requires an application process and necessarily entails certain paperwork burdens including materials to be submitted as part of applications for tax credits, additional documents the Commissioner may request from applicants as part of his evaluation of applications, and certain records that must be maintained by program participants for auditing purposes.

DUPLICATION:

The proposed/emergency rule creates a new tax credit program and, accordingly, there is no risk of duplication in the adoption of the proposed/emergency rule.

ALTERNATIVES:

No alternatives were considered with regard to not creating a new rule in response to the statutory requirement. The rule is authorized by statute.

FEDERAL STANDARDS:

There are no federal standards applicable to this program; it is purely a state tax credit program. Therefore, the proposed rule does not exceed any federal standard.

COMPLIANCE SCHEDULE:

The affected agency (Department of Economic Development) and any applicants to this program will be able to achieve compliance with the regulation as soon as it is implemented.

Regulatory Flexibility Analysis

Participation in the New York City Musical and Theatrical Production tax credit program is entirely at the discretion of qualifying New York City musical and theatrical production companies. Neither statute nor the proposed/emergency rule impose any obligation on any local government or business entity to participate in the program. The proposed/emergency rule does not impose any adverse economic impact or compliance requirements on small businesses or local governments. In fact, the proposed/emergency rule may have a positive economic impact on small businesses.

Because it is evident from the nature of the proposed/emergency rule that it will have either no impact or a positive impact on small businesses and local government, no further affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses and local governments is not required and one has not been prepared.

Rural Area Flexibility Analysis

The New York City Musical and Theatrical Production tax credit program is geared to incentivize musical and theatrical productions returning to New York city. As such, the proposed/emergencyrule does not impose any special reporting, record keeping or other compliance requirements on private entities in rural areas. Therefore, the rule will not have a substantial adverse economic impact on rural areas nor on the reporting, record keeping or other compliance requirements on public or private entities in such rural areas. Accordingly, a rural area flexibility analysis is not required and one has not been prepared.

Job Impact Statement

The proposed/emergency rule creates the administrative process for the New York City Musical and Theatrical Production tax credit program. The program aims to incentivize production companies to return musical and theatrical productions to New York City and help spur much needed tourism at this difficult economic time and will not have a substantial adverse impact on jobs and employment opportunities; rather, the program is intended to increase employment opportunities.

Because it is evident from the nature of the rulemaking that it will have either no impact or a positive impact on job and employment opportunities, no further affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

Education Department

EMERGENCY RULE MAKING

Addressing the COVID-19 Crisis

I.D. No. EDU-30-21-00003-E
Filing No. 1081
Filing Date: 2021-10-11
Effective Date: 2021-10-11

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of sections 52.30, 63.9, 70.4, 74.6, 75.2, 75.5, 76.2, 79-9.3, 79-10.3, 79-11.3, 79-12.3, 80-5.3, 80-5.4, 83.5, 87.2, 87.5, 145-2.15, 155.17, 200.5, 200.6 and 279.15 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 208, 210, 212, 301, 305, 308, 311, 661, 1709, 2801-a, 3001, 3001-d, 3004, 3004-c, 3009, 3035, 4402, 4403, 4404, 4410, 6501, 6504, 6506, 6507, 6527, 6802, 6909, 7404, 7704, 7904, 7904-a, 8206; L. 2020, ch. 110

Finding of necessity for emergency rule: Preservation of public health and general welfare.

Specific reasons underlying the finding of necessity: On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020, the Governor of New York State declared a state disaster emergency for the entire State of New York pursuant to Executive Order 202. In response, the Department presented, and the Board of Regents voted to adopt, numerous emergency regulations to address issues resulting from interruptions caused by the COVID-19 crisis and to provide regulatory flexibility during the crisis.

As of June 25, 2021, the state of emergency is no longer in effect. However, the COVID-19 crisis continues to affect the State of New York. Therefore, to address additional issues resulting from the interruptions caused by the COVID-19 crisis and to provide additional regulatory flexibility, the Department is proposing further emergency regulatory amendments related to the following:

- Incidental teaching;
- Substitute teachers;
- Special education teaching assignments in grades 7-12;
- Ability-to-Benefit (ATB) test;
- Snow day reporting;
- Special Education due process hearings;
- Continuous experience requirements for speech language pathology, audiology, and occupational therapy;
- In person supervision experience requirements for licensed clinical social work, licensed master social work, mental health counseling, marriage and family counseling, creative arts therapy, and psychoanalysis;
- Authorizing licensed pharmacists to administer the COVID-19 vaccine;
- Examination timeframe requirements for Public Accounting applicants;
- Social work experience requirements;
- Part 83 and Part 87 appeals and procedures; and
- Office of State Review filings.

The proposed amendment was presented to the Full Board for adoption as an emergency rule at the July 2021 meeting of the Board of Regents, effective July 13, 2021. Since the Board of Regents meets at fixed intervals, the earliest the proposed amendment could be adopted by regular (nonemergency) action after expiration of the 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) sections 201(1) and (5) would be the October 2021 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earliest effective date of the proposed rule, if adopted at the October meeting, would be November 3, 2021, the date the Notice of Adoption would be published in the State Register.

However, the emergency rule will expire on October 10, 2021. Therefore, a second emergency action is necessary at the September 2021 meeting for the preservation of the general welfare and public health in order to immediately provide flexibility for certain regulatory requirements in response to the COVID-19 crisis and to ensure the emergency action taken at the July 2021 meeting remains continuously in effect until the rule can be permanently adopted.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at its October 2021 meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for State agency rule making.

Subject: Addressing the COVID-19 crisis.

Purpose: To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis.

Substance of emergency rule (Full text is posted at the following State website: http://www.counsel.nysed.gov/rules/full-text-indices): Higher Education:

Incidental Teaching:

At its December 2020 meeting, the Board of Regents permanently adopted regulatory amendments extending incidental teaching from up to five classroom hours a week to up to ten classroom hours a week during the 2020-2021 school year in response to the COVID-19 pandemic. This extension provided districts with additional flexibility in making teaching assignments, permitting certified teachers to teach a subject not covered by their certificate for up to ten classroom hours a week when no certified or qualified teachers are available after extensive and documented recruitment. The Department now proposes to extend incidental teaching from up to five classroom hours a week to up to ten classroom hours a week again during the 2021-2022 school year. This proposal continues to give districts another way to address staffing challenges exacerbated by the pandemic.

Substitute Teachers:

At its December 2020 meeting, the Board of Regents permanently adopted regulatory amendments allowing substitute teachers who did not hold a valid certificate and were not working towards certification, but held a high school diploma or its equivalent, to be employed by a school district or BOCES for more than 40 days during the 2020-2021 school year under the following circumstances in response to the pandemic:

- In extreme circumstances, these substitute teachers may be employed by the district or BOCES for up to an additional 50 days if the district superintendent or the superintendent certifies that the district or BOCES, as applicable, has conducted a good faith recruitment search for a properly certified candidate and determined that there are no available certified teachers that can perform the duties of such position.
- In rare circumstances, a district or BOCES may hire a substitute teacher beyond the 90 days, if a district superintendent or the superintendent attests that a good faith recruitment search has been conducted and that there are still no available certified teachers who can perform the duties of such position and that a particular substitute teacher is needed to work with a specific class or group of students until the end of the school year.

The Department is proposing to permit this flexibility again for substitute teachers who do not hold a valid certificate and are not working towards certification, but hold a high school diploma or its equivalent, during the 2021-2022 school year. This proposed extension enables districts to continually address the teacher shortages exacerbated by the pandemic with substitute teachers, if needed, subject to the same conditions as were in place last year.

Special Education Teaching Assignments in Grades 7-12:

The Department is proposing to allow teachers who hold a valid certificate in Students With Disabilities (Grades 1-6), Students With Disabilities (Grades 5-9) generalist, or Students With Disabilities (Grades 5-9) content specialist to teach students with disabilities in grades 7-12 during the 2021-2022 school year, provided that they otherwise meet all certification requirements for the teaching assignment. If these teachers instruct students with disabilities in grades 7-12 during the 2021-2022 school year, and they seek Professional certification in the future in the same title as the special education certificate held, they would be able to have the experience gained during this year count toward the Professional certificate experience requirement.

This one-year flexibility would enable districts to fill hard-to-staff middle and high school special education teaching assignments with teachers who have a background in special education. With this proposal, special education teachers who hold the certificate titles listed above would be able to provide special education programs and services to students with disabilities in grades 7-12 through collaboration and consultation with general education teachers as integrated co-teachers, consultant teachers, and/or resource room teachers providing supplemental instruction. If they do not also hold subject area certification in grades 7-12, they would not be able to teach a special class in grades 7-12 in a subject area.

Ability-to-Benefit (ATB) Test:

At its September 2020 Regents meeting, the Board permanently adopted amendments to section 145-2.15 of the Commissioner's regulations providing that where testing centers and institutions are unable to administer and proctor the ATB during the state of emergency declared by

the Governor for the COVID-19 crisis, the test may be administered and proctored remotely in accordance with federal requirements. In order to continue to provide this flexibility beyond the expiration of the state of emergency for individuals impacted by the COVID-19 crisis, the Department proposes to remove the language tying such amendment to the state of emergency. ATB tests must still be administered and proctored in accordance with federal requirements.

P12:

Snow Day Reporting:

At its April 2021 meeting the Board of Regents permanently adopted amendments to section 155.17(f) of the Commissioner's regulations to require notification from superintendents whenever a school's emergency plan or building-level school safety plan is activated that results in the closing of a school building in the district for snow emergency days during the 2020-21 school year. Previously, such notification was not required for routine snow emergency days, however, due to the COVID-19 crisis, the State has shifted to allowing and/or requiring remote instruction by many districts.

In response the Department offered a pilot program in 2020-21 school year allowing school districts to shift to remote instruction for days that a district would have otherwise closed due to a snow emergency. The Department has extended this school day pilot program through the 2021-22 school year; therefore, regulatory amendments are needed to continue requiring the reporting of snow emergency days to the Department in the 2021-22 school year.

Special Education Due Process Hearings:

At its February 2021 meeting the Board of Regents permanently adopted amendments to section 200.5(j)(5)(i) to allow impartial hearing officers to extend due process cases for up to 60 days rather than 30 days during the state of emergency declared for the COVID-19 crisis. The Department now proposes to extend this regulatory flexibility beyond the state of emergency to provide impartial hearing officers with continued flexibility as the COVID-19 crisis continues to affect witnesses', administrators', and parents' availability to partake in due process hearings.

Professions:

Continuous Experience:

At its February 2021 meeting, the Board of Regents permanently adopted amendments to sections 75.2, 75.5, and 76.2 of the Commissioner's regulations to allow the Department to excuse the continuous experience requirements for speech language pathology, audiology, and occupational therapy where such continuous experience could not be completed due to the state of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis. Since the state of emergency is no longer in effect, the Department proposes to amend such sections to remove language referencing the state of emergency in order to continue to provide the above flexibility for individuals impacted by the COVID-19 crisis.

In-Person Supervision Experience Requirements:

Also at its February 2021 meeting the Board permanently adopted amendments to Sections 74.6(c)(1)(v), 74.6(d)(1)(v), 79-9.3(c), 79-10.3(d), 79-11.3(c), and 79-12.3(c) of the Commissioner's regulations granting an exemption for in-person supervision experience requirements for licensed clinical social work, licensed master social work, mental health counseling, marriage and family counseling, creative arts therapy, and psychoanalysis where such in-person supervision could not be completed due to the state of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis. Again, because the state of emergency is no longer in effect, the Department proposes to amend such sections to remove language referencing the state of emergency in order to continue to provide the above flexibility for individuals impacted by the COVID-19 crisis.

COVID-19 Vaccine Pharmacists Administration:

Chapter 110 of the Laws of 2020 (Chapter 110) amended the Education Law to authorize licensed pharmacists to immunize patients against COVID-19. Pharmacists may administer this immunization pursuant to either patient specific orders or non-patient specific orders. The proposed amendment conforms the Commissioner's regulations to Chapter 110 by adding the COVID-19 vaccine to the list of immunizations licensed pharmacists are authorized to administer pursuant to section 63.9 of the Commissioner's regulations.

Public Accounting Examination Timeframe:

Also at its February 2021 meeting, the Board permanently adopted amendments to section 70.4 of the Commissioner's regulations to allow the Department to accept passing examination scores from Public Accounting applicants that are outside the required 18-month examination window where such examinations could not be completed within 18 months due to the state of emergency declared by the Governor for the COVID-19 crisis. In order to continue this flexibility beyond the expiration of the state of emergency for individuals who continue to be impacted by the COVID-19 crisis, the Department now proposes to amend such section to remove the language linking such flexibility to the time period of the state of emergency.

Social Work Experience Requirements:

At its February 2021 meeting, the Board permanently adopted amendments to section 52.3 of the Commissioner's regulation to allow the Department to modify professional educational program requirements for professional licensure, to the extent authorized by law, if such requirements cannot be successfully completed due to the State of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.

In order to continue this flexibility beyond the expiration of the state of emergency for the profession of Social Work, the Department proposes to amend section 52.30 of the Commissioner's regulations to permit the Department to modify, to the extent authorized by law, the field experience, practicums or other such experience requirements relative to registered programs for licensed master social work and licensed clinical social work recognized as leading to licensure in licensed master social work and licensed clinical social work for individuals impacted by the COVID-19 crisis.

Part 83 and Part 87 Appeals:

The Board permanently adopted amendments to provide flexibility relating to Part 83 and Part 87 appeals and procedures at its February 2021 meeting:

- Section 83.5 was amended to permit the Commissioner to excuse the filing timeframes relating to appeals to the Commissioner of a hearing officer's determination of good moral character where such late filings are due to the state of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis;
- Section 87.5 was amended to permit: (i) the Department to excuse late submissions relating to due process procedures for prospective employees' clearance for employment; and (ii) the Commissioner's designee to excuse late submissions relating to appeals of the Department's determination to deny prospective school employees' clearance for employment where such submissions are late due to the state of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis; and
- Section 87.2(k)(2) was amended to add to the definition of "prospective school employee" any individual who will reasonably be expected to provide services which involve online communication or interaction directly to students under the age of 21 during the period of a school closure ordered pursuant to an Executive Order of the Governor pursuant to a state of emergency for the COVID-19 crisis.

Since this flexibility was specifically linked to the time period of the state of emergency declared for the COVID-19 crisis, and this state of emergency has been lifted, additional amendments are needed to continue to provide this flexibility as COVID-19 continues to affect the State of New York. Therefore, the Department proposes to remove the language tying the above flexibility to the state of emergency.

Office of State Review:

The Board of Regents permanently adopted a new section 279.15 of the Commissioner's regulations at its February 2021 meeting to provide that a State Review Officer may authorize certain filings through electronic means during the state of emergency declared by the Governor pursuant to an Executive Order for the COVID-19 crisis.

Since this flexibility was specifically linked to the time period of the state of emergency declared for the COVID-19 crisis, and this state of emergency has been lifted, additional amendments are needed to continue to provide this flexibility as COVID-19 continues to affect the State of New York. Therefore, the Department proposes to remove the language tying the above flexibility to the state of emergency.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. EDU-30-21-00003-EP, Issue of July 28, 2021. The emergency rule will expire December 9, 2021.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Education Law § 101 continues existence of Education Department, with Board of Regents as its head, and authorizes Regents to appoint Commissioner of Education as Department's Chief Administrative Officer, which is charged with general management and supervision of all public schools and educational work of State.

Education Law § 207 empowers Regents and Commissioner to adopt rules and regulations to carry out State education laws and functions and duties conferred on the Department.

Education Law § 208 empowers the Regents to confer by diploma honorary degrees as they deem proper, establish examinations and award and confer suitable certificates, diplomas and degrees on persons who meet the prescribed requirements for such.

Education Law § 210 empowers the Regents to register domestic and foreign institutions in terms of New York standards, and fix the value of degrees, diplomas and certificates issued by institutions of other states or countries and presented to entrance to schools, colleges and the professions in New York.

Education Law § 212 permits the Department to charge fees for the issuance of a qualifying certificate for admission to a professional school.

Education Law § 305 establishes the general powers and duties of the Commissioner of Education.

Education Law § 308 empowers the commissioner to cause to be instituted such proceedings and processes as may be necessary to property enforce and give effect to any provision in the Education Law or in any other general or special law pertaining to the school system of the state or any part thereof or to any school district or city and to enforce any rule or direction of the regents.

Education Law § 311 enumerates the powers of the Commissioner in reference to appeals, petitions and proceedings.

Education Law § 611 establishes a liberty scholarship advisory committee.

Education Law § 1709 enumerates the powers and duties of boards of education of union free school districts.

Education Law § 2801 requires the board of education or trustees of every school district, board of cooperative educational services (BOCES), and county vocation extension boards to adopt and amend a code of conduct of the maintenance of order on school property.

Education Law § 2801-a requires the board of education or trustees of every school district, BOCSE, county vocational education and extension board, and the chancellor of the city school district of the city of New York to adopt and amend a comprehensive district-wide school safety plan and building-level emergency response and management plan.

Education Law § 3001 prescribes the qualifications of teachers.

Education Law § 3001-d provides that any nonpublic or private school may require, for the purposes of a criminal history record check, the fingerprinting of all prospective employees, who do not hold valid clearance pursuant to Education Law § § 3035, 3004-b, 509-cc, or Vehicle and Traffic Law § 1209-d. Additionally, such schools may conditionally appoint a prospective employee.

Education Law § 3004 directs the Commissioner of Education to prescribe regulations governing the examination and certification of teachers employed in all public schools of the State.

Education Law § 3004-c provides that when an applicant for a teaching certification is denied, the applicant shall be afforded notice and the right to be heard an offer proof in opposition to such determination in accordance with the regulations of the Commissioner of Education.

Education Law § 3009 provides that unqualified teachers shall not be paid from school moneys.

Education Law § 3035 requires the Commissioner of Education to submit to the division of criminal justice services fingerprints of prospective employees and after receipt of a criminal history record, shall promptly notify the school whether the prospective employee is cleared for employment based upon his or her criminal history.

Education Law § 4402 establishes school district duties for the education of students with disabilities.

Education Law § 4403 outlines the Department's responsibilities regarding special education programs and services to students with disabilities. Section 4403(3) authorizes the Department to adopt regulations as the Commissioner deems in their best interest.

Education Law § 4404 establishes the appeal procedures for students with disabilities. Subdivision (1) authorizes and requires the Commissioner to promulgate regulations relating to the qualifications, procedures and timelines for impartial hearings, as well as procedures for the suspension or revocation of impartial hearing officer certification for good cause.

Education Law § 4410(7) provides that a parent may file a written request with the board of education for an impartial hearing with respect to any matter relating to the identification, evaluation or educational placement of, or provision of a free appropriate public education to preschool students with disabilities. Subdivision (14) authorizes the Commissioner to adopt regulations to implement the such statute.

Education Law § 6501 provides that the admission to practice of a profession in New York State is accomplished by a license being issued to a qualified applicant by the Department.

Education Law § 6504 authorizes the Board of Regents to supervise the admission to and regulation of the practice of the professions.

Education Law § 6506 requires the Board of Regents to supervise the admission to the practice of the professions.

Education Law § 6507 requires the Commissioner and the Department to administer the admission to and the practice of the professions.

Education Law § 6527(7), as amended by Chapter 110 of the Laws of 2020, authorizes physicians to issue patient-specific orders for COVID-19 to pharmacists.

Education Law § 6802(22), as amended by Chapter 110 of the Laws of 2020, adds vaccination to prevent COVID-19 to the list of immunizations certified pharmacist may administer.

Education Law § 6909(7), as amended by Chapter 110 of the Laws of 2020, authorizes nurse practitioners to issue patient-specific orders for COVID-19 to pharmacists.

Education Law § 7404 enumerates the requirements for licensure as a certified public accountant.

Education Law § 7704 enumerates the requirements for licensure as a licensed master social worker and licensed clinical social worker.

Education Law § 7904 enumerates the requirements for licensure as an occupational therapist.

Education Law § 7904-a enumerates the requirements for licensure as an occupational therapy assistant

Educaiton Law § 8206 enumerates the requirements for licensure as a speech-language pathologist and audiologist.

2. LEGISLATIVE OBJECTIVES:

The proposed amendments are consistent with the above statutory authority and are necessary to address numerous issues resulting from the interruptions caused by the COVID-19 crisis.

3. NEEDS AND BENEFITS:

On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020, the Governor of New York State declared a state disaster emergency for the entire State of New York pursuant to Executive Order 202. In response, the Department presented, and the Board of Regents voted to adopt, numerous emergency regulations to address issues resulting from interruptions caused by the COVID-19 crisis and to provide regulatory flexibility during the crisis.

As of June 25, 2021, the state of emergency is no longer in effect. However, the COVID-19 crisis continues to affect the State of New York. Therefore, to address additional issues resulting from the interruptions caused by the COVID-19 crisis and to provide additional regulatory flexibility, the Department is proposing further emergency regulatory amendments related to the following:

- Incidental teaching;
- Substitute teachers;
- Special education teaching assignments in grades 7-12;
- Ability-to-Benefit (ATB) test;
- Snow day reporting;
- Special Education due process hearings;
- Continuous experience requirements for speech language pathology, audiology, and occupational therapy;
- In person supervision experience requirements for licensed clinical social work, licensed master social work, mental health counseling, marriage and family counseling, creative arts therapy, and psychoanalysis;
- Authorizing licensed pharmacists to administer the COVID-19 vaccine;
- Examination timeframe requirements for Public Accounting applicants;
- Social work experience requirements;
- Part 83 and Part 87 appeals and procedures; and
- Office of State Review filings.

4. COSTS:

a. Costs to State government: The amendments do not impose any costs on State government.

b. Costs to local government: The amendments do not impose any costs on local government.

c. Costs to private regulated parties: The amendments do not impose any costs on private regulated parties.

d. Cost to the regulatory agency: There are no additional costs to the State Education Department.

5. LOCAL GOVERNMENT MANDATES:

The proposed amendments require that for the 2021-22 school year, school districts must notify the commissioner whenever a school building is closed for snow emergency days. Due to the COVID-19 crisis, the State has shifted to allowing and/or requiring remote instruction by many districts. In light of this, the Department has offered a pilot program to allow school districts to shift to remote instruction for days that a district would have otherwise closed due to a snow emergency for the 2020-21 and 2021-22 school years. The notification of these remote instruction snow days is necessary for the Department to review and evaluate the snow day pilot program for possible future extension.

6. PAPERWORK:

The proposed amendments require that for the 2021-22 school year, school districts must notify the commissioner whenever a school building is closed for snow emergency days. Due to the COVID-19 crisis, the State

has shifted to allowing and/or requiring remote instruction by many districts. In light of this, the Department has offered a pilot program to allow school districts to shift to remote instruction for days that a district would have otherwise closed due to a snow emergency for the 2020-21 and 2021-22 school years. The notification of these remote instruction snow days is necessary for the Department to review and evaluate the snow day pilot program for possible future extension.

7. DUPLICATION:

The proposed amendment does not duplicate existing State or Federal requirements.

8. ALTERNATIVES:

The proposed amendments are necessary to address issues resulting from the COVID-19 crisis and to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis. There are no significant alternatives to the proposed amendments, and none were considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards.

10. COMPLIANCE SCHEDULE:

If adopted as an emergency rule at the July 2021 Regents meeting, the emergency rule will become effective July 13, 2021. It is anticipated that the proposed rule will be presented to the Board of Regents for permanent adoption at the October 2021 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. Because the emergency action will expire before the October 2021 Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the September 2021 meeting. If adopted at the October 2021 meeting, the proposed amendment will become effective on November 3, 2021.

Regulatory Flexibility Analysis

(a) Small businesses:

The proposed rule relates to addressing issues resulting from the COVID-19 crisis and providing flexibility for certain regulatory requirements in response to the COVID-19 crisis. The proposed amendments do not impose any adverse economic impact, reporting, recordkeeping or any other compliance requirements on small businesses. Because it is evident from the nature of the proposed amendments that they do not affect small businesses, no further measures were needed to ascertain that fact, and none were taken. Accordingly, a regulatory flexibility analysis for small businesses is not required and one has not been prepared.

(b) Local governments:

1. EFFECT OF RULE:

The purpose of the proposed amendments is to address issues resulting from the COVID-19 crisis and to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis. The proposed amendments apply to each of the 731 public school districts in the State.

2. COMPLIANCE REQUIREMENTS:

On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020, the Governor of New York State declared a state disaster emergency for the entire State of New York pursuant to Executive Order 202. In response, the Department presented, and the Board of Regents voted to adopt, numerous emergency regulations to address issues resulting from interruptions caused by the COVID-19 crisis and to provide regulatory flexibility during the crisis.

As of June 25, 2021, the state of emergency is no longer in effect. However, the COVID-19 crisis continues to affect the State of New York. Therefore, to address additional issues resulting from the interruptions caused by the COVID-19 crisis and to provide additional regulatory flexibility, the Department is proposing further emergency regulatory amendments related to the following:

- Incidental teaching;
- Substitute teachers;
- Special education teaching assignments in grades 7-12;
- Ability-to-Benefit (ATB) test;
- Snow day reporting;
- Special Education due process hearings;
- Continuous experience requirements for speech language pathology, audiology, and occupational therapy;
- In person supervision experience requirements for licensed clinical social work, licensed master social work, mental health counseling, marriage and family counseling, creative arts therapy, and psychoanalysis;
- Authorizing licensed pharmacists to administer the COVID-19 vaccine;
- Examination timeframe requirements for Public Accounting applicants;
- Social work experience requirements;
- Part 83 and Part 87 appeals and procedures; and
- Office of State Review filings.

The proposed amendment does require that for the 2021-22 school year, school districts must notify the commissioner whenever a school building is closed for snow emergency days. Due to the COVID-19 crisis, the State has shifted to allowing and/or requiring remote instruction by many districts. In light of this, the Department has offered a pilot program to allow school districts to shift to remote instruction for days that a district would have otherwise closed due to a snow emergency for the 2020-21 and 2021-22 school years. The notification of these remote instruction snow days is necessary for the Department to review and evaluate the snow day pilot program for possible future extension.

3. PROFESSIONAL SERVICES:

The proposed amendment does not impose any additional professional services requirements on local governments.

4. COMPLIANCE COSTS:

The proposed amendment will not impose any additional costs on local governments beyond those imposed by statute.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule does not impose any additional costs or technological requirements on local governments.

6. MINIMIZING ADVERSE IMPACT:

The proposed amendments are necessary to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis. Accordingly, no alternatives were considered.

7. LOCAL GOVERNMENT PARTICIPATION:

Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State and from the chief school officers of the five big city school districts.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed rule applies to each public school district in the State, including those located in the 44 rural counties with fewer than 200,000 inhabitants and the 71 towns and urban counties with a population density of 150 square miles or less.

2. REPORTING, RECORDKEEPING, AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

On January 30, 2020, the World Health Organization designated the novel coronavirus, COVID-19, outbreak as a Public Health Emergency of International Concern. On March 7, 2020, the Governor of New York State declared a state disaster emergency for the entire State of New York pursuant to Executive Order 202. In response, the Department presented, and the Board of Regents voted to adopt, numerous emergency regulations to address issues resulting from interruptions caused by the COVID-19 crisis and to provide regulatory flexibility during the crisis.

As of June 25, 2021, the state of emergency is no longer in effect. However, the COVID-19 crisis continues to affect the State of New York. Therefore, to address additional issues resulting from the interruptions caused by the COVID-19 crisis and to provide additional regulatory flexibility, the Department is proposing further emergency regulatory amendments related to the following:

- Incidental teaching;
- Substitute teachers;
- Special education teaching assignments in grades 7-12;
- Ability-to-Benefit (ATB) test;
- Snow day reporting;
- Special Education due process hearings;
- Continuous experience requirements for speech language pathology, audiology, and occupational therapy;
- In person supervision experience requirements for licensed clinical social work, licensed master social work, mental health counseling, marriage and family counseling, creative arts therapy, and psychoanalysis;
- Authorizing licensed pharmacists to administer the COVID-19 vaccine;
- Examination timeframe requirements for Public Accounting applicants;
- Social work experience requirements;
- Part 83 and Part 87 appeals and procedures; and
- Office of State Review filings.

The proposed amendment does require that for the 2021-22 school year, school districts must notify the commissioner whenever a school building is closed for snow emergency days. Due to the COVID-19 crisis, the State has shifted to allowing and/or requiring remote instruction by many districts. In light of this, the Department has offered a pilot program to allow school districts to shift to remote instruction for days that a district would have otherwise closed due to a snow emergency for the 2020-21 and 2021-22 school years. The notification of these remote instruction snow days is necessary for the Department to review and evaluate the snow day pilot program for possible future extension.

3. COSTS:

The proposed amendment will not impose any additional costs on school districts located in rural areas beyond those imposed by statute.

4. MINIMIZING ADVERSE IMPACT:
The proposed rule is necessary to address issues resulting from the COVID-19 crisis and to provide flexibility for certain regulatory requirement in response to the COVID-19 crisis. Therefore, no alternatives were considered for school districts located in rural areas.
5. RURAL AREA PARTICIPATION:
Comments on the proposed rule were solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts and from charter schools, including those in rural areas.

Job Impact Statement

The purpose of the proposed amendments is to address issues resulting from the COVID-19 crisis and to provide flexibility for certain regulatory requirements in response to the COVID-19 crisis. The proposed amendment provides flexibility related to the following:

- Incidental teaching;
- Substitute teachers;
- Special education teaching assignments in grades 7-12;
- Ability-to-Benefit (ATB) test;
- Snow day reporting;
- Special Education due process hearings;
- Continuous experience requirements for speech language pathology, audiology, and occupational therapy;
- In person supervision experience requirements for licensed clinical social work, licensed master social work, mental health counseling, marriage and family counseling, creative arts therapy, and psychoanalysis;
- Authorizing licensed pharmacists to administer the COVID-19 vaccine;
- Examination timeframe requirements for Public Accounting applicants;
- Social work experience requirements;
- Part 83 and Part 87 appeals and procedures; and
- Office of State Review filings.

Because it is evident from the nature of the proposed amendment that it will have no impact on the number of jobs or employment opportunities in New York State, no further steps were needed to ascertain that fact and none were taken.

Assessment of Public Comment

The agency received no public comment.

EMERGENCY RULE MAKING

Relates to Term Limits for Members of the Advisory Committee on Long-Term Clinical Clerkships

I.D. No. EDU-30-21-00004-E
Filing No. 1080
Filing Date: 2021-10-11
Effective Date: 2021-10-11

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 60.2 of Title 8 NYCRR.

Statutory authority: Education Law, sections 207, 605, 6501, 6504, 6506, 6507, 6508, 6524, 6525, 6526, 6541 and 6548

Finding of necessity for emergency rule: Preservation of general welfare.

Specific reasons underlying the finding of necessity: At its June 2020 Regents meeting, the Board of Regents voted to adopt amendments to section 60.2 of the Commissioner's regulations. Section 60.2 provided that the members of the Advisory Committee on Long-Term Clinical Clerkships (Committee) are permitted to serve no more than two terms in succession, "except that a member may serve a succeeding third term if at least one of the preceding two terms was less than two years in duration." The June amendment removed such provision prohibiting members of the Committee from serving more than two terms in succession.

Due to a clerical error, the June 2020 amendments to the Commissioner's regulations filed with the Department of State inadvertently omitted other language regarding the staggering of terms of members of the committee that is unrelated to the above amendment and was not intended to be omitted. Therefore, the proposed necessary is necessary to resolve this clerical error by reinserting the unintentionally omitted language.

The proposed amendment was presented to the Full Board for adoption at the July 2021 meeting of the Board of Regents, effective July 13, 2021. Since the Board of Regents meets at fixed intervals, the earliest the proposed amendment could be adopted by regular (nonemergency) action after expiration of the 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) sections 201(1) and (5) would be the October 2021 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earlier effective date of the proposed rule, if adopted at the October 2021 meeting, would be November 3, 2021 the date the Notice of Adoption would be published in the State Register.

However, the emergency rule will expire on October 10, 2021. Therefore, a second emergency action is necessary at the September 2021 meeting for the preservation of the general welfare in order to immediately make a technical correction to ensure that the amendments to the Commissioner's regulations adopted at the April 2021 meeting are properly administered pursuant to the policies established by the Board of Regents and to ensure that the emergency action taken at the July 2021 meeting remains continuously in effect until the rule can eb permanently adopted.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the October 201 meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for state agency rule making.

Subject: Relates to term limits for members of the advisory committee on long-term clinical clerkships.

Purpose: To make a technical amendment relating to term limits for members of the advisory committee on long-term clinical clerkships.

Text of emergency rule: 1. Subdivision (f) of section 60.2 of the Regulations of the Commissioner of Education is amended to read as follows:

(f) Establishment of Advisory Committee on Long-Term Clinical Clerkships.

(1) …

(2) …

(3) *Terms of members. The terms of the members of the first committee appointed pursuant to subparagraphs (2)(v) through (viii) of this subdivision shall be so arranged that the terms of two members shall expire on June 30, 2013, the terms of two on June 30, 2014, and the terms of two on June 30, 2015, and the terms of two on June 30, 2016. Thereafter, all members appointed pursuant to subparagraphs (2)(v) through (viii) of this subdivision shall be appointed to serve a term of four years each, beginning with the first day of July next following the ending of the term to which each, respectively, is to succeed, except that an appointment to fill a vacancy created other than by the expiration of a term shall be for the unexpired term.*

(4) Duties of the Advisory Committee on Long-Term Clinical Clerkships. The committee shall gather and study existing research on relevant issues, such as health workforce demands and trends, health workforce diversity and Board of Regents policy determinations. Based on such research and policy determinations, the committee shall:

(i) …

(ii) …

(iii) …

(iv) …

[(4)] *(5)* After consideration of the committee's recommendations, the Department shall make a recommendation to the Board of Regents as to whether an application for authorization to place students in a long-term clinical clerkship should be approved. Upon approval by the Board of Regents, the medical school shall be authorized to place students in long-term clinical clerkships in New York State pursuant to standards and/or limitations prescribed by the Board of Regents.

[(5)] *(6)* Until the Board of Regents approves the new standards and processes for approval for the placement of students in international medical schools in long-term clinical clerkships, schools currently approved for such purpose will continue to be subject to the current standards and processes prescribed in subdivision (c) of this section.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. EDU-30-21-00004-EP, Issue of July 28, 2021. The emergency rule will expire December 9, 2021.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112EB, Albany NY, 12234, (518) 474-6400, email: legal@nysed.gov

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Section 207 of the Education Law grants general rulemaking authority to the Board of Regents to carry into effect the laws and policies of the State relating to education.

Subdivisions (3) and (4) of section 605 of the Education Law authorize the Board of Regents to award professional education in medicine or dentistry scholarships and Regents physician shortage scholarships annually.

Subdivision (1) of section 6501 of the Education Law establishes the licensure requirements for the professions in Title VIII of the Education Law.

Section 6504 of the Education Law authorizes the Board of Regents to supervise the admission to and regulation of the practice of the professions.

Subdivision (1) of section 6506 of the Education Law authorizes the Board of Regents to supervise the admission to the practice of the professions and to promulgate rules to carry out such supervision.

Paragraph (a) of subdivision (2) of section 6507 of the Education Law authorizes the Commissioner of Education to promulgate regulations in administering the admission to and the practice of the professions.

Subdivision (1) of section 6508 authorizes the Board of Regents, on the recommendation of the Commissioner of Education to appoint a board for each profession for the purpose of assisting the Board of Regents and the Department on matters of professional licensing, practice, and conduct.

Section 6524 of the Education Law establishes the requirements for licensure as a physician.

Section 6525 of the Education Law establishes the limited permit requirements for applicants for licensure as physicians.

Section 6526 of the Education Law establishes the exemptions under persons may practice medicine within New York without a license.

Section 6541 of the Education Law establishes the requirements for licensure as a physician assistant.

Section 6548 of the Education Law establishes the requirements for registration as a specialist assistant.

2. LEGISLATIVE OBJECTIVES:

The proposed amendment carries out the legislative intent of the aforementioned statutes that the Board of Regents and the Department regulate the admission to and the practice in the professions, as well as the Board of Regents' authority create the Advisory Committee on Long-Term Clinical Clerkships (Committee), establish the composition of the Committee, set the terms of the Committee members, define the duties of the Committee, and establish the procedure for consideration of the Committee's recommendations by the Department and the Board of Regents.

At its June 2020 Regents meeting, the Board of Regents voted to adopt amendments to section 60.2 of the Commissioner's regulations. Section 60.2 provided that the members of the Advisory Committee on Long-Term Clinical Clerkships (Committee) are permitted to serve no more than two terms in succession, "except that a member may serve a succeeding third term if at least one of the preceding two terms was less than two years in duration." The June amendment removed such provision prohibiting members of the Committee from serving more than two terms in succession.

Due to a clerical error, the June 2020 amendments to the Commissioner's regulations filed with the Department of State inadvertently omitted other language regarding the staggering of terms of members of the committee that is unrelated to the above amendment and was not intended to be omitted. Therefore, the proposed necessary is necessary to resolve this clerical error by reinserting the unintentionally omitted language.

3. NEEDS AND BENEFITS:

Due to a clerical error, the June 2020 amendments to the Commissioner's regulations filed with the Department of State concerning the Committee inadvertently omitted other language regarding the staggering of terms of members of the committee that is unrelated to the above amendment and was not intended to be omitted. Therefore, the proposed amendment is necessary to resolve this clerical error by reinserting the omitted language.

4. COSTS:

(a) Costs to State government. There are no additional costs to State government.

(b) Costs to local government. There are no additional costs to local government.

(c) Costs to private regulated parties. There are no additional costs to private regulated parties.

(d) Costs to the regulatory agency. There are no additional costs to the State Education Department.

5. LOCAL GOVERNMENT MANDATES:

The proposed amendment does not impose any program, service, duty, or responsibility on local governments.

6. PAPERWORK:

The proposed amendment imposes no new forms, reporting requirements, or other recordkeeping or paperwork requirements.

7. DUPLICATION:

The proposed amendment does not duplicate any other existing State or federal requirements.

8. ALTERNATIVES:

The proposed amendment to section 60.2 of the Regulations of the Commissioner of Education is necessary to resolve a clerical error by reinserting language from the June 2020 amendment that was unintentionally omitted when the amendment was filed with the Department of State. There are no significant alternatives to the proposed amendment, and none were considered.

9. FEDERAL STANDARDS:

No Federal standards apply to the subject of this proposed rule making. The Federal government does not regulate the establishment of State advisory committees on clinical clerkships in medicine or their composition, the terms of their committee members or their committee duties. Since there are no applicable federal standards, the proposed amendment does not exceed any minimum federal standards for the same or similar subject areas.

10. COMPLIANCE SCHEDULE:

It is anticipated that regulated parties will be able to comply with the proposed amendment by the effective date.

Regulatory Flexibility Analysis

At its June 2020 Regents meeting, the Board of Regents voted to adopt amendments to section 60.2 of the Commissioner's regulations. Section 60.2 provided that the members of the Advisory Committee on Long-Term Clinical Clerkships (Committee) are permitted to serve no more than two terms in succession, "except that a member may serve a succeeding third term if at least one of the preceding two terms was less than two years in duration." The June amendment removed such provision prohibiting members of the Committee from serving more than two terms in succession.

Due to a clerical error, the June 2020 amendments to the Commissioner's regulations filed with the Department of State inadvertently omitted other language regarding the staggering of terms of members of the committee that is unrelated to the above amendment and was not intended to be omitted. Therefore, the proposed amendment is necessary to resolve this clerical error by reinserting the unintentionally omitted language.

The proposed amendment is applicable to all international medical schools seeking approval to place their students in long-term clinical clerkships in New York State. The proposed amendment will not impose any new reporting, recordkeeping or any other compliance requirements, or have any adverse economic impact, on small businesses or local governments. Because it is evident from the nature of the proposed amendment that it will not adversely affect small businesses or local governments, no affirmative steps were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses and local governments is not required, and one has not been prepared.

Rural Area Flexibility Analysis

At its June 2020 Regents meeting, the Board of Regents voted to adopt amendments to section 60.2 of the Commissioner's regulations. Section 60.2 provided that the members of the Advisory Committee on Long-Term Clinical Clerkships (Committee) are permitted to serve no more than two terms in succession, "except that a member may serve a succeeding third term if at least one of the preceding two terms was less than two years in duration." The June amendment removed such provision prohibiting members of the Committee from serving more than two terms in succession.

Due to a clerical error, the June 2020 amendments to the Commissioner's regulations filed with the Department of State inadvertently omitted other language regarding the staggering of terms of members of the committee that is unrelated to the above amendment and was not intended to be omitted. Therefore, the proposed amendment is necessary to resolve this clerical error by reinserting the unintentionally omitted language.

The proposed amendment is applicable to all international medical schools seeking approval to place their students in long-term clinical clerkships in New York State. The proposed amendment does not impact entities in rural areas of New York State. Accordingly, no further steps were needed to ascertain the impact of the proposed amendment on entities in rural areas and none were taken. Thus, a rural area flexibility analysis is not required and one has not prepared.

Job Impact Statement

At its June 2020 Regents meeting, the Board of Regents voted to adopt amendments to section 60.2 of the Commissioner's regulations. Section 60.2 provided that the members of the Advisory Committee on Long-Term Clinical Clerkships (Committee) are permitted to serve no more than two terms in succession, "except that a member may serve a succeeding third term if at least one of the preceding two terms was less than two years in duration." The June amendment removed such provision prohibiting members of the Committee from serving more than two terms in succession.

Due to a clerical error, the June 2020 amendments to the Commissioner's regulations filed with the Department of State inadvertently omitted other language regarding the staggering of terms of members of the committee that is unrelated to the above amendment and was not intended to be omitted. Therefore, the proposed amendment is necessary to resolve this clerical error by reinserting the unintentionally omitted language.

The proposed amendment will not have a substantial adverse impact on jobs and employment opportunities. Because it is evident from the nature of the proposed amendment that it will not affect job and employment op-

portunities, no affirmative steps were needed to ascertain these facts and none were taken. Accordingly, a job impact statement is not required and one has not prepared.

Assessment of Public Comment

The agency received no public comment.

EMERGENCY RULE MAKING

Prohibits Schools from Filing a Law Suit Against Parents or Guardians for Unpaid Meal Fees

I.D. No. EDU-39-21-00012-E
Filing No. 1071
Filing Date: 2021-10-06
Effective Date: 2021-10-06

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 114.5 of Title 8 NYCRR.

Statutory authority: Education Law, sections 101, 207, 208, 209, 305, 908; L. 2021, ch. 315

Finding of necessity for emergency rule: Preservation of public health and general welfare.

Specific reasons underlying the finding of necessity: The proposed amendment to section 114.5 of the Regulations of the Commissioner of Education is necessary to implement Chapter 315 of the Laws of 2021, which amended the Education Law, effective July 29, 2021. Chapter 315 prohibits public school districts, charter schools and non-public schools participating in the National School Lunch Program or School Breakfast Program in which there is a school where all pupils are not eligible to be served breakfast and lunch under the Community Eligibility Provision or Provision Two of the Federal National School Lunch Act, 42 U.S.C. Sec. 1751 et seq., from filing a lawsuit against a student's parent or guardian if such student has unpaid school meal fees.

Since the Board of Regents meets at fixed intervals, the earliest the proposed amendment could be adopted by regular (nonemergency) action after expiration of the 60-day public comment period provided for in the State Administrative Procedure Act (SAPA) sections 201(1) and (5) would be the January 2022 Regents meeting. Furthermore, pursuant to SAPA 203(1), the earlier effective date of the proposed rule, if adopted at the January meeting, would be January 26, 2022, the date the Notice of Adoption would be published in the State Register.

Therefore, emergency action is necessary at the September 2021 meeting for the preservation of the general welfare to conform the Commissioner's regulations to Chapter 315 of the Laws of 2021.

It is anticipated that the proposed rule will be presented to the Board of Regents for adoption as a permanent rule at the January 2022 meeting, which is the first scheduled meeting after expiration of the 60-day public comment period mandated by SAPA for state agency rule making. However, since the emergency action will expire before the January 2022 Regents meeting, it is anticipated that an additional emergency action will be presented for adoption at the November 2021 Regents meeting.

Subject: Prohibits schools from filing a law suit against parents or guardians for unpaid meal fees.

Purpose: To implement and conform Commissioner's Regulations according to chapter 315 of the Laws of 2021.

Text of emergency rule: Subparagraph (iv) of paragraph (5) of subdivision (b) of section 114.5 of the Regulations of the Commissioner of Education, is amended, as follows:

(iv) take any action directed at a pupil to collect unpaid school meal fees. A school or school district may attempt to collect unpaid school meal fees from a *student's* parent or guardian, but shall not use a debt collector, as defined in section 803 of the Federal Consumer Credit Protection Act, 15 U.S.C. Sec. 1692a *or file a lawsuit against such student's parent or guardian*; or

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. EDU-39-21-00012-P, Issue of September 29, 2021. The emergency rule will expire January 3, 2022.

Text of rule and any required statements and analyses may be obtained from: Kirti Goswami, NYS Education Department, Office of Counsel, 89 Washington Avenue, Room 112 EB, Albany, NY 12234, (518) 474-6400, email: legal@nysed.gov

Regulatory Impact Statement

1. STATUTORY AUTHORITY:

Education Law § 101 continues the existence of the Education Department, with the Board of Regents as its head, and authorizes the Regents to appoint the Commissioner as chief administrative officer of the Department, which is charged with the general management and supervision of public schools and the educational work of the State.

Education Law § 207 grants general rule making authority to the Board of Regents to carry into effect the laws and policies of the State relating to education.

Education Law section 305(1) and (2) provide the Commissioner, as chief executive officer of the State's education system, with general supervision over all schools and institutions subject to the Education Law, or any statute relating to education, and responsibility for executing all educational policies of the Regents.

Education Law § 308 authorizes the Commissioner to enforce and give effect to any provision in the Education Law or in any other general or special law pertaining to the school system of the State or any rule or direction of the Regents.

Education Law § 908 sets forth the requirements for the prohibition against meal shaming.

Chapter 315 of the Laws of 2021 (Chapter 315) amended section 908 to prohibit public school districts, charter schools, and non-public schools that participate in the National School Lunch Program or School Breakfast Program from filing a lawsuit against a student's parents or guardians if such student has unpaid school meal fees. This does not apply to schools that participate in the Community Eligibility Provision or Provision Two of the Federal National School Lunch Act, 42 U.S.C. Sec 1751 et seq., which permits all students to be served free breakfast and lunch.

2. LEGISLATIVE OBJECTIVES:

The proposed amendment is consistent with the above statutory authority and is necessary to implement and otherwise conform Commissioner's Regulations to the requirements of Education Law § 908 as amended by Chapter 315, which prohibit public school districts, charter schools, and non-public schools that participate in the National School Lunch Program or School Breakfast Program from filing a lawsuit against a student's parents or guardians if such student has unpaid school meal fees.

3. NEEDS AND BENEFITS:

Chapter 315 amended Education Law § 908 to prohibit public school districts, charter schools, and non-public schools that participate in the National School Lunch Program or School Breakfast Program from filing a lawsuit against a student's parents or guardians if such student has unpaid school meal fees. This does not apply to schools that participate in the Community Eligibility Provision or Provision Two of the Federal National School Lunch Act, 42 U.S.C. Sec 1751 et seq., which permits all students to be served free breakfast and lunch.

The proposed amendment to section 114.5 of the Commissioner's regulations implements the provisions of Chapter 315 by adding a provision that prohibits schools from bringing a lawsuit against a student's parents or guardians if such student has unpaid school meal fees.

4. COSTS:

(a) Costs to State government: There are no additional costs to State government.

(b) Costs to local government: There are no additional costs to local government..

(c) Cost to private regulated parties: The proposed amendment does not impose any additional costs on regulated parties.

(d) Cost to the regulatory agency: The proposed amendment will not impose any additional costs on the Department.

5. LOCAL GOVERNMENT MANDATES:

The proposed rule does not impose any program, service, duty or responsibilities on local governments, but merely implements and otherwise conforms Commissioner's Regulations to Chapter 315.

6. PAPERWORK:

The proposed rule does not require any additional paperwork, and is necessary to implement Chapter 315.

7. DUPLICATION:

The proposed amendment does not duplicate any other existing State or Federal requirements.

8. ALTERNATIVES:

The proposed rule is necessary to implement Chapter 315. There were no significant alternatives considered.

9. FEDERAL STANDARDS:

There are no applicable Federal standards.

10. COMPLIANCE SCHEDULE:

If adopted as an emergency rule at the September 2021 Regents meeting, the emergency rule will become effective September 29, 2021. It is anticipated that the proposed rule will be presented to the Board of Regents for permanent adoption at the January 2022 Regents meeting, after publication of the proposed amendment in the State Register and expiration of the 60-day public comment period required under the State Administrative Procedure Act. It is anticipated that regulated parties can achieve compliance with the proposed rule by its effective date.

Regulatory Flexibility Analysis

(a) Small businesses:

The proposed rule is necessary to implement Education Law § 908, as amended by Chapter 315 of the Laws of 2021, which prohibits public school districts, charter schools and non-public schools participating in the National School Lunch Program or School Breakfast Program in which there is a school where all pupils are not eligible to be served breakfast and lunch under the Community Eligibility Provision or Provision Two of the Federal National School Lunch Act, 42 U.S.C. Sec. 1751 et seq., from filing a lawsuit against a student's parent or guardian if such student has unpaid school meal fees. The proposed rule does not impose any economic impact, or other compliance requirements on small businesses. Because it is evident from the nature of the proposed rule that it does not affect small businesses, no further measures were needed to ascertain that fact and none were taken. Accordingly, a regulatory flexibility analysis for small businesses is not required and one has not been prepared.

(b) Local governments:

1. EFFECT OF RULE:

The proposed rule applies to all public, charter and non-public schools that participate in the National School Lunch Program or School Breakfast Program in this State when there is a school at which all pupils are not eligible to be served breakfast and lunch under the Community Eligibility Provision or Provision Two of the Federal National School Lunch Act, 42 U.S.C. Sec. 1751 et seq..

2. COMPLIANCE REQUIREMENTS:

The proposed rule prohibits lawsuits against students' parents or guardians for unpaid meal fees, as required by Education Law § 908, as amended by Chapter 315 of the Laws of 2021.

3. PROFESSIONAL SERVICES:

The proposed rule does not impose any additional professional service requirement on local governments.

4. COMPLIANCE COSTS:

The proposed amendment will not impose any costs on local governments.

5. ECONOMIC AND TECHNOLOGICAL FEASIBILITY:

The proposed rule does not impose any additional technological requirements on local governments. Economic feasibility is discussed above in the Compliance Costs section.

6. MINIMIZING ADVERSE IMPACT:

The proposed rule is necessary to implement Education Law § 908, as amended by Chapter 315 of the Laws of 2021. There were no significant alternatives considered.

7. LOCAL GOVERNMENT PARTICIPATION:

Comments on the proposed rule will be solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts.

Rural Area Flexibility Analysis

1. TYPES AND ESTIMATED NUMBERS OF RURAL AREAS:

The proposed rule applies to all public, charter and non-public schools that participate in the National School Lunch Program or School Breakfast Program in this State when there is a school at which all pupils are not eligible to be served breakfast and lunch under the Community Eligibility Provision or Provision Two of the Federal National School Lunch Act, 42 U.S.C. Sec. 1751 et seq., including those located in the 44 rural counties with less than 200,000 inhabitants and the 71 towns in urban counties with a population density of 150 per square mile or less.

2. REPORTING, RECORDKEEPING, AND OTHER COMPLIANCE REQUIREMENTS; AND PROFESSIONAL SERVICES:

The proposed rule is necessary to implement Education Law § 908, as amended by Chapter 315 of the Laws of 2021 (Chapter 315), which prohibits public school districts, charter schools and non-public schools participating in the National School Lunch Program or School Breakfast Program in which there is a school where all pupils are not eligible to be served breakfast and lunch under the Community Eligibility Provision or Provision Two of the Federal National School Lunch Act, 42 U.S.C. Sec. 1751 et seq., from filing a lawsuit against a student's parent or guardian if such student has unpaid school meal fees.

3. COSTS:

The proposed amendment is necessary to conform the Commissioner's regulations with Chapter 315, and does not impose any additional costs to public, charter and non-public schools, including those in rural areas.

4. MINIMIZING ADVERSE IMPACT:

The proposed rule is necessary to implement Education Law § 908, as amended by Chapter 315 of the Laws of 2021. Therefore, no alternatives were considered for public, charter and non-public schools located in rural areas.

5. RURAL AREA PARTICIPATION:

Comments on the proposed rule will be solicited from school districts through the offices of the district superintendents of each supervisory district in the State, from the chief school officers of the five big city school districts and from charter schools, including those in rural areas.

Job Impact Statement

The proposed rule is necessary to implement Education Law § 908, as amended by Chapter 315 of the Laws of 2021, which prohibits public school districts, charter schools and non-public schools participating in the National School Lunch Program or School Breakfast Program in which there is a school where all pupils are not eligible to be served breakfast and lunch under the Community Eligibility Provision or Provision Two of the Federal National School Lunch Act, 42 U.S.C. Sec. 1751 et seq., from filing a lawsuit against a student's parent or guardian if such student has unpaid school meal fees. Because it is evident from the nature of the proposed rule that it will have no impact on the number of jobs or employment opportunities in New York State, no further steps were needed to ascertain that fact and none were taken. Accordingly, a job impact statement is not required and one has not been prepared.

Assessment of Public Comment

The agency received no public comment.

Department of Environmental Conservation

EMERGENCY RULE MAKING

Zoar Valley Multiple Use Area Including Zoar Valley Unique Area and Onondaga Escarpment Unique Area

I.D. No. ENV-31-21-00001-E

Filing No. 1077

Filing Date: 2021-10-08

Effective Date: 2021-10-08

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 190.25; addition of section 190.10(h) to Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 1-0101, (3)(b), 3-0301(1)(d), (2)(m), (3)(b), 9-0105(1), (3), 45-0111(6), 45-0117(1) and (2)(n)

Finding of necessity for emergency rule: Preservation of public health, public safety and general welfare.

Specific reasons underlying the finding of necessity: This emergency rulemaking is necessary to address public safety by expanding public access restrictions within the Zoar Valley Multiple Use Area, including the Zoar Valley Unique Area. There have been numerous serious injuries to visitors in the last decade, including fatalities. Although some of these incidents occurred on private neighboring properties, the Department is committed to restricting such access to protect public safety.

The emergency regulations will also address protection of the Onondaga Escarpment Unique Area by restricting unregulated activities to those compatible with the small and sensitive nature of this Unique Area. Some of these activities have the potential to endanger the health and safety of users of the property and those of neighboring properties. Due to a dramatic increase in public use of these areas, natural degradation, including degradation to fragile ecsosystems has occurred. Trampling of vegetation has resulted in the exposure and compaction of soils putting plant communities at risk.

Compliance with the normal rulemaking process would delay implementation and would thus be contrary to the public interest of providing a safe and environmentally sound setting for outdoor recreation. The Department has the statutory authority to promulgate regulations under Environmental Conservation Law ("ECL") section 3-0301.

Subject: Zoar Valley Multiple Use Area including Zoar Valley Unique Area and Onondaga Escarpment Unique Area.

Purpose: To protect public health, safety, general welfare and natural resources on the Zoar Valley MUA/UA and the Onondaga Escarpment UA.

Text of emergency rule: 1. Amend 6 NYCRR section 190.10, Unique Areas, by adding a new subdivision (h) to read as follows:

(h) Onondaga Escarpment Unique Area. Those state lands situated in

the Town of Newstead, Erie County, recorded in Liber 10369 on page 72 and being a portion of lots 40, 43 and 44 of Township 12, range 5 and more particularly described as "Project: E-UC Erie 18" (Map No. 10688), on file in the central and regional offices of the department.

(1) fires are prohibited at all times, except prescribed fires as directed by the department;

(2) bathing and swimming are prohibited;

(3) camping is prohibited;

(4) snowmobile use is prohibited;

(5) parking of motor vehicles is permitted only in designated sites;

(6) discharging of a firearm is prohibited except as authorized under section 190.10(h)(7);

(7) hunting and trapping are prohibited, except by authorized permit issued by the department;

(8) off?128;road vehicle use is prohibited;

(9) the area is open for public entry and use only from one-half hour before sunrise until one-half hour after sunset;

(10) the riding, driving, or leading of horses is prohibited.

2. Amend 6 NYCRR section 190.25, Zoar Valley Multiple Use Area, including the Zoar Valley Unique Area by adding new subdivisions (r), (s), (t) and (u) to read as follows:

(r) No person shall proceed upstream, either by land or water, in the area beginning at the abandoned Forty Road bridge abutments, and extending upstream on the South Branch of Cattaraugus Creek to the state land boundary line, except for licensed anglers for the purpose of fishing, or by authorized permit issued by the department;

(s) No person shall enter any area designated as restricted by the department, except on trails designated and marked by the department, or by authorized permit issued by the department;

(t) No person shall enter the area within 15 feet of cliff edges; except on trails designated and marked by the department; when engaged in ice climbing or rappelling by rope; or by authorized permit issued by the department;

(u) No person shall scale or climb cliff walls, including any waterfall, except when engaged in ice climbing or rappelling by rope; or by authorized permit issued by the department.

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. ENV-31-21-00001-EP, Issue of August 4, 2021. The emergency rule will expire December 6, 2021.

Text of rule and any required statements and analyses may be obtained from: Patrick Marren, Department of Environmental Conservation, 270 Michigan Avenue, Buffalo, NY 14203, (716) 851-7046, email: dec.sm.R9.LFRegs@dec.ny.gov

Additional matter required by statute: A Short EAF has been prepared in compliance with Article 8 of the Environmental Conservation Law.

Regulatory Impact Statement

1. Statutory authority:

Environmental Conservation Law ("ECL") § 1-0101 establishes as a policy of the State of New York to conserve, improve and protect its natural resources and environment.

ECL § 1-0101(3)(b) directs the Department of Environmental Conservation (Department) to guarantee "that the widest range of beneficial uses of the environment is attained without risk to health or safety, unnecessary degradation or other undesirable or unintentional consequences."

ECL § 3-0301(1)(b) empowers the Department to "[p]romote and coordinate management of... land resources to assure their protection, enhancement, provision, allocation, and balanced utilization... and take into account the cumulative impact upon all such resources in promulgating any rule or regulation."

ECL § 3-0301(1)(p) authorizes the Department to "[a]dminister properties having unique natural beauty, wilderness character, or geological, ecological or historical significance dedicated by law to the State Nature and Historical Preserve."

ECL §§ 45-0117(1),45-0117(2)(n) authorize the Department to "manage and exercise custody and control over lands dedicated pursuant to [the State Nature and Historical Preserve trust]."

ECL § 9-0105(1) authorizes the Department to "[e]xercise care, custody, and control of the several preserves, parks and other state lands described in [Article 9 of the ECL]."

ECL § 9-0105(19) authorizes the Department to "manage and conserve plants and ecological communities that are rare in New York State, located on state-owned lands under the jurisdiction of the Department."

ECL § 3-0301(2)(m) authorizes the Department to adopt rules and regulations "as may be necessary, convenient or desirable to effectuate the purposes of [the ECL]."

ECL § 9-0105(3) authorizes the Department to "[m]ake necessary rules and regulations to secure proper enforcement of [ECL Article 9]."

2. Legislative objectives:

ECL § 1-0101 establishes as the policy of the State of New York to conserve, improve and protect its natural resources and environment. ECL §§ 3-0301, 9-0105 empowers the Department to exercise care, custody, and control over certain state lands and other real property. The Department is also authorized to promulgate rules and regulations for the use of such lands (see ECL §§ 3-0301(2) (m) and 9-0105). Consistent with this authority, the proposed regulations are crafted to protect natural resources and the health, safety and general welfare of those who engage in recreational activities within the Zoar Valley Multiple Use Area including Zoar Valley Unique Area and the Onondaga Escarpment Unique Area.

3. Needs and benefits:

a. Onondaga Escarpment Unique Area (UA)

The Onondaga Escarpment UA is a 50-acre property bordering the village of Akron, in the Town of Newstead in northeastern Erie County. The property was acquired in 1991. Prior to state ownership, the Onondaga Escarpment UA was used for mining activities and later for animal grazing and recreation. Those activities degraded the site, though rare and uncommon plant communities persisted, including populations of threatened plant species.

Because of its proximity to the Village of Akron, the Onondaga Escarpment UA is a popular area for recreational visitors. Hiking and nature observation are the most common activities. The trampling of vegetation has resulted in exposed and compacted soil. Bicyclists are attempting to build trails in locations that are undesirable and unsustainable. Unauthorized use of off-road vehicles create muddy trail conditions. Garbage, trash, and broken glass are despoiling the character of the property and raising public safety concerns.

The Onondaga Escarpment UA is surrounded on two sides by Akron Central School, including school buildings and athletic fields. A private airport borders the property to the south. The small size and proximity to the school grounds and airport limit the ability of the property to support some recreational activities, including camping, hunting, horseback riding, and biking.

The proposed regulations are intended to protect the area from resource damage caused by unregulated activities that are incompatible with the small and sensitive nature of the site and to protect visitors and neighboring property users by restricting certain activities most likely to endanger the health and safety of those users. The major provisions of the proposed regulations will establish the hours of use, prohibit fires, camping, horseback riding, bathing, swimming, snowmobiles, and off-road vehicles, as well as requiring parking of motor vehicles in designated sites only. These proposals will help to protect the natural resources from overuse and abuse. Additionally, the proposed regulations prohibit the discharging of a firearm, hunting, and trapping unless otherwise authorized by the Department. These restrictions are intended to protect the safety and welfare of visitors and neighboring properties, particularly students at Akron Central Schools.

b. Zoar Valley Multiple Use Area including Zoar Valley Unique Area ("Zoar Valley MUA/UA")

Zoar Valley, located in Erie and Cattaraugus counties is one of the most scenic and ecologically diverse environmental areas in western New York. It is known for the spectacular scenery created by its deep gorge, sheer cliffs, flowing waterfalls, and dense forests. These same features come with inherent hazards, yet the property continues to be very popular for recreational visitors seeking this rugged and varied terrain. There have been numerous serious injuries to visitors in the last decade, including fatalities. Although some of these incidents occurred on private neighboring properties, the Department is committed to restricting such access to protect public safety. Due to this dramatic increase in public use, serious public health and safety issues are being created. In addition to public health and safety concerns, the natural resources of portions of the Zoar Valley property are rapidly becoming despoiled and fragile ecosystems are being degraded.

The Department improved safety and addressed resource concerns at Zoar Valley MUA/UA with the addition of special regulations in 2006 and again in 2010, to establish open hours from sunrise to sunset, prohibit alcohol, camping, and fires, among others. Additionally, the Department continuously reviews and installs warning signs and improves trail marking. Despite these efforts, visitors continue to engage in unsafe behaviors, such as walking along the cliff faces, climbing slippery waterfalls, and leaving the property to trespass onto neighboring private properties.

Most notably, visitors to Zoar Valley/MUA often park at the Forty Road parking area and immediately head upstream on the South Branch of Cattaraugus Creek and off the property in search of waterfalls that are on neighboring private properties. The actions of these visitors have resulted in search and rescue operations, injuries, and fatalities. This regulation is targeted to reduce incidents of trespassing onto private properties, and to protect the public health and safety throughout the Zoar Valley/MUA.

The Gorge of Cattaraugus Creek in the Zoar Valley MUA/UA cuts through shales and silt stones. The heights of the cliffs range from approximately 100 to over 400 feet. The proposed regulation will restrict unauthorized access and activities near and on the cliff walls to protect both the resource and public health and safety. The proposed regulation will restrict access to areas within 15 feet of the cliff's edge and prohibit the climbing of cliff walls, except by permit or when ice climbing or rappelling with ropes. The regulation will also deter trespass complaints from adjacent property owners by prohibiting visitors, except licensed anglers, from proceeding upstream from the Forty Road parking area near a southern boundary of the property.

The Department has discussed the proposed regulations with local stakeholders, including the search and rescue community, state representatives, local governments, user groups and neighboring property owners. The regulations will appear in the State Register for a 60-day public comment period as required as part of the rulemaking process. In addition, information regarding the Department's intent to propose these regulations, content of the regulation, and the public process associated with the rulemaking, will appear in a widely distributed newspaper in the area. All regulatory documents will appear on the Department's website.

Beyond the proposed regulations, the Department is developing the Niagara Frontier Unit Management Plan (UMP), with includes both the Zoar Valley MUA/UA and the Onondaga Escarpment UA. The purpose of the Niagara Frontier UMP will be to assess the natural and physical resources present within the unit of state-owned land. The UMP will also identify opportunities for public use and recreation that are consistent with the classifications of these lands, and consider the ability of the resources and ecosystems to accommodate such use. Included in the UMP planning process will be an opportunity for public comment. assess the natural and physical resources present within the unit of state-owned land. The UMP will also identify opportunities for public use and recreation that are consistent with the classifications of these lands, and consider the ability of the resources and ecosystems to accommodate such use. Included in the UMP planning process will be an opportunity for public comment.

4. Costs:

There are no costs to the regulated community because of this proposed regulation. Costs to the state for the additional management actions are minimal and are estimated at $2,500 for new signage and posting of the properties.

5. Local government mandates:

This proposal will not impose any program, service, duty or responsibility upon any county, city, town, village, school district or fire district.

6. Paperwork:

The proposed regulations will not impose any reporting requirements or other paperwork on any private or public entity.

7. Duplication:

There is no duplication, conflict, or overlap with state or federal regulations.

8. Alternatives:

The no-action alternative is not feasible since the existing regulation for Zoar Valley MUA/UA is insufficient to adequately address resource concerns and to protect public health and safety because of its unique characteristics, remote location, and very high level of public use. The existing 6 NYCRR Part 190 general regulations for state lands are not adequate in protecting the Onondaga Escarpment UA because of its rare plant communities, unique location and high level of public use.

9. Federal standards:

There is no relevant federal standard governing the use of state lands.

10. Compliance schedule:

Once the regulations are adopted, they will be effective immediately, and all persons will be expected to comply with them upon the anticipated effective date. The Department will educate the public about the regulations through information posted on the Departments' website, signage posted on the property, and by collaborating with user groups and other stakeholders to help disseminate information regarding the regulations.

Regulatory Flexibility Analysis

The proposed rulemaking will protect public health, safety and general welfare on Zoar Valley Multiple Use Area including Zoar Valley Unique Area by implementing public access restrictions. In addition, it will address unregulated use of the Onondaga Escarpment Unique Area by restricting recreational activities to those compatible with the unique qualities of the parcel. The proposed regulations relate solely to protecting public health, safety, general welfare and natural resources on these two areas and do not impose any reporting, recordkeeping or other compliance requirements on small businesses and local governments. As a result, a Regulatory Flexibility Analysis for Small Businesses and Local Governments is not necessary and is not submitted with these regulations.

Rural Area Flexibility Analysis

The proposed rulemaking will protect public health, safety and general welfare on Zoar Valley Multiple Use Area including Zoar Valley Unique Area by implementing public access restrictions. In addition, it will address unregulated use of the Onondaga Escarpment Unique Area by restricting recreational activities to those activities compatible with the unique qualities of the parcel. The proposed regulations relate solely to protecting public health, safety, general welfare and natural resources on these two areas and do not impose any reporting, recordkeeping or other compliance requirements on rural areas. As a result, a Rural Area Flexibility Analysis is not necessary and is not submitted with these regulations.

Job Impact Statement

The proposed rulemaking will protect public health, safety and general welfare within the Zoar Valley Multiple Use Area including Zoar Valley Unique Area by implementing public access restrictions. In addition, it will address unregulated use of the Onondaga Escarpment Unique Area by restricting recreational activities to those compatible with the unique qualities of the parcel. The proposed rulemaking relates solely to protecting public health, safety, general welfare and natural resources found on these two areas and will have no substantial adverse impact on existing or future jobs and employment opportunities. As a result, a Job Impact Statement is not necessary and is not submitted with these regulations.

PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED

Sunfish and Crappie Fishing Regulations

I.D. No. ENV-43-21-00010-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Amendment of sections 10.1(b), 10.2(a), 10.3(b) and (c) of Title 6 NYCRR.

Statutory authority: Environmental Conservation Law, sections 3-0301, 11-0303, 11-0305, 11-0317, 11-1301, 11-1303, 11-1316 and 11-1319

Subject: Sunfish and crappie fishing regulations.

Purpose: To revise sunfish and crappie fishing regulations.

Text of proposed rule: § 10.1 Sportfishing regulations.

Existing paragraph 10.1(b)(10) is amended to read as follows:

(10)	Crappie	All year	[9″] *10″*	25

Existing paragraph 10.1(b)(14) is amended to read as follows:

(14)	Sunfish (bluegill, pumpkinseed and redbreast sunfish)	All year	Any size	[50] *25*

§ 10.2 Boundary water fishing regulations.

Existing clause 10.2(a)(2)(ii) is amended to read as follows:

Water	Species	Open season	Minimum length	Daily limit
(a) Lake Erie	Brown trout Rainbow trout (including steelhead) Coho salmon Chinook salmon	All year	12″	3 in any combination
	Lake trout	All year	12″	1
	Northern pike	First Saturday in May through March 15	22″	5
	Walleye	First Saturday in May through March 15	15″	6
	Muskellunge and Tiger Muskellunge	Third Saturday in June through November 30	54″	1

	Yellow perch[, Sunfish]	All year	Any size	50 of each
	Black bass	December 1 through Friday before Third Saturday in June	20″	1
		Third Saturday in June through November 30	12″	5
	Lake Sturgeon	CLOSED, POSSESSION PROHIBITED		
(b) Upper Niagara River	Brown trout Rainbow trout (including steelhead) Coho salmon Chinook salmon	All year	Any size	3 in any combination
	Lake trout	All year	12″	1
	Northern pike	First Saturday in May through March 15	22″	5
	Walleye	First Saturday in May through March 15	15″	6
	Muskellunge and Tiger Muskellunge	Third Saturday in June through November 30	54″	1
	Yellow perch[, Sunfish]	All year	Any size	50 of each
	Black Bass north of the Peace Bridge	Statewide Angling Regulations Apply		
	Lake Sturgeon	CLOSED, POSSESSION PROHIBITED		
(c) Lake Ontario, St. Lawrence River	Brown trout, Rainbow trout (including steelhead), Coho salmon, Chinook salmon	All year	15″ except for Rainbow trout (including steelhead): -21″ in the lake -25″ in tributaries	3 in any combination not to include more than two rainbow trout (or steelhead) in the lake, and not to include more than one rainbow trout (or steelhead) and one brown trout in the tributaries
	Lake trout	December 1 through September 30	None	2 except no more than 1 shall be between 25″ and 30″
	Atlantic salmon	All year	25″	1
	Muskellunge and Tiger Muskellunge	Third Saturday of June through December 15	54″	1
	Northern pike, Lake Ontario	First Saturday of May through March 15	22″	5
	Northern pike, St. Lawrence River (downstream of Tibbets Point) and tributaries	First Saturday of May through March 15	22″	3
	Black bass, Lake Ontario and tributaries except in Jefferson County and St. Lawrence River and tributaries	Statewide Regulations Apply		
	Black bass, Lake Ontario and tributaries in Jefferson County and St. Lawrence River and tributaries	Third Saturday in June through November 30	12″	5
	Walleye	First Saturday of May through March 15	18″	3
	Lake Sturgeon, American eel	CLOSED, POSSESSION PROHIBITED		
	Yellow perch[, Sunfish]	All year	Any size	50 Except 9″ and 3 fish daily for brown trout in Irondequoit Creek upstream of the south side of Route 286 bridges, Lindsey Creek, Skinner Creek (Oswego and Jefferson Counties) and the Black River from Dexter Dam to Mill Street Dam (Jefferson County)

				Except yellow perch [and sunfish] may be taken in any number in Jefferson County.
(d) Lower Niagara River	Brown trout Rainbow trout (including steelhead) Coho salmon Chinook salmon Lake trout Atlantic salmon	All year, except December 1 through September 30 for Lake trout	15″, except 21″ for Rainbow trout, none for Lake trout, and 25″ for Atlantic salmon	3 in any combination. Catch shall include no more than 1 Atlantic salmon or 2 Lake trout except only 1 Lake trout may be between 25″ and 30″
	Muskellunge and Tiger Muskellunge	Third Saturday of June through December 15	54″	1
	Northern pike	First Saturday in May through March 15	22″	5
	Walleye	First Saturday of May through December 31	18″	3
		January 1 through March 15	18″	1
	Yellow perch[, Sunfish]	All year	Any size	50 of each
	Black bass	Statewide Regulations Apply		
	Lake Sturgeon, American eel	CLOSED, POSSESSION PROHIBITED		

§ 10.3 Additional special fishing regulations for certain inland waters.
Existing clause 10.3(b)(23)(b) is amended to read as follows:

(b)	All waters, except Sandy Pond	Yellow perch	All year	None	Any number
		[Sunfish]	[All year]	[None]	[Any number]

Existing clause 10.3(b)(23)(h) is amended to read as follows:

(h)	[Sandy Pond] *Red Lake, Sixtown Pond*	[Yellow perch] *Sunfish*	All year	[None] *8*	[50] *15*	[Ice fishing]
		[Sunfish]	[All year]	[None]	[50]	[Permitted]

Existing clause 10.3(b)(27)(d) is amended to read as follows:

(d)	Cazenovia Lake [, DeRuyter Reservoir]	Walleye	First Saturday in May through March 15	18″	3
		Sunfish	*All year*	*8″*	*15*

New Clause 10.3(b)(27)(f) is added as follows:

(f)	*DeRuyter Reservoir*	*Walleye*	*First Saturday in May through March 15*	*18″*	*3*

Existing clause 10.3(b)(39)(b) is amended to read as follows:

(b)	Canadarago Lake	Yellow perch	All year	None	25
		Walleye	First Saturday in May through March 15	18″	3
		Sunfish	*All year*	*8″*	*15*

Existing clause 10.3(b)(39)(d) is amended to read as follows:

(d)	Goodyear Lake	Yellow perch	All year	None	25
		Sunfish [(Bluegill, pumpkinseed, Redbreast)]	All year	[None] *8″*	[25] *15*

New clause 10.3(b)(44)(c) is added as follows:

(c)	*Lake Welch*	*Sunfish*	*All year*	*8″*	*15*

Existing clause 10.3(b)(46)(f) is amended to read as follows:

(f)	Saratoga Lake including Fish Creek downstream to the old railroad crossing between Staffords and Bryants bridges	Sunfish [(Bluegill, pumpkinseed, Redbreast)]	All year	[None] *8″*	15

Existing clause 10.3(b)(52)(c) is amended to read as follows:

(c)	Blydenburgh Lake	Black bass	First Saturday in June through November 30	12″	5
				December 1 through Friday before first Saturday in June	Catch and release only
		Sunfish	*All year*	*8″*	*15*

New clause 10.3(b)(61)(b) is added as follows:

(b)	*Silver Lake*	*Sunfish*	*All year*	*8″*	*15*

Existing clause 10.3(c)(2)(c) is amended to read as follows:

(c)	Honeoye Lake	Alewife or sawbellies		Possession prohibited	
		Sunfish	*All year*	*8″*	*15*

Existing clause 10.3(c)(2)(e) is amended to read as follows:

(e)	Otisco Lake	Tiger Muskellunge	First Saturday of May through March 15	36″	1
		Trout	All year	12″	5
		Sunfish	*All year*	*8″*	*15*

Text of proposed rule and any required statements and analyses may be obtained from: Jeffrey Loukmas, Department of Environmental Conservation, 625 Broadway, Albany, NY 12233, (518) 402-8897, email: jeffrey.loukmas@dec.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 60 days after publication of this notice.

Additional matter required by statute: Pursuant to article 8 of the Environmental Conservation Law and the State Environmental Quality Review Act, a programmatic generic environmental impact statement pertaining to this action is on file with the DEC.

Regulatory Impact Statement

1. Statutory authority:

Section 3-0301 of the Environmental Conservation Law (ECL) establishes the general functions, powers and duties of the Department of Environmental Conservation (DEC) and the Commissioner, including general authority to adopt regulations. Sections 11-0303 and 11-0305 of the ECL authorize the DEC to provide for the management and protection of the State's fisheries resources, taking into consideration ecological factors, public safety, and the safety and protection of private property. Sections 11-1301 and 11-1303 of the ECL empower the DEC to fix by regulation open seasons, size and catch limits, and the manner of taking of all species of fish, except certain species of marine fish (listed in section 13-0339 of the ECL), in all waters of the State. Section 11-1319 of the ECL governs possession of fish taken in waters of the State.

2. Legislative objectives:

Implementation of daily possession limits and minimum size limits are the tools used by the DEC in achieving the intent of the legislation referenced above. Possession and minimum size limits are necessary to maintain quality fisheries and to ensure that adequate numbers survive to perpetuate fisheries and provide an equitable distribution of fish to anglers.

3. Needs and benefits:

Being excellent table fare species, sunfish and crappie fisheries in New York are generally harvest oriented. The current statewide regulations for sunfish and crappie are essentially based on what was thought to allow fair and equitable harvest among anglers when promulgated in the late 1990s. Since that time, significant advancements in fishing technology (i.e. fish finders, underwater cameras, etc.) and social media have improved the ability of anglers to catch and harvest more fish. More conservative statewide regulations are recommended as a conservation safeguard for these resources considering these advancements and feedback received from the angling public.

The special sunfish regulations are part of a 5-year experimental program intended to take advantage of the ecological capacity of select lakes by using a minimum length restriction and reduced daily limit to provide a fishing experience for large sunfish. This program is conceptually based on research and increasingly popular and expanding sunfish management programs in other Great Lakes states with similar climates and freshwater resources and fisheries as New York, such as Wisconsin and Minnesota. This experimental program will be evaluated by measuring impacts to sunfish populations and assessing angler satisfaction throughout the timeframe of the study.

This rulemaking is supported by results of a recent sunfish angler survey and positive feedback received on the Draft New York State Sunfish and Crappie Management Plan recently released by the New York State Department of Environmental Conservation (Department or DEC). Results from the survey of sunfish anglers suggested that the majority prefer a reduced daily limit for sunfish, indicating that a decrease in the daily limit would garner support. Although not directly surveyed, the Department believes that crappie anglers are likely to have a similar desire to protect crappie populations. Feedback based on the draft plan substantiates this foundation for changes in the statewide regulations and new rules on a select set of experimental waters to try and create unique fisheries for larger sunfish.

4. Costs:

Costs associated with the implementation and enforcement of the proposed regulation are principally the responsibility of the DEC. The DEC will incur no costs from this rulemaking beyond typical administrative and field sampling expenses. This rulemaking will not result in increased expenditures by other State agencies, local governments, or the general public.

5. Local government mandates:

The proposed rule will not impose any programs, services, duties or responsibilities upon any county, city, town, village, school district, or fire district.

6. Paperwork:

No additional paperwork will be required as a result of this proposed rule change.

7. Duplication:

The proposed rule does not duplicate any state or federal requirement.

8. Alternatives:

No change: Maintaining current sunfish and crappie regulations will leave some fisheries at risk for overharvest. An opportunity to take advantage of the special characteristics of a select few waterbodies across the state to create unique fisheries for large sunfish will also be lost.

9. Federal standards:

There are no minimum federal standards that apply to the regulation of sportfishing.

10. Compliance schedule:

These regulations, if adopted, will be in effect for the 2022 license year, which begins on April 1, 2022. Regulated persons will comply with these regulations once they take effect.

Regulatory Flexibility Analysis

This rulemaking will amend 6 NYCRR Part 10, Sections 10.1, 10.2 and 10.3 by 1) reducing the statewide sunfish daily possession limit from 50/day to 25/day; 2) increasing the statewide crappie minimum size limit from 9 inches to 10 inches; and 3) implementing a minimum size limit of 8 inches and a daily possession limit of 15/day for sunfish for the following 11 waters: Blydenburgh Lake (Suffolk County), Lake Welch (Rockland County), Goodyear Lake (Otsego County), Canadarago Lake (Otsego County), Saratoga Lake (Saratoga County), Red Lake (Jefferson County), Sixtown Pond (Jefferson County), Otisco Lake (Onondaga County), Cazenovia Lake (Madison County), Honeoye Lake (Ontario County), and Silver Lake (Wyoming County). More conservative statewide regulations are recommended as a conservation safeguard for sunfish and crappie in light of fishing technology advancements and current views of the angling public. The special sunfish regulations are part of a 5-year experimental program intended to take advantage of the ecological capacity of select lakes by using a minimum length restriction and reduced daily limit to provide a fishing experience for large sunfish.

1. Effect of rule:

This rulemaking will result is modest adjustments in the statewide fishing regulations for sunfish and crappie that reflect a recognition by anglers and the Department of Environmental Conservation (DEC) that more conservative harvest regulations should now broadly be considered as conservation safeguards for these resources. These regulations are intended to ensure sustainable, quality sunfish and crappie fishing in the waters capable of providing those types of fisheries throughout the state. Experimental special sunfish regulations are intended to provide better opportunities for anglers to catch larger, more desirable sunfish in a select few waters that have the potential to provide these opportunities. There should be no negative effects on small businesses and local governments.

2. Compliance requirements:

There are no compliance requirements associated with this rule change.

3. Professional services:

There are no professional services needed to comply with the provisions of this rule.

4. Compliance costs:

Costs associated with the implementation and enforcement of the proposed regulation are principally the responsibility of the DEC.

5. Economic and technological feasibility:

Because there are no anticipated negative effects on small businesses and local governments, this rulemaking is fully economically and technologically feasible for these entities.

6. Minimizing adverse impact:

This rulemaking will have no adverse impact on small business and local governments.

7. Small business and local government participation:

Following proposal of this rule, the DEC will receive public comment (including from small businesses and local governments) for 60 days.

Rural Area Flexibility Analysis

This rule making will amend 6 NYCRR Part 10, Sections 10.1, 10.2 and 10.3 by 1) reducing the statewide sunfish daily possession limit from 50/day to 25/day; 2) increasing the statewide crappie minimum size limit from 9 inches to 10 inches; and 3) implementing a minimum size limit of 8 inches and a daily possession limit of 15/day for sunfish for the following 11 waters: Blydenburgh Lake (Suffolk County), Lake Welch (Rockland County), Goodyear Lake (Otsego County), Canadarago Lake (Otsego County), Saratoga Lake (Saratoga County), Red Lake (Jefferson County), Sixtown Pond (Jefferson County), Otisco Lake (Onondaga County),

Cazenovia Lake (Madison County), Honeoye Lake (Ontario County), and Silver Lake (Wyoming County). More conservative statewide regulations are recommended as a conservation safeguard for sunfish and crappie in light of fishing technology advancements and current views of the angling public. The special sunfish regulations are part of a 5-year experimental program intended to take advantage of the ecological capacity of select lakes by using a minimum length restriction and reduced daily limit to provide a fishing experience for large sunfish.

1. Types and estimated numbers of rural areas:

These amendments include statewide fishing regulations for common, widely distributed species and special fishing regulations for sunfish in select waters distributed throughout the state. These regulations will not have any specific impact on rural areas.

2. Reporting, recordkeeping and other compliance requirements; and professional services:

There is no compliance-related reporting and recordkeeping associated with this rule making, and thus there will be no effect in rural areas.

3. Costs:

Costs associated with this rulemaking are principally the responsibility of the Department of Environmental Conservation (DEC). The DEC will incur no costs from this rulemaking beyond typical administrative and field sampling expenses. There are no impacts to other state agencies. This rulemaking will have no economic impact on anglers.

4. Minimizing adverse impact:

These regulations will have no adverse impact on rural areas.

5. Rural area participation:

Following proposal of the rule, the DEC will receive comment from the public (including those in rural areas) for 60 days.

Job Impact Statement

This rulemaking will amend 6 NYCRR Part 10, Sections 10.1, 10.2 and 10.3 by 1) reducing the statewide sunfish daily possession limit from 50/day to 25/day; 2) increasing the statewide crappie minimum size limit from 9 inches to 10 inches; and 3) implementing a minimum size limit of 8 inches and a daily possession limit of 15/day for sunfish for the following 11 waters: Blydenburgh Lake (Suffolk County), Lake Welch (Rockland County), Goodyear Lake (Otsego County), Canadarago Lake (Otsego County), Saratoga Lake (Saratoga County), Red Lake (Jefferson County), Sixtown Pond (Jefferson County), Otisco Lake (Onondaga County), Cazenovia Lake (Madison County), Honeoye Lake (Ontario County), and Silver Lake (Wyoming County). More conservative statewide regulations are recommended as a conservation safeguard for sunfish and crappie in light of fishing technology advancements and current views of the angling public. The special sunfish regulations are part of a 5-year experimental program intended to take advantage of the ecological capacity of select lakes by using a minimum length restriction and reduced daily limit to provide a fishing experience for large sunfish.

1. Nature of impact:

This rulemaking will result is modest adjustments in the statewide fishing regulations for sunfish and crappie that reflect a recognition by anglers and the Department of Environmental Conservation that more conservative harvest regulations should now broadly be considered as conservation safeguards for these resources. These regulations are intended to ensure sustainable, quality sunfish and crappie fishing in the waters capable of providing those types of fisheries throughout the state. Experimental special sunfish regulations are intended to provide better opportunities for anglers to catch larger, more desirable sunfish in a select few waters that have the potential to provide these opportunities. There should be no negative effects on small businesses and local governments.

2. Categories and numbers affected:

This rulemaking will not have any adverse job impact.

3. Regions of adverse impact:

This rulemaking will not have any job impact.

4. Minimizing adverse impact:

This rulemaking will not have any job impact.

Department of Health

EMERGENCY RULE MAKING

Hospital Non-Comparable Ambulance Acute Rate Add-On

I.D. No. HLT-31-20-00012-E
Filing No. 1078
Filing Date: 2021-10-08
Effective Date: 2021-10-08

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 86-1.15 of Title 10 NYCRR.

Statutory authority: L. 2020, ch. 56

Finding of necessity for emergency rule: Preservation of public health.

Specific reasons underlying the finding of necessity: The proposed amendment restricts Article 28 hospitals eligible to receive a non-comparable ambulance add-on in their acute inpatient rate to providers that are not receiving a supplemental payment for these costs in accordance with Chapter 56 of the Laws of 2020 effective on October 1, 2020.

Section three of Part LL of Chapter 56 of the Laws of 2020 provides the Commissioner of Health with authority to issue emergency regulations. This regulation amendment is required in order to eliminate any potential duplicate payment for these ambulance services.

Subject: Hospital Non-Comparable Ambulance Acute Rate Add-On.

Purpose: Prevents duplicate claiming by article 28 hospitals for the ambulance add-on regarding participation in the program.

Text of emergency rule: Pursuant to the authority vested in the Commissioner of Health by section three of Part LL of Chapter 56 of the Laws of 2020, paragraph (1) of subdivision (l) of Section 86-1.15 of Title 10 (Health) of the Official Compilation of Codes, Rules and Regulations of the State of New York is amended to be effective upon filing with the Secretary of State, to read as follows:

(1) Medicaid costs associated with ambulance services operated by a facility and reported as inpatient costs in the institutional cost report. *Effective October 1, 2020, these costs shall exclude ground emergency transportation services costs that are being reimbursed pursuant to Chapter 56 of the Laws of 2020;* and

This notice is intended to serve only as a notice of emergency adoption. This agency intends to adopt the provisions of this emergency rule as a permanent rule, having previously submitted to the Department of State a notice of proposed rule making, I.D. No. HLT-31-20-00012-P, Issue of August 5, 2020. The emergency rule will expire December 6, 2021.

Text of rule and any required statements and analyses may be obtained from: Katherine Ceroalo, DOH, Bureau of Program Counsel, Reg. Affairs Unit, Room 2438, ESP Tower Building, Albany, NY 12237, (518) 473-7488, email: regsqna@health.ny.gov

Regulatory Impact Statement

Statutory Authority:

The statutory authority for this regulation is contained in Chapter 56 of the Laws of 2020 and authorizes the Commissioner to promulgate regulations, including emergency regulations, regarding a supplemental Medicaid reimbursement payment for ground emergency medical transportation services. This supplemental payment is in lieu of an ambulance non-comparable add-on in the hospital acute inpatient reimbursement rate. Rate regulations are set forth in Subpart 86-1 of Title 10 (Health) of the Official Compilation of Codes, Rules, and Regulations of the State of New York (NYCRR).

Legislative Objectives:

The legislative objective is to provide the ability to participate in the supplemental payment for ground emergency medical transportation services but eliminate any potential duplicate Medicaid reimbursement.

Needs and Benefits:

Based on the requirements of Chapter 56 of the Laws of 2020, eligible ground emergency transportation providers will be provided the ability to participate in a supplemental payment in lieu of receiving reimbursement through a hospital. Article 28 hospitals currently receive reimbursement through their acute hospital inpatient rate for ambulance services provided by the ground emergency medical transportation providers. For ground emergency transportation providers that meet the requirements of this chapter and receive the supplemental payment, the hospitals through

which they were reimbursed will not be eligible to also receive the ambulance add-on in the acute hospital inpatient rate.

Costs:

Costs to Private Regulated Parties:

There will be no additional costs to private regulated parties.

Costs to State Government:

There is no cost to State Government for this proposed regulation.

Costs of Local Government:

There is no cost to Local Government for this proposed regulation.

Costs to the Department of Health:

There will be no additional costs to the Department of Health as a result of this proposed regulation.

Local Government Mandates:

The proposed regulation does not impose any new programs, services, duties or responsibilities upon any county, city, town, village, school district, fire district or other special district.

Paperwork:

No additional paperwork is required of providers.

Duplication:

This regulation does not duplicate any existing federal, state or local government regulation.

Alternatives:

There is no alternative as an alternative would provide a duplicate payment to hospitals.

Federal Standards:

The proposed regulation does not exceed any minimum standards of the federal government for the same or similar subject areas.

Compliance Schedule:

The Department of Health will be implementing the ground emergency transportation services supplemental program effective on or after October 1, 2020 which requires the potential duplicate payment be removed as of the same date.

Regulatory Flexibility Analysis

No regulatory flexibility analysis is required pursuant to section 202(b)(3)(a) of the State Administrative Procedure Act. The proposed regulations do not impose an adverse economic impact on small businesses or local governments, and they do not impose reporting, record keeping or other compliance requirements on small businesses or local governments.

Rural Area Flexibility Analysis

No rural flexibility analysis is required pursuant to section 202-bb(4)(a) of the State Administrative Procedure Act. The proposed regulations do not impose an adverse impact on facilities in rural areas, and they do not impose reporting, record keeping or other compliance requirements on facilities in rural areas.

Job Impact Statement

A Job Impact Statement is not required pursuant to Section 201-a(2)(a) of the State Administrative Procedure Act. The proposed rule will not have a substantial adverse impact on jobs or employment opportunities, nor does it have adverse implications for job opportunities.

Assessment of Public Comment

The agency received no public comment.

Office of Mental Health

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

COVID-19 Vaccination Program

I.D. No. OMH-43-21-00002-EP

Filing No. 1072

Filing Date: 2021-10-06

Effective Date: 2021-10-06

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Proposed Action: Addition of Part 557 to Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, sections 7.07, 7.09 and 31.04

Finding of necessity for emergency rule: Preservation of public health and general welfare.

Specific reasons underlying the finding of necessity: The immediate adoption of this regulation is necessary for the preservation of health, safety, and welfare.

The 2019 Coronavirus (COVID-19) is a disease that causes mild to severe respiratory symptoms, including fever, cough, and difficulty breathing. People infected with COVID-19 have had symptoms ranging from those that are mild (like a common cold) to severe pneumonia that requires medical care in a general hospital and can be fatal. According to Johns Hopkins' Coronavirus Resource Center, as of July 14, 2021, there have been over 188 million cases and over 4 million deaths worldwide, with a disproportionate risk of severe illness for older adults and/or those who have serious underlying medical health conditions.

The Centers for Disease Control and Prevention (CDC) has identified a concerning national trend of increasing circulation of the SARS-CoV-2 Delta variant. Since early July, cases have risen 10-fold, and 95 percent of the sequenced recent positives in New York State were the Delta variant. Recent New York State data show that unvaccinated individuals are approximately 5 times as likely to be diagnosed with COVID-19 compared to vaccinated individuals. Those who are unvaccinated have over 11 times the risk of being hospitalized with COVID-19.

The COVID-19 vaccines are safe and effective. They offer the benefit of helping to reduce the number of COVID-19 infections, including the Delta variant, which is a critical component to protecting public health. Certain settings, such as psychiatric hospitals, pose increased challenges and urgency for controlling the spread of this disease because of the vulnerable patient and resident populations that they serve. Unvaccinated personnel in such settings have an unacceptably high risk of both acquiring COVID-19 and transmitting the virus to colleagues and/or vulnerable patients, exacerbating staffing shortages and causing an unacceptably high risk of complications.

Given the disproportionate adverse health impacts of COVID-19 for older adults and those with comorbidities in New York's psychiatric hospitals, it is imperative that these facilities enable the prompt vaccination of their staff. Based on the foregoing, the Office has made the determination that this emergency regulation is necessary to best protect the patients in New York's psychiatric hospitals.

For all of the reasons outlined above, this rule is being adopted on an Emergency basis until such time as it has been formally adopted through the SAPA rule promulgation process.

Subject: COVID-19 Vaccination Program.

Purpose: To implement a COVID-19 vaccination program in OMH Operated or Licensed Hospitals.

Text of emergency/proposed rule: A new Part 557 titled COVID-19 Vaccination Program, is added to read as follows:

557.1 Background and Intent.

(a) COVID-19 is an unpredictable disease that can cause serious illnesses and death. In response to this increased public health threat, New York must take active steps to prevent and control transmission of COVID-19. The seriousness of the continuing threat and the failure to achieve acceptable vaccination rates through voluntary programs necessitate further action.

557.2 Legal Base.

(a) Section 7.07 of the Mental Hygiene Law charges the Office of Mental Health with the responsibility for seeing that persons with mental illness are provided with care and treatment, and that such care, treatment and rehabilitation is of high quality and effectiveness.

(b) Section 7.09 of the Mental Hygiene Law gives the Commissioner of the Office of Mental Health the power and responsibility to adopt regulations that are necessary and proper to implement matters under the Commissioner's jurisdiction.

(c) Section 31.04 of the Mental Hygiene Law grants the Commissioner of Mental Health the power and responsibility to adopt regulations to effectuate the provisions and purposes of Article 31 of the Mental Hygiene Law, including procedures for the issuance and amendment of operating certificates, and for setting standards of quality and adequacy of facilities.

557.3 Applicability.

(a) This Part applies to Hospitals as defined in Part 556.4(d) of this Title.

557.4 Definitions Pertaining to This Part.

(a) Commissioner shall mean the Commissioner of Mental Health.

(b) COVID-19 vaccine or vaccine shall mean a vaccine currently licensed for immunization and distribution in the United States by the Food and Drug Administration (FDA) for active immunization for the prevention of COVID-19 or authorized for such use by the FDA pursuant to an Emergency Use Authorization (EUA) or as an Emergency Investigational New Drug (EIND).

(c) Fully Vaccinated shall mean fully vaccinated for COVID-19 $\geq$ 2 weeks after receiving either (1) the second dose in a 2-dose series (e.g., Pfizer-BioNTech or Moderna), or (2) a single-dose vaccine (e.g., Johnson

& Johnson [J&J]/Janssen), authorized for emergency use or approved by the U.S. Food and Drug Administration, and holds an emergency use listing by the World Health Organization.

(d) Hospital shall mean a hospital named in Mental Hygiene Law section 7.17(b), excluding the Nathan S. Kline Institute for Psychiatric Research. Hospitals shall also mean a program operated pursuant to Parts 580, 582, or 590 of this Title.

(e) Office shall mean the Office of Mental Health.

(f) Staff shall mean all persons employed or affiliated with a Hospital, whether paid or unpaid, including but not limited to employees, members of the medical, nursing, and other treatment staff, contract staff, students, and volunteers.

557.5 Testing and Vaccination Requirements for Hospitals.

(a) All Staff who work in Hospitals will be required to be vaccinated with at least one vaccine dose against COVID-19 by November 1, 2021 and shall be Fully Vaccinated by December 10, 2021.

(b) Commencing on October 12, 2021, all Staff who work in Hospitals who are not Fully Vaccinated shall be tested for COVID-19 pursuant to the provisions herein for those who are granted a reasonable accommodation.

(c) A reasonable accommodation may be made for Staff who have a documented pre-existing health condition that prevents them from complying with the vaccine requirements herein. When a reasonable accommodation is approved for a Staff member, they must comply with the following testing provisions.

(d) Staff who have been granted such a reasonable accommodation are required to undergo diagnostic screening testing. Staff may choose either antigen or molecular tests to satisfy this requirement but must be tested at least once weekly. Any test used must either have Emergency Use Authorization by the U.S. Food and Drug Administration or be operating per the Laboratory Developed Test requirements of the U.S. Centers for Medicare and Medicaid Services.

(e) Any Staff who work in Hospitals who do not comply with the provisions of this Part shall not be permitted to report to work.

(f) Staff for whom a positive test result is received must comply with New York State Department of Health and Office regulations and guidance applicable to those who receive a positive test result.

(g) By November 1, 2021, Hospitals shall verify the vaccination status of all Staff. Each Hospital shall require Staff to produce documentation to show vaccine administration. Acceptable documentation of vaccination status shall consist of one of the following:

(1) a COVID 19 vaccination record card issued by the Centers for Disease Control and Prevention or equivalent, including the name of the person vaccinated, date of birth, type of vaccine provided and date(s) of administration;

(2) documentation of COVID-19 vaccination from a health care provider; or

(3) a digital record such as the New York State Excelsior Pass that includes a QR code that when scanned displays the name of the person vaccinated, date of birth, type of vaccine provided, and date(s) of administration.

(h) All Staff who are not fully vaccinated, or for whom vaccine status is unknown or documentation is not provided, must be considered unvaccinated.

(i) Hospitals shall maintain records of their compliance with the requirements of this Part.

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire January 3, 2022.

Text of rule and any required statements and analyses may be obtained from: Sara Paupini, Office of Mental Health, 44 Holland Avenue, Albany, NY 12229, (518) 474-1331, email: regs@omh.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

1. Statutory authority:

(a) Section 7.07 of the Mental Hygiene Law (MHL) charges the Office of Mental Health (OMH) with the responsibility for seeing that persons with mental illness are provided with care and treatment, and that such care, treatment and rehabilitation is of high quality and effectiveness.

(b) Section 7.09 of the Mental Hygiene Law gives the Commissioner of the Office of Mental Health the power and responsibility to adopt regulations that are necessary and proper to implement matters under their jurisdiction.

(c) Section 31.04 of the Mental Hygiene Law grants the Commissioner of Mental Health the power and responsibility to adopt regulations to effectuate the provisions and purposes of article 31 of such law, including procedures for the issuance and amendment of operating certificates, and for setting standards of quality and adequacy of facilities.

2. Legislative objectives: To implement a COVID-19 vaccination program through MHL §§ 7.07, 7.09 and 31.04 which provide the Commissioner of Mental Health with the authority to protect the health and life of the people of the State of New York including by controlling the spread of communicable diseases. COVID-19 is an unpredictable disease that can cause serious illnesses and death. In response to this increased public health threat, New York must take active steps to prevent and control transmission of COVID-19. The seriousness of the continuing threat and the failure to achieve acceptable vaccination rates through voluntary programs necessitate further action. Collectively, the legislative purpose of these statutes is to protect patients in hospitals operated or licensed by the Office of Mental Health by providing safe, efficient, and adequate care.

3. Needs and benefits: These regulations are necessary to prevent the spread of COVID-19 in hospitals operated or licensed by the Office of Mental Health. This requirement will help ensure patients are less likely to suffer a COVID-related death or severe illness and that fewer staff test positive for COVID-19.

COVID-19 is a disease that causes mild to severe respiratory symptoms, including fever, cough, and difficulty breathing. People infected with COVID-19 have had symptoms ranging from those that are mild (like a common cold) to severe pneumonia that requires medical care in a general hospital and can be fatal. Given the disproportionate adverse health impacts of COVID-19 for adults and those with comorbidities, many of whom receive treatment in New York's Hospitals, it is imperative that these hospitals facilitate the prompt vaccination of its staff.

Based on the foregoing, the Office has made the determination that this emergency regulation is necessary to best protect patients and staff in Hospitals operated by the Office of Mental Health.

4. Costs:

(a) Costs to regulated parties:

The purpose of this regulation is to require Hospitals licensed or operated by the Office of Mental Health to promptly coordinate the COVID-19 vaccination of their staff. Costs are expected to be minimal given that the COVID-19 vaccine is provided free of charge, and Medicare reimbursement is available to help Medicare-enrolled residents cover administrative costs.

(b) Costs to local and State governments:

This regulation will have no significant impact on local or State governments. There may be limited additional agency costs for reviewing documentation and other administrative oversight.

5. Local government mandates: This regulation will have no impact on local governments.

6. Paperwork: This regulation imposes no additional paperwork. Although the regulation requires recordkeeping by hospitals, including documentation in personnel files, these records must already be maintained by the hospital.

7. Duplication: These regulatory amendments do not duplicate existing State or Federal requirements.

8. Alternatives: The Office believes that the promulgation of this regulation is the most effective means to ensure that OMH operated hospitals adequately ensure their staff are vaccinated against COVID-19. Accordingly, the alternative of not issuing these regulations was rejected, as the potential for serious illness and possible death of both staff and patients as a result of a COVID-19 outbreak outweighed the risk of rejecting a vaccine mandate.

9. Federal standards: The regulatory amendments do not exceed any minimum standards of the Federal Government for the same or similar subject areas.

10. Compliance schedule: This rulemaking will be effective upon filing a Notice of Emergency Adoption and Notice of Proposed Rulemaking in the State Register.

Regulatory Flexibility Analysis

Effect of Rule:

This regulation will not impact local governments, and will have limited impact on covered licensed entities.

Compliance Requirements:

This regulation primarily requires Hospitals operated or licensed by the Office of Mental Health to promptly coordinate the COVID-19 vaccination of their staff. Although the regulation requires recordkeeping by hospitals, including documentation in personnel files, these records must already be maintained.

Professional Services:

No professional services are required by this regulation.

Compliance Costs:

This regulation requires staff of OMH operated and licensed hospitals to be vaccinated against COVID-19. Costs are expected to be minimal given that the COVID-19 vaccine is provided free of charge.

Economic and Technological Feasibility:

There are no economic or technological impediments to the rule changes, all systems currently are in place to provide access to vaccinations and for covered entities to maintain any required records.

Minimizing Adverse Impact:

This regulation is consistent with the existing responsibilities hospitals have to maintain the health and safety of residents, and ensure staff are free from communicable diseases. Therefore, any adverse impacts are expected to be minimal and are outweighed by the regulation's health and safety benefits to residents and staff.

Small Business and Local Government Participation:

Due to the urgent need to ensure hospital staff are vaccinated as soon as possible given the seriousness of COVID-19 if contracted, particularly by older adults or persons with comorbidities, small business and local governments were not directly consulted. However, the Office will notify such entities of the existence of these regulations and the opportunity to submit comments or questions to the Office.

Cure Period:

This regulation does not include a cure period given the serious threat the COVID-19 virus causes to all New Yorkers, particularly those residing in hospitals, considering such residents' age and comorbidities. The Office finds the periods provided to comply with the regulatory requirements sufficient to ensure Hospitals can establish or revise their vaccination policies and procedures, while balancing the urgent need to protect patients and personnel from this dangerous disease.

Rural Area Flexibility Analysis

Types and Estimated Numbers of Rural Areas:

Although this rule applies uniformly throughout the state, including rural areas, for the purposes of this Rural Area Flexibility Analysis (RAFA), "rural area" means areas of the state defined by Exec. Law § 481(7) (SAPA § 102(10)). Per Exec. Law § 481(7), rural areas are defined as "counties within the state having less than two hundred thousand population, and the municipalities, individuals, institutions, communities, and programs and such other entities or resources found therein."

Reporting, Recordkeeping, and other Compliance Requirements; and Professional Services:

This regulation creates no additional paperwork. Although the regulation requires recordkeeping by hospitals, including documentation in personnel files, these records must already be maintained. Additionally, no additional professional services are required by this regulation.

Compliance Costs:

This regulation requires staff of OMH operated and licensed hospitals to be vaccinated against COVID-19. Costs are expected to be minimal given that the COVID-19 vaccine is provided free of charge.

Economic and Technological Feasibility:

There are no economic or technological impediments to the rule changes.

Minimizing Adverse Impact:

This regulation is consistent with the existing responsibilities Hospitals have to maintain the health and safety of residents, ensure sufficient staffing levels, and ensure staff are free from communicable diseases. Therefore, any adverse impacts are expected to be minimal and are outweighed by the regulation's health and safety benefits to patients and staff.

Rural Area Participation:

Due to the urgent need to ensure Hospital staff are vaccinated as soon as possible given the seriousness of the COVID-19 virus and the need for services to be provided in person where appropriate, Hospitals located in rural areas were not directly consulted. However, the Office will notify covered entities located in rural areas of the existence of these regulations and the opportunity to submit comments or questions to the Office.

Job Impact Statement

Nature of impact: Hospitals as defined may take disciplinary action on staff who are not fully vaccinated and do not have a valid medical exemption.

Categories and numbers affected: This rule may impact any individual who falls within the definition of "staff" who are not fully vaccinated against COVID-19 and do not have a valid medical exemption on file with the Hospital for which they are employed with or are affiliated.

Regions of adverse impact: The rule would apply uniformly throughout the State and the Office does not anticipate that there will be any regions of the state where the rule would have a disproportionate adverse impact on jobs or employment.

Minimizing adverse impact: As part of ongoing efforts to address the COVID-19 pandemic, regulated parties have been a partner in implementing measures to limit the spread and/or mitigate the impact of COVID-19 within the Office since March of 2020.

Department of Motor Vehicles

PROPOSED RULE MAKING
NO HEARING(S) SCHEDULED

Motor Vehicle Accident Prevention Course by Internet or Other Technologies (Alternate Delivery Methods)

I.D. No. MTV-43-21-00004-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: Amendment of section 141.4(g) of Title 15 NYCRR. This rule is proposed pursuant to SAPA section 207(3), 5-Year Review of Existing Rules.

Statutory authority: Vehicle and Traffic Law, sections 215(a) and 399-l

Subject: Motor Vehicle Accident Prevention Course by Internet or other Technologies (Alternate Delivery Methods).

Purpose: Conforms regulation with statute.

Text of proposed rule: Subdivision (g) of section 141.4 is amended to read as follows:

(g) ADM course applicants that did not have a classroom course approved by the commissioner prior to April 16, 2005, must *present proof satisfactory to the commissioner that they purchased the ongoing concern and the approved course curricula of an existing sponsoring agency or ADM sponsoring agency that remains in good standing, or alternatively* meet the following requirements:

(1) The course must be approved as a classroom course pursuant to article 12-B of the Vehicle and Traffic Law and such course must have been in existence for a minimum of one year, with at least 20 classes conducted, prior to applying for ADM course approval.

(2) The course may not be delivered via the internet based course, but rather, must [involve the use of one or more of the following: DVDs or CDs, pay-per-view television through a cable television provider, or other delivery method] *propose the use of other technologies or delivery methods* approved by the commissioner.

(3) One or more [of the following] identity and participation validation methods must be used by the course provider[: fingerprints, handprints, facial recognition, ear scan, iris or retina scan, in-person contact, pay per view buttons, proctored exams, or other methods that may be] *and be* approved by the commissioner.

Text of proposed rule and any required statements and analyses may be obtained from: Heidi Bazicki, Department of Motor Vehicles, 6 Empire State Plaza, Room 522A, Albany, NY 12228, (518) 474-0871, email: dmv.sm.legal@dmv.ny.gov

Data, views or arguments may be submitted to: Victoria A. Plotsky, Department of Motor Vehicles, 6 Empire State Plaza, Rm. 522A, Albany, NY 12228, (518) 474-0871, email: dmv.sm.legal@dmv.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement

1. Statutory authority: Vehicle and Traffic Law (VTL) section 215(a) provides that the Commissioner of Motor Vehicles may enact rules and regulations that regulate and control the exercise of the powers of the Department. Chapter 55 of the Laws of 2020, part ZZ, amended Vehicle and Traffic Law (VTL) section 399-l, to require the commissioner at his or her discretion to approve additional applicants to provide the Motor Vehicle Accident Prevention Course by Internet or other Technologies (Alternate Delivery Methods "ADM" course), also known as the Internet Points Insurance Reduction Program or iPIRP course.

2. Legislative objectives: VTL section 399-l requires the commissioner to approve additional applicants to become iPIRP providers pursuant to regulations established by the commissioner. Additional applicants will include entities that have acquired an existing iPIRP provider. This proposed amendment meets the legislative mandate by expanding the eligibility to deliver an ADM course.

3. Needs and benefits: This proposed rule benefits existing sponsoring agencies by permitting them to transfer their interest in an approved classroom course or ADM course to a new applicant. New applicants may now purchase the ongoing concerns of an existing sponsoring agency or ADM sponsoring agency without having to otherwise qualify as a course provider. This rule makes it easier for new applicants to become sponsoring agencies. This proposed rule is necessary to implement the amendment to VTL 399-l to approve additional applications. Currently, the com-

missioner is limited to approving iPIRP providers to only those companies who provided classroom PIRP classes in 2005. This amendment allows the DMV to approve any applicants permitted under these rules, such as entities who have purchased an existing company that offers PIRP or iPIRP classes.

4. Costs:

a. To regulated parties: There will be no additional costs to applicants due to these amendments. The application fee remains the same.

b. Costs to the state, the Department of Motor Vehicles and local governments: This rule will have no fiscal impact upon the state, the Department of Motor Vehicles, or local governments.

5. Local government mandates: This proposed rule does not impose any new mandates or responsibilities upon local governments.

6. Paperwork: The proposed rule imposes no new paperwork requirements.

7. Duplication: This proposed rule does not duplicate or conflict with any state or federal rule.

8. Alternatives: There are no viable alternatives to this proposed rule, and none were considered. Chapter 55, part ZZ, of the Laws of 2020 requires the commissioner of motor vehicles to promulgate regulations expanding the pool of applicants for providing the iPIRP course.

9. Federal standards: This proposal does not exceed any minimum standards of the federal government for the same or similar subject areas.

10. Compliance schedule: The Department anticipates that all affected parties will be able to achieve compliance upon adoption of the proposed rule.

Regulatory Flexibility Analysis

The Department of Motor Vehicles finds that this rulemaking should not adversely impact small businesses or local governments in New York. This rulemaking amends 15 NYCRR 141.4(g) to comport with amendments to section 399-l of the Vehicle and Traffic Law permitting DMV to approve additional applications to provide the Motor Vehicle Accident Prevention Course by Internet or other Technologies (Alternate Delivery Methods "ADM"), also known as the ADM course or iPIRP course. Because this rule expands business opportunities, the Department has no reason to believe that the rulemaking will result in an adverse impact on small businesses or local governments in New York. The rulemaking will not impose any reporting, recordkeeping or other compliance requirements on small businesses or local governments.

Rural Area Flexibility Analysis

The Department of Motor Vehicles finds that this rule making, which amends 15 NYCRR 141.4(g), to permit the commissioner at his or her discretion to approve additional applicants to provide the Motor Vehicle Accident Prevention Course by Internet or other Technologies (Alternate Delivery Methods "ADM" course), also known as the Internet Points Insurance Reduction Program or iPIRP course, will not impose any additional burdens on entities located in rural areas, and will not have an adverse impact on rural areas because it applies uniformly to all eligible applicants in both rural and non-rural areas of New York State.

Job Impact Statement

The Department of Motor Vehicles finds that this rule making should not adversely impact job or employment opportunities in New York. This rulemaking amends 15 NYCRR 141.4(g) to comport with amendments to section 399-l of the Vehicle and Traffic Law permitting DMV to approve additional applications to provide the Motor Vehicle Accident Prevention Course by Internet or other Technologies (Alternate Delivery Methods "ADM"), also known as the ADM course or iPIRP course.

The Department has no reason to believe that the rulemaking will result in an adverse impact on job or employment, including self-employment, opportunities in New York.

Office for People with Developmental Disabilities

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

COVID-19 Vaccines

I.D. No. PDD-43-21-00003-EP
Filing No. 1073
Filing Date: 2021-10-06
Effective Date: 2021-10-06

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Proposed Action: Addition of section 680.14 to Title 14 NYCRR.

Statutory authority: Mental Hygiene Law, sections 13.07, 13.09(b) and 16.00

Finding of necessity for emergency rule: Preservation of public health, public safety and general welfare.

Specific reasons underlying the finding of necessity: The immediate adoption of a new section, 14 NYCRR 680.14, that requires all specialty hospitals to develop policies to require and verify all staff are fully vaccinated against COVID-19, is necessary to protect the health, safety, and welfare of individuals who receive these services.

The 2019 Coronavirus (COVID-19) is a disease that causes mild to severe respiratory symptoms, including fever, cough, and difficulty breathing. People infected with COVID-19 have had symptoms ranging from those that are mild (like a common cold) to severe pneumonia that requires medical care in a general hospital and can be fatal. According to Johns Hopkins' Coronavirus Resource Center, as of July 14, 2021, there have been over 188 million cases and over 4 million deaths worldwide, with a disproportionate risk of severe illness for older adults and/or those who have serious underlying medical health conditions.

The Centers for Disease Control and Prevention (CDC) has identified a concerning national trend of increasing circulation of the SARS-CoV-2 Delta variant. Since early July, cases have risen 10-fold, and 95 percent of the sequenced recent positives in New York State were the Delta variant. Recent New York State data show that unvaccinated individuals are approximately 5 times as likely to be diagnosed with COVID-19 compared to vaccinated individuals. Those who are unvaccinated have over 11 times the risk of being hospitalized with COVID-19.

The COVID-19 vaccines are safe and effective. They offer the benefit of helping to reduce the number of COVID-19 infections, including the Delta variant, which is a critical component to protecting public health. Certain settings, such as hospitals, pose increased challenges and urgency for controlling the spread of this disease because of the vulnerable patient and resident populations that they serve. Unvaccinated personnel in such settings have an unacceptably high risk of both acquiring COVID-19 and transmitting the virus to colleagues and/or vulnerable patients or residents, exacerbating staffing shortages, and causing unacceptably high risk of complications.

Given the disproportionate adverse health impacts of COVID-19 for individuals with comorbidities, such as those served by OPWDD certified Specialty Hospitals, it is imperative that these hospitals facilitate the prompt vaccination of their staff. Based on the foregoing, the Office has made the determination that this emergency regulation is necessary to best protect the residents of Specialty Hospitals certified by OPWDD.

For all of the reasons outlined above, this rule is being adopted on an Emergency basis until such time as it has been formally adopted through the SAPA rule promulgation process.

Subject: COVID-19 vaccines.

Purpose: To require vaccinations in certain OPWDD settings.

Text of emergency/proposed rule: A new section 680.14 is added to read as follows:

680.14 Vaccination Procedures for the Control of COVID-19

(a) Definitions

(1) "Fully Vaccinated" means that 14 days or more have passed since the person received either the second dose of vaccine in a 2-dose series or a single dose vaccine.

(2) "Personnel" shall mean all persons employed or affiliated with a Specialty Hospital, whether paid or unpaid.

(3) "Specialty Hospital" means a facility operated or certified by OPWDD as defined by 14 NYCRR § 680.13 (be) and which is governed by 14 NYCRR Part 680.

(b) COVID-19 Vaccination Requirements

(1) All Specialty Hospitals shall develop policies to require all personnel to be fully vaccinated against COVID-19 and to verify such vaccination. Unless otherwise specified by OPWDD o rDOH, documentation of vaccination must include the manufacturer, lot number(s), date(s) of vaccination; and vaccinator or vaccine clinic site. The following may be accepted as documentation of vaccination:

(i) CDC Vaccine Card;

(ii) a WHO Yellow Card;

(iii) documentation of COVID-19 vaccination from a health care provider; or

(iv) a digital record, such as the New York State Excelsior Pass, that includes a Quick Response (QR) code which, when scanned by a SMART Health Card reader, displays to the reader client name, date of birth, vaccine dates and vaccine type.

(2) All personnel of a Specialty Hospital, unless appropriately exempted as described herein, must receive the full COVID-19 vaccination to protect against the transmission and spread of COVID-19 with a first dose received by November 1, 2021.

(i) Personnel may receive any of the vaccines authorized for emergency use and/or approved by the federal Food and Drug Administration or listed by the World Health Organization for inoculation against COVID-19.

(ii) Specialty Hospitals shall require personnel to produce documentation sufficient to show that the person is fully vaccinated as defined above.

(3) Personnel hired or retained after November 1, 2021 must receive the first dose of their COVID 19 vaccination within two weeks after commencing employment with any Specialty Hospital.

(4) Specialty Hospitals shall be required to obtain proof of any relevant COVID-19 booster injections.

(c) Exclusions From Mandatory COVID-19 Vaccination

(1) In order to permit an exemption from the vaccination requirements of this section, the employee or volunteer shall have documentation of a legally recognizable exemption, including but not limited to:

(i) A signed, completed medical exemption form approved by the DOH or OPWDD from a physician licensed to practice medicine in New York State certifying that immunization will be detrimental to the employee's health, containing sufficient information to identify a medical contraindication to the COVID-19 vaccination. A completed medical exemption form must be reissued periodically, but at least annually.

(d) Testing for COVID-19

(1) All Specialty Hospitals whose personnel who have not been fully vaccinated because they have received a reasonable accommodation consistent with subdivision (c) of this section or because they are not yet fully vaccinated consistent with subdivision (b)(3) of this section shall ensure that each such individual receives diagnostic screening for COVID-19 by either rapid (antigen) or PCR (molecular) testing at least once weekly. Documentation of testing results must be provided to and maintained by the Specialty Hospital.

(2) Personnel that are not fully vaccinated and who refuse to undergo diagnostic screening testing must not be permitted to report to work.

(e) OPWDD will enforce this mandate as part of its oversight activities in accordance with the authority set forth in Mental Hygiene Law section 16.11.

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire January 3, 2022.

Text of rule and any required statements and analyses may be obtained from: Mary Beth Babcock, Office for People With Developmental Disabilities, 44 Holland Avenue, 3rd Floor, Albany, NY 12229, (518) 474-7700, email: rau.unit@opwdd.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 60 days after publication of this notice.

Additional matter required by statute: Pursuant to the requirements of the State Environmental Quality Review Act, OPWDD, as lead agency, has determined that the action described herein will have no effect on the environment and an E.I.S. is not needed.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Regulatory Impact Statement

1. Statutory authority:

a. The Office for People With Developmental Disabilities (OPWDD) has the statutory responsibility to provide and encourage the provision of appropriate programs, supports, and services in the areas of care, treatment, habilitation, rehabilitation, and other education and training of persons with intellectual and developmental disabilities, as stated in the New York State (NYS) Mental Hygiene Law (MHL) Section 13.07.

b. OPWDD has the statutory authority to adopt rules and regulations necessary and proper to implement any matter under its jurisdiction as stated in the NYS MHL Section 13.09(b).

c. OPWDD has the statutory authority to adopt regulations concerned with the operation of programs and the provision of services, as stated in the NYS MHL Section 16.00. The regulation also ensures compliance by OPWDD certified and operated residences with the proper provision of services.

2. Legislative objectives: The proposed regulations further legislative objectives embodied in MHL sections 13.07, 13.09(b), and 16.00. The proposed regulation adds Title 14 NYCRR Section 680.14 in order to protect individuals receiving services from specialty hospitals.

3. Needs and benefits: The proposed regulation adds Title 14 NYCRR Section 680.14 to require all specialty hospitals to develop policies to require and verify all staff are fully vaccinated against COVID. This regulation must be issued by emergency regulation giving the increasing transmission of COVID-19 despite vaccines being available. OPWDD serves a vulnerable population and as such has a duty to ensure the services provided meet public health and safety standards.

4. Costs:

a. Costs to the agency and to the State and its local governments: There is no anticipated impact on Medicaid expenditures as a result of the proposed regulations, as specialty hospitals that provide these services will only be providing such services to individuals already receiving Medicaid, in accordance with existing OPWDD policies and processes.

These regulations will not have any fiscal impact on local governments, as the contribution of local governments to Medicaid has been capped. Chapter 58 of the Laws of 2005 places a cap on the local share of Medicaid costs and local governments are already paying for Medicaid at the capped level.

There are no anticipated costs to OPWDD in its role as a provider of services to comply with the new requirements.

b. Costs to private regulated parties: There will be some costs to regulated providers to comply with the proposed regulations. As the regulation allows for a medical exemption, any individuals falling under that category are required to receive weekly testing. Additionally, any unvaccinated staff hired after the regulation is filed would be required to undergo weekly testing until they are fully vaccinated. For those individuals not already vaccinated the provider will need to contract with a testing facility for their staff to access. However, there will be no costs or minimal costs for providers that achieve a high vaccination rate among their staff. Additionally, providers will need to maintain vaccination and testing records, but the vaccine information need only be collected once and updated as more staff receive the vaccine or are hired.

5. Local government mandates: This rule would not apply to local government units. There are no new requirements imposed by the rule on any other county, city, town, village; or school, fire, or other special district.

6. Paperwork: Providers will experience a minimal increase in paperwork as a result of the proposed regulations. Additional reporting requirements regarding the vaccination status and testing results will need to be maintained.

7. Duplication: The proposed regulations do not duplicate any existing State or Federal requirements on this topic. On (date), the New York State Department of Health issued regulations requiring hospitals within its oversight jurisdiction to require all staff within such hospitals to receive their first dose of a COVID-19 vaccine by September 27, 2021. OPWDD's emergency regulation would extend these protections to Specialty Hospitals under its oversight and jurisdiction.

8. Alternatives: OPWDD did not consider any other alternatives to the proposed regulations. These changes are necessary to protect public health and individuals receiving services in specialty hospitals.

9. Federal standards: The proposed amendments do not exceed any minimum standards of the federal government for the same or similar subject areas.

10. Compliance schedule: OPWDD plans to adopt the regulations as an emergency regulation effective upon filing. Following the comment period OPWDD plans to adopt the regulation as permanent. The regulation requires vaccination and/or testing by November. OPWDD expects that providers will be in compliance with the proposed requirements at the time of their effective date(s).

Regulatory Flexibility Analysis

1. Effect of Rule:

a. This rule would apply to all specialty hospitals certified by OPWDD. This regulation would require all specialty hospitals to develop policies to require and verify all staff are fully vaccinated against COVID. This

regulation is necessary to protect individuals receiving services at these facilities.

2. Compliance Requirements: These regulations will require additional reporting requirements in order to ensure vaccines have been received or weekly tests, for recently hired staff or those receiving a medical exemption, have been negative. Any entities that provide these services will be required to follow OPWDD regulations as they have been required to do so previously, but there will be additional reporting requirements in order to ensure compliance.

3. Professional Services: This rule will require additional professional services as the providers will need to contract with a testing facility for individuals that receive a medical exemption or are hired prior to being fully vaccinated.

4. Compliance Costs:

a. There will be some additional compliance costs. As the regulation requires testing for those individuals not already vaccinated the provider will need to contract with a testing facility for their staff to access. However, there will be no costs or minimal costs for providers that achieve a high vaccination rate among their staff. Additionally, providers will need to maintain vaccination and testing records, but the vaccine information need only be collected once and updated as more staff receive the vaccine or are hired.

5. Economic and Technological Feasibility: The entities required to comply with this rule already have the technological capability to comply with this rule.

6. Minimizing Adverse Impact: There will be no adverse impact as a result of this rule because the rule applies to all providers of these services regardless of size. Furthermore, these entities have always had regulations to follow regarding public health and infection control. This regulation seeks to further those goals given the current pandemic and high rate of spread of COVID-19.

7. Small Business and Local Government Participation: This rule would not apply to local governments. Provider and provider associations will have opportunities to comment during the regulatory comment period.

8. Establishment or Modification of Penalties: The rule does not modify or establish any new penalties.

9. Initial Review of the Rule: OPWDD will review the rule within the third calendar year after filing.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis for these amendments is not being submitted because the regulation will not impose any adverse impact or significant reporting, record keeping or other compliance requirements on public or private entities in rural areas. There are no professional services, capital, or other compliance costs imposed on public or private entities in rural areas as a result of the proposed regulation.

The proposed regulation adds Title 14 NYCRR Section 680.14 in order to require all specialty hospitals to develop policies to require and verify all staff are fully vaccinated against covid. The regulation will not result in an adverse impact on rural communities because the regulation applies to all staff employed by specialty hospitals. The proposed regulation will result in minimal costs for regulated parties. Therefore, the amendments will not have any adverse effects on providers in rural areas.

Job Impact Statement

A Job Impact Statement for the proposed regulation is not being submitted because it is apparent from the nature and purpose of the regulation that it will not have a substantial adverse impact on jobs and/or employment opportunities.

The proposed regulation adds Title 14 NYCRR Section 680.14 in order to require all specialty hospitals to develop policies to require and verify all staff are fully vaccinated against covid. The regulation will result in new compliance requirements for providers. However, there have always been restrictions on these types of providers so the compliance measures would be minimal and not overly burdensome. The regulation will not have a substantial impact on jobs or employment opportunities in New York State.

Public Service Commission

NOTICE OF WITHDRAWAL

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following actions:

The following rule makings have been withdrawn from consideration:

I.D. No.	Publication Date of Proposal
PSC-52-20-00004-P	December 30, 2020

NOTICE OF ADOPTION

Petition to Transfer Stock

I.D. No. PSC-15-21-00006-A
Filing Date: 2021-10-08
Effective Date: 2021-10-08

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 10/7/21, the PSC adopted an order approving Dover Plains Water Company's (Dover Plains) petition to transfer 100 percent of the Dover Plains outstanding stock to Andrew and Ray Durkin.

Statutory authority: Public Service Law, sections 4(1), 5(1)(f), 89-c(1), (10) and 89-h(1)

Subject: Petition to transfer stock.

Purpose: To approve Dover Plains' petition to transfer all of its stock to Andrew and Ray Durkin.

Substance of final rule: The Commission, on October 7, 2021, adopted an order approving Dover Plains Water Company's (Dover Plains) petition to transfer 100 percent of the Dover Plains outstanding stock to Andrew and Ray Durkin. Within 30 days of the date of closing, Dover Plains is directed to provide to the Secretary to the Commission copies of documents showing that the transfer of water supply assets has occurred and is directed to file with the Secretary to the Commission copies of journal entries recording the transaction. Dover Plains is directed to update its billing invoices to list the service classification on which the customer's charges are based and provide the telephone number to call the utility if the customer has questions about the bill. Dover Plains shall also include the New York State Department of Public Service's web address, telephone number, and mailing address on all its customers-facing materials, including the invoices for its next quarterly billing, following the issuance of the order. A quarterly sample bill, inclusive of the above information, shall be filed with the Secretary to the Commission no later than January 30, 2022, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(21-W-0176SA1)

NOTICE OF ADOPTION

Tier 2 Clean Energy Standard Maintenance Tier Support

I.D. No. PSC-25-21-00009-A
Filing Date: 2021-10-07
Effective Date: 2021-10-07

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 10/7/21, the PSC adopted an order authorizing the New York State Energy Research and Development Authority (NYSERDA) to enter into a three-year Maintenance Tier contract with Ampersand Long Falls Hydro, LLC (Long Falls Hydro).

Statutory authority: Public Service Law, sections 4(1), 5(1), (2), 66(2); New York Energy Law, section 6-104(5)(b)

Subject: Tier 2 Clean Energy Standard Maintenance Tier support.

Purpose: To authorize NYSERDA to enter into a three-year Maintenance Tier contract with Long Falls Hydro.

Text or summary was published in the June 23, 2021 issue of the Register, I.D. No. PSC-25-21-00009-P.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social

security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(17-E-0603SA9)

NOTICE OF ADOPTION

Tariff Amendments

I.D. No. PSC-26-21-00005-A

Filing Date: 2021-10-08

Effective Date: 2021-10-08

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 10/7/21, the PSC adopted an order approving New York State Electric & Gas Corporation's (NYSEG) tariff amendments to P.S.C. No. 120—Electricity, terminating the Energy Smart Community Rate Pilot, to become effective on November 1, 2021.

Statutory authority: Public Service Law, sections 5, 65(1), (8), 66(1) and (12)

Subject: Tariff amendments.

Purpose: To approve NYSEG's tariff amendments.

Substance of final rule: The Commission, on October 7, 2021, adopted an order approving New York State Electric & Gas Corporation's tariff amendments to P.S.C. No. 120—Electricity, terminating the Energy Smart Community Rate Pilot, to become effective on November 1, 2021, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(21-E-0312SA1)

NOTICE OF ADOPTION

Agreement for Extension of Water Service and Waiver Request

I.D. No. PSC-26-21-00012-A

Filing Date: 2021-10-08

Effective Date: 2021-10-08

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 10/7/21, the PSC adopted an order approving Saratoga Water Services, Inc.'s (Saratoga Water) Agreement for the Provision of Water Service with Poppy's Place Food Park, LLC (Poppy's) and waiver request.

Statutory authority: Public Service Law, sections 4(1), 20(1) and 89-b

Subject: Agreement for extension of water service and waiver request.

Purpose: To approve Saratoga Water's Agreement for the Provision of Water Service with Poppy's and waiver request.

Substance of final rule: The Commission, on October 7, 2021, adopted an order approving Saratoga Water Services, Inc.'s (Saratoga Water) Agreement for the Provision of Water Service with Poppy's Place Food Park, LLC for the extension of water service. The requested waivers of Sections XI (1) and XIII, on Leaves 44 and 45 of Saratoga Water's tariff, P.S.C. No. 3 – Water, and Title 16 of the New York Codes, Rules and Regulations §§ 501.2, 501.3, 501.4, 501.6, 501.9, 501.10, and 502.3 are approved. Saratoga Water is directed to file with the Secretary to the Commission, within 30 days of issuance by the Department of Environmental Conservation, a copy of the permit authorizing the extension of water service, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(21-W-0292SA1)

NOTICE OF ADOPTION

NUG Rider Rate Continuation

I.D. No. PSC-27-21-00012-A

Filing Date: 2021-10-08

Effective Date: 2021-10-08

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 10/7/21, the PSC adopted an order approving Pennsylvania Electric Company's (Penelec) request to continue its non-utility generation (NUG) Rider Rate until May 31, 2022, or until the remaining over-collection has been fully refunded.

Statutory authority: Public Service Law, sections 5, 65 and 66

Subject: NUG Rider Rate continuation.

Purpose: To approve Penelec's request to continue its NUG Rider Rate

Substance of final rule: The Commission, on October 7, 2021, adopted an order approving Pennsylvania Electric Company's (Penelec) request to continue its non-utility generation (NUG) rider rate until May 31, 2022, or until the remaining over-collection has been fully refunded, whichever is sooner, and to set the NUG rider rate to zero on one day's notice. Penelec is directed to file verification with the Secretary within 30 days of the NUG rider over-collected balance being fully refunded. Penelec is directed to file, within 60 days of the NUG rider over-collected balance being fully refunded, tariff revisions, to remove its NUG Rider, Rider C, and all NUG Rider rate tariff language from its tariffs to become effective on a permanent basis on not less than 30 days' notice. Penelec's request for a waiver of its electric tariff is also approved, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(11-E-0594SA2)

NOTICE OF ADOPTION

Tier 2 Clean Energy Standard Maintenance Tier Support

I.D. No. PSC-27-21-00013-A

Filing Date: 2021-10-07

Effective Date: 2021-10-07

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 10/7/21, the PSC adopted an order authorizing the New York State Energy Research and Development Authority (NYSERDA) to enter into a three-year Maintenance Tier contract with Oakvale Construction Co., Ltd. (Black Brook Hydro).

Statutory authority: Public Service Law, sections 4(1), 5(1), (2), 66(2); New York Energy Law, section 6-104(5)(b)

Subject: Tier 2 Clean Energy Standard Maintenance Tier Support.

Purpose: To authorize NYSERDA to enter into a three-year Maintenance Tier contract with Black Brook Hydro.

Text or summary was published in the July 7, 2021 issue of the Register, I.D. No. PSC-27-21-00013-P.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(17-E-0603SA10)

NOTICE OF ADOPTION

Motion for Waiver of Regulations Related to Public Service Law Article VII Applications

I.D. No. PSC-27-21-00014-A

Filing Date: 2021-10-08

Effective Date: 2021-10-08

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 10/7/21, the PSC adopted an order approving New York Power Authority (NYPA) and Niagara Mohawk Power Corporation d/b/a National Grid's (National Grid) motion for waiver of certain Commission's regulations relating to PSL article VII applications.

Statutory authority: Public Service Law, sections 4 and 122

Subject: Motion for waiver of regulations related to Public Service Law article VII applications.

Purpose: To approve NYPA and National Grid's motion for waiver of regulations related to Public Service Law article VII applications.

Substance of final rule: The Commission, on October 7, 2021, adopted an order approving New York Power Authority and Niagara Mohawk Power Corporation d/b/a National Grid's June 15, 2021 motion for waiver of certain Commission's regulations relating to Public Service Law article VII applications, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(21-T-0340SA1)

NOTICE OF ADOPTION

Agreement for Extension of Water Service and Waiver Request

I.D. No. PSC-28-21-00014-A

Filing Date: 2021-10-08

Effective Date: 2021-10-08

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 10/7/21, the PSC adopted an order approving Saratoga Water Services, Inc.'s (Saratoga Water) Agreement for the Provision of Water Service with Zulfiqar Zulfi (Zulfi) and waiver request.

Statutory authority: Public Service Law, sections 4(1) and 89-b

Subject: Agreement for extension of water service and waiver request.

Purpose: To approve Saratoga Water's Agreement for the Provision of Water Service with Zulfi and waiver request.

Substance of final rule: The Commission, on October 7, 2021, adopted an order approving Saratoga Water Services, Inc.'s (Saratoga Water) Agreement for the Provision of Water Service with Zulfiqar Zulfi for the extension of water service. The requested waivers of Sections XI (1) and XIII, on Leaves 44 and 45 of Saratoga Water's tariff, P.S.C. No. 3—Water, and Title 16 of the New York Codes, Rules and Regulations §§ 501.2, 501.3, 501.4, 501.6, 501.9, 501.10, and 502.3 are approved. Saratoga Water is directed to file with the Secretary to the Commission, within 30 days of issuance by the Department of Environmental Conservation, a copy of the permit authorizing the extension of water service, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(21-W-0355SA1)

NOTICE OF ADOPTION

Tariff Amendments

I.D. No. PSC-29-21-00003-A

Filing Date: 2021-10-07

Effective Date: 2021-10-07

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 10/7/21, the PSC adopted an order approving The Brooklyn Union Gas Company d/b/a National Grid NY (KEDNY) and KeySpan Gas East Corp. d/b/a National Grid's (KEDLI) tariff amendments to effectuate gas demand response programs.

Statutory authority: Public Service Law, sections 5, 65 and 66

Subject: Tariff amendments.

Purpose: To approve KEDNY and KEDLI's tariff amendments to effectuate gas demand response programs.

Text or summary was published in the July 21, 2021 issue of the Register, I.D. No. PSC-29-21-00003-P.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-G-0086SA2)

NOTICE OF ADOPTION

Petition to Use Pipeline Refunds

I.D. No. PSC-29-21-00005-A

Filing Date: 2021-10-07

Effective Date: 2021-10-07

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 10/7/21, the PSC adopted an order approving, with modifications, National Fuel Gas Distribution Corporation's (NFG) petition to use the Pipeline Refund to offset the System Modernization Tracker deferral account.

Statutory authority: Public Service Law, section 113(2)

Subject: Petition to use Pipeline refunds.

Purpose: To approve, with modifications, NFG's petition to use the Pipeline Refund.

Text or summary was published in the July 21, 2021 issue of the Register, I.D. No. PSC-29-21-00005-P.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(20-G-0545SA2)

NOTICE OF ADOPTION

Agreement for Extension of Water Service and Waiver Request

I.D. No. PSC-29-21-00008-A
Filing Date: 2021-10-08
Effective Date: 2021-10-08

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 10/7/21, the PSC adopted an order approving Saratoga Water Services, Inc.'s (Saratoga Water) Agreement for the Provision of Water Service with 3D Lundy, Ltd. (3D Lundy) and waiver request.

Statutory authority: Public Service Law, sections 4(1), 20(1) and 89-b

Subject: Agreement for extension of water service and waiver request.

Purpose: To approve Saratoga Water's Agreement for the Provision of Water Service with 3D Lundy and waiver request.

Substance of final rule: The Commission, on October 7, 2021, adopted an order approving Saratoga Water Services, Inc.'s (Saratoga Water) Agreement for the Provision of Water Service with 3D Lundy, Ltd. for the extension of water service. The requested waivers of Sections XI (1) and XIII, on Leaves 44 and 45 of Saratoga Water's tariff, P.S.C. No. 3—Water, and Title 16 of the New York Codes, Rules and Regulations §§ 501.2, 501.3, 501.4, 501.6, 501.9, 501.10, and 502.3 are approved. Saratoga Water is directed to file with the Secretary to the Commission, within 30 days of issuance by the Department of Environmental Conservation, a copy of the permit authorizing the extension of water service, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(21-W-0354SA1)

NOTICE OF ADOPTION

Tariff Amendments

I.D. No. PSC-30-21-00008-A
Filing Date: 2021-10-08
Effective Date: 2021-10-08

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: On 10/7/21, the PSC adopted an order approving Consolidated Edison Company of New York, Inc.'s (Con Edison) tariff amendments to P.S.C. No. 9—Gas, to become effective on November 1, 2021.

Statutory authority: Public Service Law, sections 65 and 66(12)

Subject: Tariff amendments.

Purpose: To approve Con Edison's tariff amendments.

Substance of final rule: The Commission, on October 7, 2021, adopted an order approving Consolidated Edison Company of New York, Inc.'s tariff amendments to P.S.C. No. 9—Gas, to clarify the names of three of its four city gates listed on Leaf 385.1 under the Baseload Service provision for the Daily Delivery Service program provided to Service Classification No. 20, to become effective on November 1, 2021, subject to the terms and conditions set forth in the order.

Final rule as compared with last published rule: No changes.

Text of rule may be obtained from: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov An IRS employer ID no. or social security no. is required from firms or persons to be billed 25 cents per page. Please use tracking number found on last line of notice in requests.

Assessment of Public Comment

An assessment of public comment is not submitted with this notice because the rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(21-G-0363SA1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Minor Rate Filing

I.D. No. PSC-43-21-00007-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a proposal by Hannawa Building Corp. to increase its annual revenues by $14,907 or 149%, add an Escrow Account for extraordinary repairs, and to convert the Company's tariff schedule to an electronic format.

Statutory authority: Public Service Law, sections 4(1), 5(1)f, 89-c(1), (3), (10)(a), (b) and (f)

Subject: Minor rate filing.

Purpose: To ensure safe and adequate service at just and reasonable rates.

Substance of proposed rule: The Commission is considering a proposal filed by Hannawa Building Corp. (Hannawa or the Company) to amend its tariff schedule, P.S.C. No. 2—Water, to increase Hannawa's annual revenues by approximately $14,907 or 149%; add an Escrow Account for emergency and extraordinary repairs with a maximum balance of $5,000; and convert its paper tariff schedule to an electronic format. Hannawa provides water service to approximately 38 customers in Hannawa Falls, St. Lawrence County.

The Company states that the rate increase is necessary to cover current and projected increased operating expenses including salaries, water testing, and other operational expenses that have not been addressed since the Company's last rate case that was filed in 1997. In addition, the Company has frequently incurred repair expenses that exceed the current maximum allowed balance in rates and thus is looking to add a $5,000 Escrow Account to help offset these costs. Finally, the tariff schedule, P.S.C. No. 2-Water is still in a paper format and the company seeks to convert this to an electronic format. The Company also requests a waiver of newspaper publication requirements as it will notify customers directly by mail.

The full text of the proposal and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website http://www.dps.ny.gov/f96dir.htm. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle L. Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(21-W-0506SP1)

PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Incremental Demand Side Management Programs

I.D. No. PSC-43-21-00008-P

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following proposed rule:

Proposed Action: The Commission is considering a filing by The Brooklyn Union Gas Company d/b/a National Grid NY and KeySpan Gas East Corporation d/b/a National Grid to implement demand side management programs and to recover related costs through a surcharge mechanism.

Statutory authority: Public Service Law, sections 5, 65 and 66

Subject: Incremental demand side management programs.

Purpose: To consider proposed demand side management programs and cost recovery.

Substance of proposed rule: The Public Service Commission is considering a filing by The Brooklyn Union Gas Company d/b/a National Grid NY and KeySpan Gas East Corporation d/b/a National Grid (together, the Companies) filed on October 4, 2021. The filing requests authorization to implement proposed demand side management programs necessary to alleviate gas system capacity constraints within the Companies' service territories. The proposed programs include energy efficiency, demand response, and electrification components. Additionally, the filing requests authority to recover the cost of implementing such programs through a surcharge, consistent with provisions in the Companies' recently adopted Rate Plan.

On August 12, 2021, the Commission issued an Order establishing a Rate Plan for the Companies in Cases 19-G-3009 and 19-G-0310. The Rate Plan allowed the Companies to propose demand side management programs and to request authority to collect the costs of such programs through a surcharge.

The Companies request approval to implement energy efficiency programs for residential, commercial, and multi-family customers on an accelerated basis in a manner that will surpass budgets and targets established by the Commission in its New Efficiency New York order issued in Case 18-M-0084 on January 16, 2020. The Companies state the programs have been designed to lower peak load on the gas system and improve home and building comfort through offerings including a dramatically expanded home/building weatherization program throughout the Companies' New York City and Long Island service territories.

With regard to demand response, the Companies propose to implement the programs proposed in their June 15, 2021 Implementation Plan filing in Cases 20-G-0086 and Case 20-G-0087 for winter 2021-2022, with an extended enrollment period to enhance customer opportunities for this coming winter. Additionally, the Companies propose to implement further expanded demand response program offerings for winter 2022-2023.

The Companies also propose electrification programs, which would be designed to increase customer adoption of electric alternatives to natural gas service, such as heat pumps. The electrification programs would commence during Rate Year Two, the 12 months ending March 31, 2022.

The Companies request authorization to recover the associated incremental energy efficiency, demand response, and electrification program costs and labor expenses through a surcharge as envisioned in the Rate Plan.

The full text of the proposed tariff filing and the full record of the proceeding may be reviewed online at the Department of Public Service web page: www.dps.ny.gov. The Commission may adopt, reject or modify, in whole or in part, the action proposed and may resolve related matters.

Text of proposed rule and any required statements and analyses may be obtained by filing a Document Request Form (F-96) located on our website http://www.dps.ny.gov/f96dir.htm. For questions, contact: John Pitucci, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 486-2655, email: john.pitucci@dps.ny.gov

Data, views or arguments may be submitted to: Michelle Phillips, Secretary, Public Service Commission, 3 Empire State Plaza, Albany, New York 12223-1350, (518) 474-6530, email: secretary@dps.ny.gov

Public comment will be received until: 60 days after publication of this notice.

Regulatory Impact Statement, Regulatory Flexibility Analysis, Rural Area Flexibility Analysis and Job Impact Statement

Statements and analyses are not submitted with this notice because the proposed rule is within the definition contained in section 102(2)(a)(ii) of the State Administrative Procedure Act.

(19-G-0309SP2)

Office of Temporary and Disability Assistance

EMERGENCY/PROPOSED RULE MAKING NO HEARING(S) SCHEDULED

Public Assistance (PA) Eligibility Interviews by Phone or Other Digital Means at PA Applicant's or Recipient's Request

I.D. No. TDA-43-21-00006-EP

Filing No. 1079

Filing Date: 2021-10-08

Effective Date: 2021-10-09

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Proposed Action: Amendment of sections 350.3(c), 351.2(l)(4)(iii), 351.20(b)(3) and 351.22 of Title 18 NYCRR.

Statutory authority: Social Services Law, sections 20(3)(d), 34(3)(f), 131(1), 132(4)(a)-(b), 134-a(3), 349-a(2), 355(3); L. 2021, ch. 133; L. 2021, ch. 144

Finding of necessity for emergency rule: Preservation of public health, public safety and general welfare.

Specific reasons underlying the finding of necessity: The Office of Temporary and Disability Assistance (OTDA) finds that it is necessary for the preservation of the public health, public safety and the general welfare that these amendments be adopted on an emergency basis, as authorized by the State Administrative Procedure Act (SAPA) § 202(6). The COVID-19 pandemic remains a significant challenge in New York. Since March 2020, more than two million New Yorkers have been infected by the COVID-19 coronavirus, and the disease has killed more than 56,000 New Yorkers. The Centers for Disease Control and Prevention (CDC) has identified a concerning national trend of increasing circulation of the Delta COVID-19 variant, which is approximately twice as transmissible as the early SARS-CoV-2 strain. The regulatory amendments are necessary to help prevent the spread of the COVID-19 virus in New York State, and to help ensure that applicants for or recipients of Public Assistance (PA) participating in eligibility interviews for PA are not exposed to COVID-19.

It is of great importance that interviews may be conducted via telephone or other digital means at the request of the applicants or recipients. The regulatory amendments will allow those vulnerable persons unable to financially provide for themselves an opportunity to continue to access PA to help meet their basic needs while at the same time helping to protect them, as well as other New Yorkers, from COVID-19. Further, the regulatory amendments are necessary to conform state regulations with chapter 133 of the Laws of 2021 and chapter 144 of the Laws of 2021 by allowing interviews to be conducted by telephone or other digital means at the PA applicant's or recipient's request. Failure to adopt the regulatory amendments will result in an inconsistency between the state regulations and Social Services Law §§ 132(4)(a)-(b), 134-a(3), and 349-a(2), as amended by chapter 133 of the Laws of 2021 and chapter 144 of the Laws of 2021.

It is noted that the regulatory amendments are being promulgated pursuant to a Notice of Emergency Adoption and Proposed Rule Making, instead of a Notice of Proposed Rule Making, due to time constraints. Chapter 144 of the Laws of 2021 will become effective on October 9, 2021, which would not afford OTDA sufficient time to adopt the regulatory amendments via a regular Notice of Proposed Rule Making. OTDA will be accepting public comments pertaining to the regulatory amendments up to 60 days after their publication in the New York State Register.

Subject: Public Assistance (PA) eligibility interviews by phone or other digital means at PA applicant's or recipient's request.

Purpose: To update state regulations in accordance with chapter 133 of the Laws of 2021 and chapter 144 of the Laws of 2021 by allowing interviews to be conducted by telephone or other digital means at the PA applicant's or recipient's request.

Text of emergency/proposed rule: Subdivision (c) of § 350.3 of Title 18 NYCRR is amended to read as follows:

(c) A personal interview with the applicant or a designated representative is required in all cases to establish eligibility for public assistance. Interviews must ordinarily be scheduled within seven working days,

except when there is indication of emergency need, in which case the interview must be held at once. *The social services district may allow an interview via telephone or other digital means at the request of the applicant or recipient.*

Part 351 of Title 18 NYCRR is amended as follows:

Subparagraph (iii) of paragraph (4) of subdivision (l) of § 351.2 is amended to read as follows:

(iii) Social services districts must make the screening form available for voluntary client completion[, in writing,] at the application and recertification interview. *Such screenings may be conducted by telephone or other digital means at the request of the applicant or recipient.* However, the district must accommodate clients who wish to provide this screening information verbally when completion is not possible due to literacy problems. The district must also accommodate clients who wish to provide this screening information at another time when completion is not initially possible due to risk of danger to themselves, for example due to the presence of the batterer at the time of the initial screening. The district must provide the screening form to any individual who at any time is identified as a victim of domestic violence, or otherwise requests such screening.

Paragraph (3) of subdivision (b) of § 351.20 is amended to read as follows:

(b) In connection with periodic redetermination of eligibility, the social services district shall:

(3) interview the recipient in a face-to-face interview, *or may interview the recipient by telephone or other digital means at the request of the recipient,* in order to verify factors of eligibility, including those related to:

The Title for § 351.22 and the Index for Part 351 are amended to read as follows:

§ 351.22 Action to be taken upon failure to appear at face-to-face interviews *or failure to participate in an interview by telephone or other digital means*, or upon determination of ineligibility or of change in degree of need.

Subdivisions (a)-(b) of § 351.22 are amended to read as follows:

(a) In all programs of public assistance, there shall be face-to-face recertification interviews, *or, there may be interviews by telephone or other digital means at the request of the recipients,* and contacts as needed in excess of the minimum required by Office regulations shall be made in cases where there is indication of change in need or resources.

(b) Failure to appear at the face-to-face interviews or comply with an Office approved alternative recertification requirement *or failure to participate in an interview by telephone or other digital means*. If a recipient fails to appear*, participate via telephone or other digital means,* or comply with an Office approved alternative recertification requirement, without good cause, the social services official must send a 10-day notice of proposed discontinuance of assistance on a form required by the Office.

(2) If the recipient appears for a face to-face*, telephone or digital* interview during the 10-day notice period, an interview must be arranged. If it is determined that the recipient is eligible for continued assistance, the 10-day notice of proposed discontinuance must be nullified.

This notice is intended: to serve as both a notice of emergency adoption and a notice of proposed rule making. The emergency rule will expire January 5, 2022.

Text of rule and any required statements and analyses may be obtained from: Richard P. Rhodes, Jr., New York State Office of Temporary and Disability Assistance, 40 North Pearl Street, 16C, Albany, NY 12243-0001, (518) 486-7503, email: richard.rhodesjr@otda.ny.gov

Data, views or arguments may be submitted to: Same as above.

Public comment will be received until: 60 days after publication of this notice.

This rule was not under consideration at the time this agency submitted its Regulatory Agenda for publication in the Register.

Regulatory Impact Statement

1. Statutory authority:

Social Services Law (SSL) § 20(3)(d) authorizes the Office of Temporary and Disability Assistance (OTDA) to promulgate regulations to carry out its powers and duties.

SSL § 34(3)(f) requires the Commissioner of OTDA to establish regulations for the administration of public assistance (PA) within the State.

SSL § 131(1) requires social services districts (districts), insofar as funds are available, to provide adequately for those unable to maintain themselves, in accordance with the provisions of the SSL.

SSL § 132 requires that, when an application for assistance or care is received, or a district is informed that a person is in need of PA and care, OTDA make an investigation and record of the circumstances of such person.

SSL § 132(4)(a), as amended by chapter 133 of the Laws of 2021 and chapter 144 of the Laws of 2021, requires such investigation to include a screening for alcohol and/or substance abuse that may be conducted by telephone or other digital means at the request of the PA applicant or recipient. SSL § 132(4)(b), as amended by chapter 133 of the Laws of 2021 and chapter 144 of the Laws of 2021, requires that, when the screening process indicates that there is reason to believe that an applicant or recipient is abusing or dependent on alcohol or drugs, the district shall require a formal alcohol or substance abuse assessment that may be conducted by telephone or other digital means at the request of the PA applicant or recipient.

SSL § 134-a(3), as amended by chapter 133 of the Laws of 2021 and chapter 144 of the Laws of 2021, mandates that the district require persons applying for or receiving PA be interviewed personally at a time and in a manner provided by OTDA regulations, and that the district may provide the option of an interview by telephone or other digital means at the request of the PA applicant or recipient.

SSL § 349-a(2), as amended by chapter 133 of the Laws of 2021 and chapter 144 of the Laws of 2021, requires OTDA to periodically inquire regarding the existence of domestic violence affecting an individual PA applicant or recipient, and that such inquiry be performed utilizing a universal screening form, or such screening may be conducted by telephone or other digital means at the request of the PA applicant or recipient.

SSL § 355(3) requires OTDA to promulgate regulations necessary for the uniform administration of PA within the State.

Chapter 133 of the Laws of 2021 amended SSL §§ 132(4)(a)–(b), 134-a(3), and 349-a(2) to allow PA applicants or recipients to be interviewed by telephone at the district's option.

Chapter 144 of the Laws of 2021, which becomes effective on October 9, 2021, amends chapter 133 of the Laws of 2021 to allow interviews to be conducted by telephone or other digital means at the request of the applicant or recipient. Section 4 of chapter 144 requires OTDA to undertake and complete, on or before the October 9, 2021 effective date, "such measures as may be necessary and appropriate to develop the necessary protocols with respect to telephonic screenings, assessments and applications for [PA]."

2. Legislative objectives:

It was the intent of the Legislature in enacting the above statutes that OTDA establish rules, regulations and policies to develop and administer the necessary protocols with respect to telephonic or other digital screenings, assessments and applications for PA.

3. Needs and benefits:

It is necessary for the preservation of the public health, public safety and the general welfare that these amendments be adopted on an emergency basis, as authorized by the State Administrative Procedure Act (SAPA) § 202(6). The COVID-19 pandemic remains a significant challenge in New York. Since March 2020, more than two million New Yorkers have been infected by the COVID-19 coronavirus, and the disease has killed more than 56,000 New Yorkers. The Centers for Disease Control and Prevention (CDC) has identified a concerning national trend of increasing circulation of the Delta COVID-19 variant, which is approximately twice as transmissible as the early SARS-CoV-2 strain. The regulatory amendments are necessary to help prevent the spread of the COVID-19 virus in New York State, and to help ensure that applicants for or recipients of PA participating in eligibility interviews for PA are not exposed to COVID-19.

It is of great importance that interviews may be conducted via telephone or other digital means at the request of the applicants or recipients. The regulatory amendments will allow those vulnerable persons unable to financially provide for themselves an opportunity to continue to access PA to help meet their basic needs while at the same time helping to protect them, as well as other New Yorkers, from COVID-19. Further, the regulatory amendments are necessary to conform state regulations with chapter 133 of the Laws of 2021 and chapter 144 of the Laws of 2021 by allowing interviews to be conducted by telephone or other digital means at the PA applicant's or recipient's request. Failure to adopt the regulatory amendments will result in an inconsistency between the state regulations and Social Services Law §§ 132(4)(a)-(b), 134-a(3), and 349-a(2), as amended by chapter 133 of the Laws of 2021 and chapter 144 of the Laws of 2021.

4. Costs:

There are no anticipated costs to the State or social services districts with the adoption of these regulations, as the requirements of the regulations and authorizing statutes are already being implemented.

5. Local government mandates:

Districts are already in compliance with the regulatory amendments, as the requirements of the regulations and authorizing statutes are already being implemented.

6. Paperwork:

The regulatory amendments do not impose any new reporting requirements or other paperwork upon the State or the districts.

7. Duplication:

The regulatory amendments do not duplicate, overlap, or conflict with any existing federal or State law or regulation.

8. Alternatives:
An alternative to the regulatory amendments would be to refrain from adopting them. However, the regulatory amendments are necessary to help prevent the spread of the COVID-19 virus in New York State, and to help ensure that applicants for or recipients of PA participating in eligibility interviews for PA are not exposed to COVID-19. Further, failure to adopt the regulatory amendments will result in an inconsistency between the state regulations and Social Services Law §§ 132(4)(a)-(b), 134-a(3), and 349-a(2), as amended by chapter 133 of the Laws of 2021 and chapter 144 of the Laws of 2021. The resulting inconsistency would be contrary to law. Consequently, OTDA does not consider such inaction to represent a viable alternative to the regulatory amendments.
9. Federal standards:
The regulatory amendments do not conflict with any federal standard.
10. Compliance schedule:
The districts are already in compliance with the regulatory amendments.

Regulatory Flexibility Analysis

A Regulatory Flexibility Analysis is not required for the regulatory amendments because the regulatory amendments will neither have an adverse impact upon, nor impose reporting, recordkeeping, or other compliance requirements upon small businesses or local governments. The regulatory amendments conform state regulations pertaining to Public Assistance (PA) programs into compliance with amendments to Social Services Law §§ 132(4)(a)–(b), 134-a(3) and 349-a(2), as effectuated by chapter 133 of the Laws of 2021 and chapter 144 of the Laws of 2021, to allow interviews to be conducted by telephone or other digital means at the request of the applicants or recipients. As it was evident from the regulatory amendments that they will not have an adverse impact or impose reporting, recordkeeping, or other compliance requirements, no further measures were needed to ascertain those facts and, consequently, none were taken.

Rural Area Flexibility Analysis

A Rural Area Flexibility Analysis is not required for the regulatory amendments because the regulatory amendments will neither have an adverse impact upon, nor impose reporting, recordkeeping, or other compliance requirements upon public or private entities in rural areas. The regulatory amendments conform state regulations pertaining to Public Assistance (PA) programs into compliance with amendments to Social Services Law §§ 132(4)(a)-(b), 134-a(3) and 349-a(2) as effectuated by chapter 133 of the Laws of 2021 and chapter 144 of the Laws of 2021, to allow interviews to be conducted by telephone or other digital means at the request of the applicants or recipients. As it was evident from the proposed regulatory amendments that they will not have an adverse impact or impose reporting, recordkeeping, or other compliance requirements, no further measures were needed to ascertain those facts and, consequently, none were taken.

Job Impact Statement

A Job Impact Statement is not required for the regulatory amendments. It is apparent from the nature and the purpose of the regulatory amendments that they will not have a substantial adverse impact on jobs and employment opportunities in the social services districts or in the State. The regulatory amendments conform state regulations pertaining to Public Assistance (PA) programs into compliance with amendments to Social Services Law §§ 132(4)(a)–(b), 134-a(3) and 349-a(2), as effectuated by chapter 133 of the Laws of 2021 and chapter 144 of the Laws of 2021, to allow interviews to be conducted by telephone or other digital means at the request of the applicants or recipients. Thus, the regulatory amendments will not have any adverse impact on jobs and employment opportunities in New York State.

Workers' Compensation Board

EMERGENCY RULE MAKING

Allowing Telemedicine in Some Circumstances, Supersede Previous Emergency Adoption

I.D. No. WCB-43-21-00009-E
Filing No. 1083
Filing Date: 2021-10-12
Effective Date: 2021-10-12

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of sections 325-1.8, 329-1.3, 329-4.2, 333.2 and 348.2 of Title 12 NYCRR.

Statutory authority: Workers' Compensation Law, sections 117 and 142

Finding of necessity for emergency rule: Preservation of public health, public safety and general welfare.

Specific reasons underlying the finding of necessity: This amendment is adopted as an emergency measure because the Board wants to avoid health and safety risks that can be avoided through social distancing due to COVID-19, including the Delta variant, by allowing telemedicine in some circumstances, and to supersede the previous emergency adoption addressing this topic. Additionally, the Board has seen these emergency measures work efficiently and effectively to provide care for injured workers, and plans to adopt a permanent regulation addressing when telehealth may be used to benefit injured workers, and wants to keep the current telemedicine rules in effect during the regulatory process for the permanent telehealth proposal.

Subject: Allowing telemedicine in some circumstances, supersede previous emergency adoption.

Purpose: To allow telemedicine in some circumstances due to COVID-19 and keep in effect during permanent telehealth proposal process.

Text of emergency rule: Section 325-1.8 of Title 12 NYCRR is hereby amended to read as follows:

325-1.8 Emergency medical aid and telemedicine.

(a) In the event of a serious accident requiring immediate emergency medical aid, an ambulance or any physician may be called to give first aid treatment.

(b) Telemedicine, using two-way audio and visual electronic communication, or treatment via telephone, may be used by authorized providers where medically appropriate for social distancing purposes due to the outbreak of COVID-19, including the Delta variant, in accordance with the Department of Health COVID-19 Medicaid Guidance and Guidance issued by the Centers for Medicare and Medicaid Services, or irrespective of purely social distancing considerations, in the clinical judgment of the authorized provider, the potential risk of COVID-19 infection to an individual patient outweighs any real or perceived incremental benefit derived from an in-person versus remote or virtual appointment. The authorized provider shall indicate on their report that such assessment was done using telemedicine by use of modifier 95 and indicating a place of service as 11, or telephonically by indicating place of service as 02. The provider shall also confirm the employee's identity as well as provide basic information about the services the employee is receiving by telephone or telemedicine.

New subdivisions (c) and (d) of section 329-1.3 of Title 12 NYCRR is hereby added to read as follows:

(c) When medically appropriate, authorized providers who utilize the Official New York State Workers' Compensation Fee Schedule may, when telemedicine is used in accordance with section 325-1.8 of this Title and any applicable Medical Treatment Guideline, bill using the applicable Evaluation and Management codes (99212-99214) using modifier 95 and indicating 11 as the place of service. Modifiers 1B and 1D are available when services are rendered by telemedicine using two-way audio and visual communication. When services are rendered by telephone only in accordance with section 325-1.8 of this Title, the authorized provider shall indicate 02 as the place of service. Modifiers 1B and 1D are not available when services are rendered by telephone with no visual component.

(d) Providers with the following rating codes may bill the following psychotherapy codes in conjunction with Evaluation and Management codes:

(i) New patient Evaluation and Management: 99201-99204;

(ii) Psychotherapy combination codes and crisis codes: 90832-90834, 90836-90840, 90853;

A new subdivision (d) of section 329-4.2 of Title 12 NYCRR is hereby added to read as follows:

(d) When medically appropriate, authorized physical therapists and occupational therapists shall use Common Procedural Technology (CPT) code 99212 using modifier 95 and indicating 11 as the place of service when treatment is rendered by telemedicine using two-way audio and visual communication, and indicating 02 as the place of service when treatment is rendered by telephone only. Treatment in accordance with section 325-1.8 of this Title and using these codes shall be limited to one unit per patient per day, up to two treatments per week during the thirty days following injury, and up to one treatment per week thereafter.

New subdivisions (c) and (d) of section 333.2 of Title 12 NYCRR is hereby added to read as follows:

(c) When medically appropriate, authorized providers, including psychologists and licensed clinical social workers, shall use a Common Procedural Technology (CPT) therapy code (90832, 90834, or 90837) for services delivered by telemedicine in accordance with section 325-1.8 of this Title using modifier 95 and indicating 11 as the place of service for

therapy by telemedicine using two-way audio and visual communication. Modifiers 1B and 1D are available when services are rendered by telemedicine using two-way audio and visual communication. When services are rendered by telephone only in accordance with section 325-1.8 of this Title, the authorized provider shall indicate 02 as the place of service. Modifiers 1B and 1D are not available when services are rendered by telephone with no visual component. Group therapy: 90853. Group therapy is limited to a maximum of 20 participants and does not require that every participant in the group therapy session be a workers' compensation claimant.

A new subdivision (c) of section 348.2 of Title 12 NYCRR is hereby amended to read as follows:

(c) When medically appropriate, authorized chiropractors shall use Common Procedural Technology (CPT) code 99212 using modifier 95 and indicating 11 as the place of service when treatment is rendered by telemedicine using two-way audio and visual communication, and indicating 02 as the place of service when treatment is rendered by telephone only. Treatment in accordance with section 325-1.8 of this Title and using these codes shall be limited to one unit per patient per day, up to two treatments per week during the thirty days following injury, and up to one treatment per week thereafter.

This notice is intended to serve only as an emergency adoption, to be valid for 90 days or less. This rule expires January 9, 2022.

Text of rule and any required statements and analyses may be obtained from: Heather MacMaster, New York State Workers' Compensation Board, Office of General Counsel, 328 State Street, Schenectady, NY 12305, (518) 486-9564, email: regulations@wcb.ny.gov

Regulatory Impact Statement

1. Statutory Authority: WCL § 117(1) authorizes the Chair of the Workers' Compensation Board (Board) to adopt reasonable rules consistent with, and supplemental to, the provisions of the WCL.

2. Legislative Objectives: The emergency adoption allows telemedicine visits in some circumstances due to the outbreak of COVID-19, and to keep telemedicine in effect during the regulatory process for a permanent proposal regarding telehealth.

3. Needs and Benefits: For social distancing purposes to avoid furthering the outbreak of COVID-19, including the Delta variant, the emergency adoption allows telemedicine visits in some circumstances to avoid in person visits to authorized providers when medically appropriate, consistent with guidance issued by the Center for Medicaid and Medicare Services. This regulation will permit physicians, nurse practitioners, physician assistants, psychologists, licensed clinical social workers, chiropractors, physical therapists and occupational therapists to treat using telehealth due to COVID-19, including the Delta variant.

Additionally, the Board has seen these emergency measures work efficiently and effectively to provide care for injured workers, and plans to adopt a permanent regulation addressing when telehealth may be used to benefit injured workers, and wants to keep the current telemedicine rules in effect during the regulatory process for the permanent telehealth proposal.

4. Costs: The emergency adoption will have no impact on costs.

5. Local Government Mandates: The proposed amendments do not impose any program, service, duty, or responsibility upon any county, city, town, village, school district, fire district, or other special district.

6. Paperwork: The emergency adoption requires authorized providers to indicate in their report that the services rendered were through telemedicine due to the outbreak of COVID-19, including the Delta variant.

7. Duplication: The emergency adoption does not duplicate other regulatory initiatives.

8. Alternatives: An alternative would be to not file an emergency adoption addressing telemedicine, and not keep it in effect during the public comment period and regulatory process for a permanent telehealth proposal. However, this poses a health risk to both the authorized providers and the claimants being treated, and social distancing, where medically appropriate, is a better alternative due to the outbreak of COVID-19, including the Delta variant. Additionally, not keeping telemedicine in effect would cause confusion and could negatively impact injured workers relying on telemedicine in some instances for their care.

9. Federal Standards: There are no applicable Federal Standards.

10. Compliance Schedule: The emergency adoption takes effect immediately upon filing but does not require telemedicine – it offers it as a tool to assist with social distancing in some circumstances. Any provider rendering services using telemedicine must comply with the emergency adoption, including the reporting requirements.

Regulatory Flexibility Analysis

A Regulatory Flexibility Analysis is not required because the emergency adoption will not have any adverse economic impact or impose any new reporting, recordkeeping or other compliance requirements on small businesses or local governments. The emergency adoption provides for telemedicine visits in some circumstances due to the outbreak of COVID-19 and to keep telemedicine in effect during the regulatory process for a permanent proposal regarding telehealth.

Rural Area Flexibility Analysis

A Rural Area Impact Statement is not required because the emergency adoption will not have any impact rural areas. The emergency adoption provides for telemedicine visits in some circumstances due to the outbreak of COVID-19 and to keep telemedicine in effect during the regulatory process for a permanent proposal regarding telehealth.

Job Impact Statement

A Job Impact Statement is not required because the emergency adoption will not have any impact on jobs or employment opportunities. The emergency adoption provides for telemedicine visits in some circumstances due to the outbreak of COVID-19 and to keep telemedicine in effect during the regulatory process for a permanent proposal regarding telehealth.

NOTICE OF ADOPTION

Payment of Medical Bills and Disputes

I.D. No. WCB-26-21-00001-A

Filing No. 1075

Filing Date: 2021-10-08

Effective Date: 2021-11-01

PURSUANT TO THE PROVISIONS OF THE State Administrative Procedure Act, NOTICE is hereby given of the following action:

Action taken: Amendment of section 325-1.25 of Title 12 NYCRR.

Statutory authority: Workers' Compensation Law, sections 117, 141 and 221

Subject: Payment of medical bills and disputes.

Purpose: To require all objections to medical bills be made simultaneously and make process more efficient.

Text or summary was published in the June 30, 2021 issue of the Register, I.D. No. WCB-26-21-00001-P.

Final rule as compared with last published rule: No changes.

Text of rule and any required statements and analyses may be obtained from: Heather MacMaster, Workers' Compensation Board, 328 State Street, Schenectady, NY 12305, (518) 486-9564, email: regulations@wcb.ny.gov

Initial Review of Rule

As a rule that requires a RFA, RAFA or JIS, this rule will be initially reviewed in the calendar year 2024, which is no later than the 3rd year after the year in which this rule is being adopted.

Assessment of Public Comment

During the public comment period, the Board received four written comments.

One comment from an insurance association opined that the regulation unnecessarily requires the injured worker or injured worker's attorney to be sent notice that the bill is not being paid. Because this is current and best practice, and mentioned in the instructions on the existing forms, no change has been made in response to this comment.

Two of the comments requested clarification about the wording in section 325-1.25(c) regarding the timing for objections and whether the sections are inconsistent, and that section (c)(1) be changed to say that the 45-day time period begins when the bill is received by the employer, insurance carrier or TPA, and requested this change be made throughout the regulation. The regulation states "received," and as a practical matter, in the event of a billing dispute, the Board looks to the date that the Board received the bill. Additionally, once CMS-1500 is fully implemented, the carrier's acknowledgement date will be used in the system, and there will be less occasion for disputes over the receipt date - so no change has been made in response to this comment.

The Board received one comment opining that it would be impossible for all objections to be made simultaneously and expressing concern with the workers' compensation system broadly. This comment is unrelated to the substance of the proposal and did not offer any specific suggestions, no change has been made in response to this comment.

One comment from a law firm requested a change to be made to state the specific legal and MTG objections to a medical bill that will be waived if not raised in a PAR response. This proposal requires all objections related to the PAR itself to be made at the same time, and absent extraordinary circumstances it is anticipated that other objections will be waived if not made simultaneously, so no change has been made in response to this comment.

The comment also requested the Board add an exception to the proposal for newly discovered evidence received after the PAR response. A PAR response has timeframes that need to be adhered to, and the decision on the PAR within the timeframe approves or denies the PAR. The Board acknowledges there will always be exceptional cases that will need to be litigated, but this proposal provides a clearer rule, and no change has been made in response to this comment.

HEARINGS SCHEDULED FOR PROPOSED RULE MAKINGS

Agency I.D. No.	Subject Matter	Location—Date—Time
Environmental Conservation, Department of		
ENV-36-21-00003-P	Expanded Polystyrene Foam Container and Polystyrene Loose Fill Packaging Reduction	Virtual electronic webinar—November 15, 2021, 1:00 p.m.
ENV-36-21-00004-P	Medium- and Heavy-Duty (MHD) Zero Emission Truck Annual Sales Requirements and Large Entity Reporting	Via electronic webinar—November 9, 2021, 2:00 p.m. Instructions on how to "join" the hearing webinar and provide an oral statement will be published on the Department's proposed regulations webpage for 6 NYCRR Part 218 by September 8, 2021. The proposed regulations webpage for 6 NYCRR Part 218 may be accessed at: https://www.dec.ny.gov/regulations/propregulations.html Persons who wish to receive the instructions by mail or telephone may call the Department at (518) 402-9003. Please provide your first and last name, address, and telephone number and reference the Part 218 public comment hearing. The Department will provide interpreter services for hearing impaired persons, and language interpreter services for individuals with difficulty understanding or reading English, at no charge upon written request submitted no later than October 19, 2021. The written request must be addressed to ALJ Michele M. Stefanucci, NYS DEC Office of Hearings and Mediation Services, 625 Broadway, 1st Fl., Albany, NY 12233-1550 or emailed to ALJ Stefanucci at ohms@dec.ny.gov
Labor, Department of		
LAB-34-21-00002-EP	New York Health and Essential Rights Act (NY HERO Act)	Location to be announced on Department of Labor website—November 17, 2021, 10:00 a.m.
Liquor Authority, State		
LQR-36-21-00002-P	Commencement of Administrative Disciplinary Proceedings Via Electronic Means	80 S. Swan St., Albany, NY—November 10, 2021, 10:00 a.m.
Long Island Power Authority		
LPA-38-21-00008-P	Authority's Annual Budget, as Reflected in the Rates and Charges in the Tariff for Electric Service	Virtual Public Meeting—November 29, 2021, 10:00 a.m. and 2:00 p.m.
LPA-38-21-00009-P	Community Distributed Generation and Remote Crediting Tariffs	Virtual Public Meeting—November 29, 2021, 10:00 a.m. and 2:00 p.m.
LPA-38-21-00010-P	Customer Benefit Contribution (CBC) Charge for New Mass Market Net Metering Customers	Virtual Public Meeting—November 29, 2021, 10:00 a.m. and 2:00 p.m.
LPA-38-21-00011-P	Conform Long Island Choice Program Rules and Requirements with Final DPS Recommendations from Collaborative Proceeding	Virtual Public Meeting—November 29, 2021, 10:00 a.m. and 2:00 p.m.
LPA-38-21-00012-P	Miscellaneous Clean-Up of Tariff for Electric Service	Virtual Public Meeting—November 29, 2021, 10:00 a.m. and 2:00 p.m.
LPA-38-21-00013-P	Daily Service Charges During Prolonged Outages	Virtual Public Meeting—November 29, 2021, 10:00 a.m. and 2:00 p.m.
LPA-39-21-00014-P	Access to Records and Fees Collected Under the Freedom of Information Law	Virtual Public Meeting—November 29, 2021, 10:00 a.m. and 2:00 p.m.

Public Service Commission

PSC-35-21-00004-P	Major Gas Rate Filing	Teleconference—Oct. 27, 2021, 1:00 p.m. and 6:00 p.m. (Public Statement Hearing)* *On occasion, there are requests to reschedule or postpone hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 21-G-0394.
PSC-40-21-00019-P	Disposition of a New York State Tax Refund	Teleconference—Nov. 23, 2021, 10:00 a.m. (Public Statement Hearing)* *On occasion, there are requests to reschedule or postpone hearing dates. If such a request is granted, notification of any subsequent scheduling changes will be available at the DPS website (www.dps.ny.gov) under Case 21-W-0356.

ACTION PENDING INDEX

The action pending index is a list of all proposed rules which are currently being considered for adoption. A proposed rule is added to the index when the notice of proposed rule making is first published in the *Register*. A proposed rule is removed from the index when any of the following occur: (1) the proposal is adopted as a permanent rule; (2) the proposal is rejected and withdrawn from consideration; or (3) the proposal's notice expires.

Most notices expire in approximately 12 months if the agency does not adopt or reject the proposal within that time. The expiration date is printed in the second column of the action pending index. Some notices, however, never expire. Those notices are identified by the word "exempt" in the second column. Actions pending for one year or more are preceded by an asterisk(*).

For additional information concerning any of the proposals listed in the action pending index, use the identification number to locate the text of the original notice of proposed rule making. The identification number contains a code which identifies the agency, the issue of the *Register* in which the notice was printed, the year in which the notice was printed and the notice's serial number. The following diagram shows how to read identification number codes.

Agency code	Issue number	Year published	Serial number	Action Code
AAM	**01**	**12**	**00001**	**P**

Action codes: P — proposed rule making; EP — emergency and proposed rule making (expiration date refers to proposed rule); RP — revised rule making

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
AGRICULTURE AND MARKETS, DEPARTMENT OF			
AAM-23-21-00001-P	07/07/22	Regulated commodity labeling, packaging and method of sale requirements	Amend packaging, labeling & method of sale requirements for various commodities to align with industry & federal standards
AAM-31-21-00014-P	09/15/22	Regulated commodity labeling, packaging and method of sale requirements	Amend packaging, labeling & method of sale requirements for various commodities to align with industry & federal standards
ALCOHOLISM AND SUBSTANCE ABUSE SERVICES, OFFICE OF			
*ASA-28-20-00013-RP	10/22/21	Patient Rights	To set-forth the minimum regulatory requirements for patient rights in OASAS certified, funded or otherwise authorized programs
*ASA-28-20-00016-RP	10/22/21	Designated Services	To set-forth the minimum regulatory requirements for certified programs to seek an Office designation
ASA-27-21-00009-P	07/07/22	General provisions applicable to all OASAS programs	To identify those provisions that are required of all OASAS certified, funded or otherwise authorized programs
ASA-42-21-00008-P	10/20/22	Children and Family Treatment Support Services	Identify services and designation process for children and family treatment and support services
ASA-42-21-00009-P	10/20/22	Incident Reporting in OASAS certified, licensed, funded, or Operated Services	To update and clarify existing language.
ASA-42-21-00010-P	10/20/22	Provision of problem gambling treatment and recovery services.	Identify the requirements for provision of problem gambling services.
ASA-42-21-00012-P	10/20/22	Tobacco-Limited Services	The purpose of the rule is to change the requirement from tobacco "free" services to tobacco "limited" services.
ASA-43-21-00001-P	10/27/22	This part establishes standards for the reimbursement and participation in the Medical Assistance Program	Update language and conform to current State Plan Amendment

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CHILDREN AND FAMILY SERVICES, OFFICE OF			
*CFS-04-20-00009-RP	12/13/21	Host Family Homes	The proposed regulations would establish standards for the approval and administration of host family homes.
CFS-49-20-00006-EP	12/09/21	Maintenance reimbursement for residential CSE programs when a student has been absent from the program for more than 15 days.	Remove an existing regulatory barrier that precludes maintenance reimbursement for residential CSE programs.
CFS-31-21-00013-P	08/04/22	Implements statutory requirements pursuant to the Federal Child Care & Development Block Grant Act of 2014 & the NYS 2022 Budget	Implements statutory requirements pursuant to the Federal Child Care & Development Block Grant Act of 2014 & the NYS 2022 Budget
CFS-36-21-00010-EP	09/08/22	Adopt provisions & standards to operationalize compliance with the federal Family First Prevention Services Act	Adopt provisions & standards to operationalize compliance with the federal Family First Prevention Services Act
CIVIL SERVICE, DEPARTMENT OF			
CVS-23-21-00006-P	06/09/22	Jurisdictional Classification	To classify positions in the exempt class
CVS-23-21-00007-P	06/09/22	Jurisdictional Classification	To classify a position in the exempt class
CVS-23-21-00008-P	06/09/22	Jurisdictional Classification	To delete positions from the exempt class
CVS-23-21-00009-P	06/09/22	Jurisdictional Classification	To classify a subheading and positions in the exempt class
CVS-27-21-00004-P	07/07/22	Jurisdictional Classification	To classify positions in the exempt class
CVS-27-21-00005-P	07/07/22	Jurisdictional Classification	To classify a position in the exempt class
CVS-27-21-00006-P	07/07/22	Jurisdictional Classification	To delete a position from and classify a position in the exempt class
CVS-27-21-00007-P	07/07/22	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-27-21-00008-P	07/07/22	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-31-21-00002-P	08/04/22	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-31-21-00003-P	08/04/22	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-31-21-00004-P	08/04/22	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-31-21-00005-P	08/04/22	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-31-21-00006-P	08/04/22	Jurisdictional Classification	To classify positions in the non-competitive class
CVS-31-21-00007-P	08/04/22	Jurisdictional Classification	To classify positions in the non-competitive class

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
CIVIL SERVICE, DEPARTMENT OF			
CVS-40-21-00008-P	10/06/22	Jurisdictional Classification	To classify a position in the exempt class.
CVS-40-21-00009-P	10/06/22	Jurisdictional Classification	To delete positions from and classify positions in the exempt class.
CVS-40-21-00010-P	10/06/22	Jurisdictional Classification	To delete positions from and classify a position in the exempt class and to classify a position in the non-competitive class
CVS-40-21-00011-P	10/06/22	Jurisdictional Classification	To classify positions in the exempt class.
CVS-40-21-00012-P	10/06/22	Jurisdictional Classification	To delete positions from and classify positions in the non-competitive class
CVS-40-21-00013-P	10/06/22	Jurisdictional Classification	To classify positions in the exempt class.
CVS-40-21-00014-P	10/06/22	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-40-21-00015-P	10/06/22	Jurisdictional Classification	To classify a position in the non-competitive class
CVS-40-21-00016-P	10/06/22	Jurisdictional Classification	To delete a position from and classify a position in the non-competitive class
CORRECTION, STATE COMMISSION OF			
CMC-34-21-00001-P	08/25/22	Jail staffing requirements	To provide county governments and the City of New York an increased role and flexibility in determining officer staffing levels
CRIMINAL JUSTICE SERVICES, DIVISION OF			
CJS-42-21-00004-EP	10/20/22	Professional Policing Standards	Implementation of the “New York State Professional Policing Act of 2021”
ECONOMIC DEVELOPMENT, DEPARTMENT OF			
EDV-48-20-00001-RP	12/02/21	Employee Training Incentive Program	To update the administrative processes for the ETIP program
EDV-30-21-00002-EP	07/28/22	New York City Musical and Theatrical Production Tax Credit program	To create the administrative processes for the New York City Musical and Theatrical Production Tax Credit program
EDV-32-21-00004-EP	08/11/22	Restaurant Return-to-Work Tax Credit program	To create the administrative processes for the Restaurant Return-to-Work Tax Credit program
EDV-36-21-00001-P	09/08/22	Excelsior Jobs program	Update regulations to include newly enhanced tax credits for projects including child care services
EDUCATION DEPARTMENT			
*EDU-20-20-00008-ERP	02/14/22	Addressing the COVID-19 Crisis	To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
EDUCATION DEPARTMENT			
EDU-08-21-00002-P	02/24/22	The Definition of the Term "University"	To clarify and broaden the definition of the term "university"
EDU-17-21-00011-RP	04/28/22	Education Law 310 Appeals to the Commissioner and Initiation Conduct of Proceedings for the Removal of School Officers	To make technical changes and other clarifying amendments to section 310 appeal procedures and requirements
EDU-21-21-00009-RP	05/26/22	School Counselor Bilingual & Supplementary Bilingual Education Extension & Registration Requirements	To create the bilingual education extension, supplementary bilingual education extension, and registration requirements for programs leading to the bilingual education extension for initial and professional school counselor certificates
EDU-25-21-00016-P	06/23/22	Mandatory Peer Review Program in the Profession of Public Accountancy	To conorm to the national peer review program standards to enhance enforement efforts to help ensure the quality of attest services provided by New York public accounting firms
EDU-30-21-00003-EP	07/28/22	Addressing the COVID-19 crisis	To provide flexibility for certain regulatory requirements in response to the COVID-19 crisis
EDU-30-21-00004-EP	07/28/22	Relates to term limits for members of the advisory committee on long-term clinical clerkships	To make a technical amendment relating to term limits for members of the advisory committee on long-term clinical clerkships
EDU-39-21-00001-EP	09/29/22	Technical amendments relating to the School Safety and Educational Climate (SSEC) reporting system.	To make technical corrections rrelating to the SSEC reporting system.
EDU-39-21-00008-EP	09/29/22	Flexibility for accountability requirements in response to the COVID-19 crisis.	To provide flexibility for accountability requirements in response to the COVID-19 crisis.
EDU-39-21-00009-P	09/29/22	General Unprofessional Conduct Provisions for the Design Professions and Continuing Education Requirements for the Profession.	To conform regulations with the requirements of Chapter 160 of the Laws of 2020 and to make technical corrections.
EDU-39-21-00010-P	09/29/22	Licensure Examination, Licensure by Endorsement and Continuing Education Requirements in the Profession of Pharmacy	To provide flexibility in determining acceptable licensure examinations and to add compounding continuing education requirements
EDU-39-21-00011-P	09/29/22	Removing References to Regional Accreditation.	To remove references to "regional accreditation" in the Rules of the Board of Regents and Commissioner's regulations.
EDU-39-21-00012-P	09/29/22	Prohibits schools from filing a law suit against parents or guardians for unpaid meal fees.	To implement and conform Commissioner's Regulations according to Chapter 315 of the Laws of 2021.
ELECTIONS, STATE BOARD OF			
SBE-33-21-00010-P	08/18/22	Public Campaign Finance Program	Implementation of the Public Campaign Finance Program
SBE-39-21-00002-P	09/29/22	County Voter Registration Systems Requirements	Requirements County Voter Registration Systems Must Meet in Order to Connect to the Statewide Voter Registration System

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
ELECTIONS, STATE BOARD OF			
SBE-39-21-00003-P	09/29/22	Required Debates for Statewide Candidates Participating in the Public Campaign Finance Program	Outlines Debate Requirements for Statewide Candidates Participating in the Public Campaign Finance Program
ENVIRONMENTAL CONSERVATION, DEPARTMENT OF			
ENV-12-21-00004-P	03/24/22	Public use of Wildlife Management Areas, and areas with special regulations	To ensure that public use of WMAs and other sites does not interfere or conflict with intended purposes of those areas
ENV-16-21-00012-P	04/21/22	Regulations governing whelk management	To protect immature whelk from harvest and establish gear and reporting rules for marine resource protection and public safety
ENV-19-21-00001-P	07/20/22	Set monitoring, operational and reporting requirements for the oil and natural gas sector	Reduce emissions of methane and volatile organic compounds from the oil and natural gas sector
ENV-22-21-00001-EP	06/02/22	Peekamoose Valley Riparian Corridor	Protect public health, safety, general welfare and natural resources on the Peekamoose Valley Riparian Corridor
ENV-24-21-00008-P	08/17/22	Petroleum Bulk Storage (PBS)	To amend the PBS regulations, 6 NYCRR Part 613
ENV-24-21-00009-P	08/17/22	Chemical Bulk Storage (CBS)	To repeal existing 6 NYCRR Parts 596, 598 ,599 and replace with new Part 598; and amend existing Part 597; for the CBS program
ENV-26-21-00003-P	09/08/22	Product Stewardship and Product Labeling	Expand, strengthen and clarify existing regulations to establish consistency with federal and state requirements
ENV-31-21-00001-EP	08/04/22	Zoar Valley Multiple Use Area including Zoar Valley Unique Area and Onondaga Escarpment Unique Area	To protect public health, safety, general welfare and natural resources on the Zoar Valley MUA/UA and the Onondaga Escarpment UA
ENV-33-21-00004-P	08/18/22	Amendments to permit requirements for trapping fisher and marten in New York State.	To remove the requirement for a special fisher trapping permit, and to simplify marten trapping requirements.
ENV-36-21-00003-P	11/15/22	Expanded Polystyrene Foam Container and Polystyrene Loose Fill Packaging Reduction	Implementation of the expanded polystyrene foam container and loose fill packaging ban in ECL Art. 27, Title 30
ENV-36-21-00004-P	11/09/22	Medium- and heavy-duty (MHD) zero emission truck annual sales requirements and large entity reporting	Annual zero emission MHD truck sales requirements for model years 2025-2035. Report MHD volumes, operations, and locations
ENV-37-21-00004-P	09/15/22	Deer Hunting	This rulemaking will allow counties to annually, by county law, “opt-out” of the late bow and/or muzzleloader deer seasons
ENV-43-21-00010-P	10/27/22	Sunfish and crappie fishing regulations	To revise sunfish and crappie fishing regulations

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
FINANCIAL SERVICES, DEPARTMENT OF			
*DFS-17-16-00003-P	exempt	Plan of Conversion by Commercial Travelers Mutual Insurance Company	To convert a mutual accident and health insurance company to a stock accident and health insurance company
*DFS-25-18-00006-P	exempt	Plan of Conversion by Medical Liabilty Mutual Insurance Company	To convert a mutual property and casualty insurance company to a stock property and casualty insurance company
DFS-38-21-00003-P	09/22/22	Risk-Based Capital; Financial Statement Filings and Accounting Practices and Procedures	To set forth rules regarding the treatment of exchange-traded funds; adopt the 2021 Accounting Practices and Procedures Manual.
DFS-38-21-00004-P	09/22/22	Minimum Standards for Form, Content, and Sale of Health Insurance, Including Standards of Full and Fair Disclosure	To clarify application of Insurance Law Sections 3217-h and 4306-g.
DFS-40-21-00001-P	10/06/22	Principle-Based Reserving	To update citation to the Valuation Manual to 2021 (instead of 2020) in Footnote 1 to Section 103.3(b)
DFS-42-21-00011-P	10/20/22	DISCLOSURE REQUIREMENTS FOR CERTAIN PROVIDERS OF COMMERCIAL FINANCING TRANSACTIONS	To provide new disclosure rules for small business financings
GAMING COMMISSION, NEW YORK STATE			
SGC-29-21-00010-P	07/21/22	Amendment of video lottery gaming regulations	To amend the video lottery gaming regulations to reflect amendments to Tax Law 1612
SGC-35-21-00010-P	09/01/22	Mobile sports wagering and sports wagering at gaming facilities	To regulate and control mobile sports wagering and sports wagering as directed by statute
SGC-37-21-00017-P	09/15/22	Discretion to require a Thoroughbred jockey to serve a suspension for a riding violation at track where the violation occurred	To enhance the integrity and safety of thoroughbred horse racing
HEALTH, DEPARTMENT OF			
*HLT-14-94-00006-P	exempt	Payment methodology for HIV/AIDS outpatient services	To expand the current payment to incorporate pricing for services
*HLT-46-19-00003-RP	12/21/21	Tanning Facilities	To prohibit the use of indoor tanning facilities by individuals less than 18 years of age
*HLT-31-20-00012-EP	exempt	Hospital Non-comparable Ambulance Acute Rate Add-on	Prevents duplicate claiming by Article 28 hospitals for the ambulance add-on regarding participation in the program
*HLT-38-20-00006-RP	12/22/21	Medicaid Transportation Program	Medicaid payment standards for emergency ambulance providers participating in an Emergency Triage, Treat & Transport (ET3) model
HLT-45-20-00002-RP	11/10/21	Cannabinoid Hemp	To create a licensing framework for cannabinoid hemp processors and cannabinoid hemp retailers
HLT-05-21-00011-P	02/03/22	Ingredient Disclosures for Vapor Products and E-Cigarettes	To provide for enhanced public awareness of the chemicals used in vapor products and electronic cigarettes

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
HEALTH, DEPARTMENT OF			
HLT-19-21-00002-EP	05/12/22	Meeting Space in Transitional Adult Homes	Establish criteria for suitable meeting space to ensure privacy in conversations and submit a compliance plan to the Department
HLT-22-21-00003-P	06/02/22	Reducing Biannual Testing of Adult Care Facility Staff	To remove the requirement for biannual testing of adult care workers
HLT-22-21-00004-P	06/02/22	Hospice Residence Rates	To authorize Medicaid rate of payment to increase the Hospice Residence reimbursement rates by 10 percent
HLT-22-21-00005-P	06/02/22	Stroke Services	Amend transition period for existing stroke centers to allow the Dept. to extend the three year transition period, if necessary
HLT-22-21-00009-P	06/02/22	Managed Care Organizations (MCOs)	To maintain the contingent reserve requirement at 7.25% through 2022 applied to Medicaid Managed Care, HIV SNP & HARP programs
HLT-22-21-00010-P	06/02/22	Labeling Requirements Concerning Vent-Free Gas Space Heating Appliances	To adjust the current labeling requirements for unvented gas space heating appliances
HLT-28-21-00018-P	07/14/22	Public Water Systems	To correct typographic & minor technical errors to obtain primacy for the implementation of federal drinking water regulations
HLT-32-21-00001-P	08/11/22	Abortion Services	To protect and promote the health of New Yorkers seeking to access abortion services
HUMAN RIGHTS, DIVISION OF			
HRT-15-21-00005-P	04/14/22	Notice of tenants' rights to reasonable modifications and accommodations for persons with disabilities	To comply with the requirements of Executive Law section 170-d
JOINT COMMISSION ON PUBLIC ETHICS, NEW YORK STATE			
JPE-21-21-00002-RP	05/26/22	Records access	To update regulations governing records access
LABOR, DEPARTMENT OF			
LAB-49-20-00012-P	12/09/21	Sick Leave Requirements	To provide definitions and standards for the sick leave requirements contained in Section 196-b of the Labor Law
LAB-05-21-00003-EP	02/03/22	Unemployment Insurance (UI) definition of "day of total unemployment"	To prevent an additional financial burden on UI claimants seeking part-time work opportunities and help employers obtain talent
LAB-34-21-00002-EP	11/17/22	New York Health and Essential Rights Act (NY HERO Act)	Airborne Infectious Disease Exposure Prevention Standard
LAB-39-21-00015-P	09/29/22	Minimum Wage	To comply with Labor Law 652(6) that increased the minimum wage, and implement wage determined by Labor Law 652(1)(c)
LAB-39-21-00016-P	11/10/22	Minimum Wage for Farmworkers	To comply with Sections 652 and 673 of the Labor Law, by adopting minimum wage increases for farmworkers

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LIQUOR AUTHORITY, STATE			
LQR-36-21-00002-P	11/10/22	Commencement of administrative disciplinary proceedings via electronic means	To modernize outdated administrative disciplinary procedures to provide for service of pleadings via electronic means
LONG ISLAND POWER AUTHORITY			
*LPA-08-01-00003-P	exempt	Pole attachments and related matters	To approve revisions to the authority's tariff
*LPA-41-02-00005-P	exempt	Tariff for electric service	To revise the tariff for electric service
*LPA-04-06-00007-P	exempt	Tariff for electric service	To adopt provisions of a ratepayer protection plan
*LPA-03-10-00004-P	exempt	Residential late payment charges	To extend the application of late payment charges to residential customers
*LPA-15-18-00013-P	exempt	Outdoor area lighting	To add an option and pricing for efficient LED lamps to the Authority's outdoor area lighting
*LPA-37-18-00013-P	exempt	The net energy metering provisions of the Authority's Tariff for Electric Service	To implement PSC guidance increasing eligibility for value stack compensation to larger projects
*LPA-37-18-00017-P	exempt	The treatment of electric vehicle charging in the Authority's Tariff for Electric Service.	To effectuate the outcome of the Public Service Commission's proceeding on electric vehicle supply equipment.
*LPA-37-18-00018-P	exempt	The treatment of energy storage in the Authority's Tariff for Electric Service.	To effectuate the outcome of the Public Service Commission's proceeding on the NY Energy Storage Roadmap.
*LPA-09-20-00010-P	exempt	To update and implement latest requirements for ESCOs proposing to do business within the Authority's service territory.	To strengthen customer protections and be consistent with Public Service Commission orders on retail energy markets.
*LPA-28-20-00033-EP	exempt	LIPA's late payment charges, reconnection charges, and low-income customer discount enrollment	To allow waiver of late payment and reconnection charges and extend the grace period for re-enrolling in customer bill discounts
*LPA-37-20-00013-EP	exempt	The terms of deferred payment agreements available to LIPA's commercial customers	To expand eligibility for and ease the terms of deferred payment agreements for LIPA's commercial customers
LPA-12-21-00011-P	exempt	LIPA's Long Island Choice (retail choice) tariff	To simplify and improve Long Island Choice based on stakeholder collaborative input
LPA-38-21-00008-P	exempt	The Authority's annual budget, as reflected in the rates and charges in the Tariff for Electric Service.	To update the Tariff to implement the Authority's annual budget and corresponding rate adjustments.
LPA-38-21-00009-P	exempt	Community distributed generation and remote crediting tariffs.	To conform LIPA's community distributed generation and remote crediting tariffs with recent PSC orders.
LPA-38-21-00010-P	exempt	A Customer Benefit Contribution (CBC) Charge for new mass market net metering customers.	To ensure adequate contribution to LIPA's customer benefits programs.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
LONG ISLAND POWER AUTHORITY			
LPA-38-21-00011-P	exempt	Conform Long Island Choice program rules and requirements with final DPS recommendations from collaborative proceeding.	To conform with Statewide retail choice policy and eliminate program inefficiencies.
LPA-38-21-00012-P	exempt	Miscellaneous clean-up of Tariff for Electric Service.	To clarify potential ambiguity and make other minor Tariff updates.
LPA-38-21-00013-P	exempt	Daily service charges during prolonged outages.	To conform with statewide policy.
LPA-39-21-00014-P	11/29/22	Access to records and fees collected under the Freedom of Information Law.	To make necessary technical updates and to conform with FOIL regarding collection of fees.
MENTAL HEALTH, OFFICE OF			
OMH-09-21-00001-EP	03/03/22	Redesigning Residential Treatment Facilities (RTF)	To provide clarity and provide uniformity relating to RTF's and to implement Chapter 58 of the Laws of 2020
OMH-20-21-00006-P	05/19/22	Establishment of Youth Assertive Community Treatment (ACT)	To include children in the populations eligible to receive ACT and other conforming changes
OMH-33-21-00005-P	08/18/22	Establishes Crisis Stabilization Centers.	To establish standards for a Crisis Stabilization Center which provides a full range of psychiatric and substance use services.
OMH-40-21-00007-EP	10/06/22	COVID-19 Masking Program	To implement a COVID-19 mask program
OMH-43-21-00002-EP	10/27/22	COVID-19 Vaccination Program	To implement a COVID-19 vaccination program in OMH Operated or Licensed Hospitals
METROPOLITAN TRANSPORTATION AGENCY			
MTA-16-21-00004-EP	04/21/22	Requiring mask wearing when using the facilities and conveyances of the MTA and its operating affiliates and subsidiaries	To safeguard the public health and safety by adding a new all-agency rule requiring the use of masks in facilities and conveyances
MOTOR VEHICLES, DEPARTMENT OF			
MTV-43-21-00004-P	10/27/22	Motor Vehicle Accident Prevention Course by Internet or other Technologies (Alternate Delivery Methods)	Conforms regulation with statute
NIAGARA FALLS WATER BOARD			
*NFW-04-13-00004-EP	exempt	Adoption of Rates, Fees and Charges	To pay for the increased costs necessary to operate, maintain and manage the system, and to achieve covenants with bondholders
*NFW-13-14-00006-EP	exempt	Adoption of Rates, Fees and Charges	To pay for increased costs necessary to operate, maintain and manage the system and to achieve covenants with the bondholders
NIAGARA FRONTIER TRANSPORTATION AUTHORITY			
NFT-31-21-00012-P	08/04/22	Procurement Guidelines of the Niagara Frontier Transportation Authority and Niagara Frontier Transit Metro System, Inc.	To amend Procurement Guidelines to reflect changes in law, clarifying provisions and change in signing authority level

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
OGDENSBURG BRIDGE AND PORT AUTHORITY			
*OBA-33-18-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit.
*OBA-07-19-00019-P	exempt	Increase in Bridge Toll Structure	To increase bridge toll revenue in order to become financially self-supporting. Our bridge operations are resulting in deficit
PEOPLE WITH DEVELOPMENTAL DISABILITIES, OFFICE FOR			
PDD-37-21-00001-P	09/15/22	Certified Residential Opportunities	To provide equity in opportunities for certified residential opportunities
PDD-40-21-00002-EP	10/06/22	Mandatory Face Coverings in OPWDD Certified Services	To protect public health
PDD-43-21-00003-EP	10/27/22	COVID-19 vaccines	To require vaccinations in certain OPWDD settings
POWER AUTHORITY OF THE STATE OF NEW YORK			
*PAS-01-10-00010-P	exempt	Rates for the sale of power and energy	Update ECSB Programs customers' service tariffs to streamline them/include additional required information
PAS-27-21-00017-P	exempt	Rates for the Sale of Power and Energy	To maintain the system's integrity. This increase in rates is not the result of an Authority rate increase to the Village
PUBLIC SERVICE COMMISSION			
*PSC-09-99-00012-P	exempt	Transfer of books and records by Citizens Utilities Company	To relocate Ogden Telephone Company's books and records out-of-state
*PSC-15-99-00011-P	exempt	Electronic tariff by Woodcliff Park Corp.	To replace the company's current tariff with an electronic tariff
*PSC-12-00-00001-P	exempt	Winter bundled sales service election date by Central Hudson Gas & Electric Corporation	To revise the date
*PSC-44-01-00005-P	exempt	Annual reconciliation of gas costs by Corning Natural Gas Corporation	To authorize the company to include certain gas costs
*PSC-07-02-00032-P	exempt	Uniform business practices	To consider modification
*PSC-36-03-00010-P	exempt	Performance assurance plan by Verizon New York	To consider changes
*PSC-40-03-00015-P	exempt	Receipt of payment of bills by St. Lawrence Gas Company	To revise the process
*PSC-41-03-00010-P	exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-41-03-00011-P	exempt	Annual reconciliation of gas expenses and gas cost recoveries	To consider filings of various LDCs and municipalities
*PSC-44-03-00009-P	exempt	Retail access data between jurisdictional utilities	To accommodate changes in retail access market structure or commission mandates

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-02-04-00008-P	exempt	Delivery rates for Con Edison's customers in New York City and Westchester County by the City of New York	To rehear the Nov. 25, 2003 order
*PSC-06-04-00009-P	exempt	Transfer of ownership interest by SCS Energy LLC and AE Investors LLC	To transfer interest in Steinway Creek Electric Generating Company LLC to AE Investors LLC
*PSC-10-04-00005-P	exempt	Temporary protective order	To consider adopting a protective order
*PSC-10-04-00008-P	exempt	Interconnection agreement between Verizon New York Inc. and VIC-RMTS-DC, L.L.C. d/b/a Verizon Avenue	To amend the agreement
*PSC-14-04-00008-P	exempt	Submetering of natural gas service to industrial and commercial customers by Hamburg Fairgrounds	To submeter gas service to commercial customers located at the Buffalo Speedway
*PSC-15-04-00022-P	exempt	Submetering of electricity by Glenn Gardens Associates, L.P.	To permit submetering at 175 W. 87th St., New York, NY
*PSC-21-04-00013-P	exempt	Verizon performance assurance plan by Metropolitan Telecommunications	To clarify the appropriate performance level
*PSC-22-04-00010-P	exempt	Approval of new types of electricity meters by Powell Power Electric Company	To permit the use of the PE-1250 electronic meter
*PSC-22-04-00013-P	exempt	Major gas rate increase by Consolidated Edison Company of New York, Inc.	To increase annual gas revenues
*PSC-22-04-00016-P	exempt	Master metering of water by South Liberty Corporation	To waive the requirement for installation of separate water meters
*PSC-25-04-00012-P	exempt	Interconnection agreement between Frontier Communications of Ausable Valley, Inc., et al. and Sprint Communications Company, L.P.	To amend the agreement
*PSC-27-04-00008-P	exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-27-04-00009-P	exempt	Interconnection agreement between Verizon New York Inc. and various Verizon wireless affiliates	To amend the agreement
*PSC-28-04-00006-P	exempt	Approval of loans by Dunkirk & Fredonia Telephone Company and Cassadaga Telephone Corporation	To authorize participation in the parent corporation's line of credit
*PSC-31-04-00023-P	exempt	Distributed generation service by Consolidated Edison Company of New York, Inc.	To provide an application form
*PSC-34-04-00031-P	exempt	Flat rate residential service by Emerald Green Lake Louise Marie Water Company, Inc.	To set appropriate level of permanent rates
*PSC-35-04-00017-P	exempt	Application form for distributed generation by Orange and Rockland Utilities, Inc.	To establish a new supplementary application form for customers
*PSC-43-04-00016-P	exempt	Accounts recievable by Rochester Gas and Electric Corporation	To include in its tariff provisions for the purchase of ESCO accounts recievable

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-46-04-00012-P	exempt	Service application form by Consolidated Edison Company of New York, Inc.	To revise the form and make housekeeping changes
*PSC-46-04-00013-P	exempt	Rules and guidelines governing installation of metering equipment	To establish uniform statewide business practices
*PSC-02-05-00006-P	exempt	Violation of the July 22, 2004 order by Dutchess Estates Water Company, Inc.	To consider imposing remedial actions against the company and its owners, officers and directors
*PSC-09-05-00009-P	exempt	Submetering of natural gas service by Hamlet on Olde Oyster Bay	To consider submetering of natural gas to a commercial customer
*PSC-14-05-00006-P	exempt	Request for deferred accounting authorization by Freeport Electric Inc.	To defer expenses beyond the end of the fiscal year
*PSC-18-05-00009-P	exempt	Marketer Assignment Program by Consolidated Edison Company of New York, Inc.	To implement the program
*PSC-20-05-00028-P	exempt	Delivery point aggregation fee by Allied Frozen Storage, Inc.	To review the calculation of the fee
*PSC-25-05-00011-P	exempt	Metering, balancing and cashout provisions by Central Hudson Gas & Electric Corporation	To establish provisions for gas customers taking service under Service Classification Nos. 8, 9 and 11
*PSC-27-05-00018-P	exempt	Annual reconciliation of gas costs by New York State Electric & Gas Corporation	To consider the manner in which the gas cost incentive mechanism has been applied
*PSC-41-05-00013-P	exempt	Annual reconciliation of gas expenses and gas cost recoveries by local distribution companies and municipalities	To consider the filings
*PSC-45-05-00011-P	exempt	Treatment of lost and unaccounted gas costs by Corning Natural Gas Corporation	To defer certain costs
*PSC-46-05-00015-P	exempt	Sale of real and personal property by the Brooklyn Union Gas Company d/b/a KeySpan Energy Delivery New York and Steel Arrow, LLC	To consider the sale
*PSC-47-05-00009-P	exempt	Transferral of gas supplies by Corning Natural Gas Corporation	To approve the transfer
*PSC-50-05-00008-P	exempt	Long-term debt by Saratoga Glen Hollow Water Supply Corp.	To obtain long-term debt
*PSC-04-06-00024-P	exempt	Transfer of ownership interests by Mirant NY-Gen LLC and Orange and Rockland Utilities, Inc.	To approve of the transfer
*PSC-06-06-00015-P	exempt	Gas curtailment policies and procedures	To examine the manner and extent to which gas curtailment policies and procedures should be modified and/or established
*PSC-07-06-00009-P	exempt	Modification of the current Environmental Disclosure Program	To include an attributes accounting system
*PSC-22-06-00019-P	exempt	Hourly pricing by National Grid	To assess the impacts

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PUBLIC SERVICE COMMISSION			
*PSC-22-06-00020-P	exempt	Hourly pricing by New York State Electric & Gas Corporation	To assess the impacts
*PSC-22-06-00021-P	exempt	Hourly pricing by Rochester Gas & Electric Corporation	To assess the impacts
*PSC-22-06-00022-P	exempt	Hourly pricing by Consolidated Edison Company of New York, Inc.	To assess the impacts
*PSC-22-06-00023-P	exempt	Hourly pricing by Orange and Rockland Utilities, Inc.	To assess the impacts
*PSC-24-06-00005-EP	exempt	Supplemental home energy assistance benefits	To extend the deadline to Central Hudson's low-income customers
*PSC-25-06-00017-P	exempt	Purchased power adjustment by Massena Electric Department	To revise the method of calculating the purchased power adjustment and update the factor of adjustment
*PSC-34-06-00009-P	exempt	Inter-carrier telephone service quality standards and metrics by the Carrier Working Group	To incorporate appropriate modifications
*PSC-37-06-00015-P	exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-37-06-00017-P	exempt	Procedures for estimation of customer bills by Rochester Gas and Electric Corporation	To consider estimation procedures
*PSC-43-06-00014-P	exempt	Electric delivery services by Strategic Power Management, Inc.	To determine the proper mechanism for the rate-recovery of costs
*PSC-04-07-00012-P	exempt	Petition for rehearing by Orange and Rockland Utilities, Inc.	To clarify the order
*PSC-06-07-00015-P	exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for electric service
*PSC-06-07-00020-P	exempt	Meter reading and billing practices by Central Hudson Gas & Electric Corporation	To continue current meter reading and billing practices for gas service
*PSC-11-07-00010-P	exempt	Investigation of the electric power outages by the Consolidated Edison Company of New York, Inc.	To implement the recommendations in the staff's investigation
*PSC-11-07-00011-P	exempt	Storm-related power outages by Consolidated Edison Company of New York, Inc.	To modify the company's response to power outages, the timing for any such changes and other related matters
*PSC-17-07-00008-P	exempt	Interconnection agreement between Verizon New York Inc. and BridgeCom International, Inc.	To amend the agreement
*PSC-18-07-00010-P	exempt	Existing electric generating stations by Independent Power Producers of New York, Inc.	To repower and upgrade existing electric generating stations owned by Rochester Gas and Electric Corporation
*PSC-20-07-00016-P	exempt	Tariff revisions and making rates permanent by New York State Electric & Gas Corporation	To seek rehearing

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-21-07-00007-P	exempt	Natural Gas Supply and Acquisition Plan by Corning Natural Gas Corporation	To revise the rates, charges, rules and regulations for gas service
*PSC-22-07-00015-P	exempt	Demand Side Management Program by Consolidated Edison Company of New York, Inc.	To recover incremental program costs and lost revenue
*PSC-23-07-00022-P	exempt	Supplier, transportation, balancing and aggregation service by National Fuel Gas Distribution Corporation	To explicitly state in the company's tariff that the threshold level of elective upstream transmission capacity is a maximum of 112,600 Dth/day of marketer-provided upstream capacity
*PSC-24-07-00012-P	exempt	Gas Efficiency Program by the City of New York	To consider rehearing a decision establishing a Gas Efficiency Program
*PSC-39-07-00017-P	exempt	Gas bill issuance charge by New York State Electric & Gas Corporation	To create a gas bill issuance charge unbundled from delivery rates
*PSC-41-07-00009-P	exempt	Submetering of electricity rehearing	To seek reversal
*PSC-42-07-00012-P	exempt	Energy efficiency program by Orange and Rockland Utilities, Inc.	To consider any energy efficiency program for Orange and Rockland Utilities, Inc.'s electric service
*PSC-42-07-00013-P	exempt	Revenue decoupling by Orange and Rockland Utilities, Inc.	To consider a revenue decoupling mechanism for Orange and Rockland Utilities, Inc.
*PSC-45-07-00005-P	exempt	Customer incentive programs by Orange and Rockland Utilities, Inc.	To establish a tariff provision
*PSC-02-08-00006-P	exempt	Additional central office codes in the 315 area code region	To consider options for making additional codes
*PSC-03-08-00006-P	exempt	Rehearing of the accounting determinations	To grant or deny a petition for rehearing of the accounting determinations
*PSC-04-08-00010-P	exempt	Granting of easement rights on utility property by Central Hudson Gas & Electric Corporation	To grant easement rights to Millennium Pipeline Company, L.L.C.
*PSC-04-08-00012-P	exempt	Marketing practices of energy service companies by the Consumer Protection Board and New York City Department of Consumer Affairs	To consider modifying the commission's regulation over marketing practices of energy service companies
*PSC-08-08-00016-P	exempt	Transfer of ownership by Entergy Nuclear Fitzpatrick LLC, et al.	To consider the transfer
*PSC-12-08-00019-P	exempt	Extend the provisions of the existing electric rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-12-08-00021-P	exempt	Extend the provisions of the existing gas rate plan by Rochester Gas and Electric Corporation	To consider the request
*PSC-13-08-00011-P	exempt	Waiver of commission policy and NYSEG tariff by Turner Engineering, PC	To grant or deny Turner's petition
*PSC-13-08-00012-P	exempt	Voltage drops by New York State Electric & Gas Corporation	To grant or deny the petition

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-23-08-00008-P	exempt	Petition requesting rehearing and clarification of the commission's April 25, 2008 order denying petition of public utility law project	To consider whether to grant or deny, in whole or in part, the May 7, 2008 Public Utility Law Project (PULP) petition for rehearing and clarification of the commission's April 25, 2008 order denying petition of Public Utility Law Project
*PSC-25-08-00007-P	exempt	Policies and procedures regarding the selection of regulatory proposals to meet reliability needs	To establish policies and procedures regarding the selection of regulatory proposals to meet reliability needs
*PSC-25-08-00008-P	exempt	Report on Callable Load Opportunities	Rider U report assessing callable load opportunities in New York City and Westchester County during the next 10 years
*PSC-28-08-00004-P	exempt	Con Edison's procedure for providing customers access to their account information	To consider Con Edison's implementation plan and timetable for providing customers access to their account information
*PSC-31-08-00025-P	exempt	Recovery of reasonable DRS costs from the cost mitigation reserve (CMR)	To authorize recovery of the DRS costs from the CMR
*PSC-32-08-00009-P	exempt	The ESCO referral program for KEDNY to be implemented by October 1, 2008	To approve, reject or modify, in whole or in part, KEDNY's recommended ESCO referral program
*PSC-33-08-00008-P	exempt	Noble Allegany's request for lightened regulation	To consider Noble Allegany's request for lightened regulation as an electric corporation
*PSC-36-08-00019-P	exempt	Land Transfer in the Borough of Manhattan, New York	To consider petition for transfer of real property to NYPH
*PSC-39-08-00010-P	exempt	RG&E's economic development plan and tariffs	Consideration of the approval of RG&E's economic development plan and tariffs
*PSC-40-08-00010-P	exempt	Loans from regulated company to its parent	To determine if the cash management program resulting in loans to the parent should be approved
*PSC-41-08-00009-P	exempt	Transfer of control of cable TV franchise	To determine if the transfer of control of Margaretville's cable TV subsidiary should be approved
*PSC-43-08-00014-P	exempt	Annual Reconcilliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries
*PSC-46-08-00008-P	exempt	Property transfer in the Village of Avon, New York	To consider a petition for the transfer of street lighting and attached equipment to the Village of Avon, New York
*PSC-46-08-00010-P	exempt	A transfer of indirect ownership interests in nuclear generation facilities	Consideration of approval of a transfer of indirect ownership interests in nuclear generation facilities
*PSC-46-08-00014-P	exempt	The attachment of cellular antennae to an electric transmission tower	To approve, reject or modify the request for permission to attach cellular antennae to an electric transmission tower
*PSC-48-08-00005-P	exempt	A National Grid high efficiency gas heating equipment rebate program	To expand eligibility to customers converting from oil to natural gas

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-48-08-00008-P	exempt	Petition for the master metering and submetering of electricity	To consider the request of Bay City Metering, to master meter & submeter electricity at 345 E. 81st St., New York, New York
*PSC-48-08-00009-P	exempt	Petition for the submetering of electricity	To consider the request of PCV/ST to submeter electricity at Peter Cooper Village & Stuyvesant Town, New York, New York
*PSC-50-08-00018-P	exempt	Market Supply Charge	A study on the implementation of a revised Market Supply Charge
*PSC-51-08-00006-P	exempt	Commission's October 27, 2008 Order on Future of Retail Access Programs in Case 07-M-0458	To consider a Petition for rehearing of the Commission's October 27, 2008 Order in Case 07-M-0458
*PSC-51-08-00007-P	exempt	Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078	To consider Petitions for rehearing of the Commission's October 27, 2008 Order in Cases 98-M-1343, 07-M-1514 and 08-G-0078
*PSC-53-08-00011-P	exempt	Use of deferred Rural Telephone Bank funds	To determine if the purchase of a softswitch by Hancock is an appropriate use of deferred Rural Telephone Bank funds
*PSC-53-08-00012-P	exempt	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY	Transfer of permanent and temporary easements at 549-555 North Little Tor Road, New City, NY
*PSC-53-08-00013-P	exempt	To transfer common stock and ownership	To consider transfer of common stock and ownership
*PSC-01-09-00015-P	exempt	FCC decision to redefine service area of Citizens/Frontier	Review and consider FCC proposed redefinition of Citizens/Frontier service area
*PSC-02-09-00010-P	exempt	Competitive classification of independent local exchange company, and regulatory relief appropriate thereto	To determine if Chazy & Westport Telephone Corporation more appropriately belongs in scenario 1 rather than scenario 2
*PSC-05-09-00008-P	exempt	Revenue allocation, rate design, performance metrics, and other non-revenue requirement issues	To consider any remaining non-revenue requirement issues related to the Company's May 9, 2008 tariff filing
*PSC-05-09-00009-P	exempt	Numerous decisions involving the steam system including cost allocation, energy efficiency and capital projects	To consider the long term impacts on steam rates and on public policy of various options concerning the steam system
*PSC-06-09-00007-P	exempt	Interconnection of the networks between Frontier Comm. and WVT Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier Comm. and WVT Comm.
*PSC-07-09-00015-P	exempt	Transfer certain utility assets located in the Town of Montgomery from plant held for future use to non-utility property	To consider the request to transfer certain utility assets located in the Town of Montgomery to non-utility assets
*PSC-07-09-00017-P	exempt	Request for authorization to defer the incremental costs incurred in the restoration work resulting from the ice storm	To allow the company to defer the incremental costs incurred in the restoration work resulting from the ice storm
*PSC-07-09-00018-P	exempt	Whether to permit the submetering of natural gas service to an industrial and commercial customer at Cooper Union, New York, NY	To consider the request of Cooper Union, to submeter natural gas at 41 Cooper Square, New York, New York

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-12-09-00010-P	exempt	Charges for commodity	To charge customers for commodity costs
*PSC-12-09-00012-P	exempt	Charges for commodity	To charge customers for commodity costs
*PSC-13-09-00008-P	exempt	Options for making additional central office codes available in the 718/347 numbering plan area	To consider options for making additional central office codes available in the 718/347 numbering plan area
*PSC-14-09-00014-P	exempt	The regulation of revenue requirements for municipal utilities by the Public Service Commission	To determine whether the regulation of revenue requirements for municipal utilities should be modified
*PSC-16-09-00010-P	exempt	Petition for the submetering of electricity	To consider the request of AMPS on behalf of Park Imperial to submeter electricity at 230 W. 56th Street, in New York, New York
*PSC-16-09-00020-P	exempt	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity	Whether SUNY's core accounts should be exempt from the mandatory assignment of local distribution company (LDC) capacity
*PSC-17-09-00010-P	exempt	Whether to permit the use of Elster REX2 solid state electric meter for use in residential and commerical accounts	To permit electric utilities in New York State to use the Elster REX2
*PSC-17-09-00011-P	exempt	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes	Whether Brooklyn Navy Yard Cogeneration Partners, L.P. should be reimbursed by Con Edison for past and future use taxes
*PSC-17-09-00012-P	exempt	Petition for the submetering of gas at commercial property	To consider the request of Turner Construction, to submeter natural gas at 550 Short Ave., & 10 South St., Governors Island, NY
*PSC-17-09-00014-P	exempt	Benefit-cost framework for evaluating AMI programs prepared by the DPS Staff	To consider a benefit-cost framework for evaluating AMI programs prepared by the DPS Staff
*PSC-17-09-00015-P	exempt	The construction of a tower for wireless antennas on land owned by National Grid	To approve, reject or modify the petition to build a tower for wireless antennas in the Town of Onondaga
*PSC-18-09-00012-P	exempt	Petition for rehearing of Order approving the submetering of electricity	To consider the request of Frank Signore to rehear petition to submeter electricity at One City Place in White Plains, New York
*PSC-18-09-00013-P	exempt	Petition for the submetering of electricity	To consider the request of Living Opportunities of DePaul to submeter electricity at E. Main St. located in Batavia, New York
*PSC-18-09-00017-P	exempt	Approval of an arrangement for attachment of wireless antennas to the utility's transmission facilities in the City of Yonkers	To approve, reject or modify the petition for the existing wireless antenna attachment to the utility's transmission tower
*PSC-20-09-00016-P	exempt	The recovery of, and accounting for, costs associated with the Companies' advanced metering infrastructure (AMI) pilots etc	To consider a filing of the Companies as to the recovery of, and accounting for, costs associated with it's AMI pilots etc
*PSC-20-09-00017-P	exempt	The recovery of, and accounting for, costs associated with CHG&E's AMI pilot program	To consider a filing of CHG&E as to the recovery of, and accounting for, costs associated with it's AMI pilot program

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-22-09-00011-P	exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-25-09-00005-P	exempt	Whether to grant, deny, or modify, in whole or in part, the petition	Whether to grant, deny, or modify, in whole or in part, the petition
*PSC-25-09-00006-P	exempt	Electric utility implementation plans for proposed web based SIR application process and project status database	To determine if the proposed web based SIR systems are adequate and meet requirements needed for implementation
*PSC-25-09-00007-P	exempt	Electric rates for Consolidated Edison Company of New York, Inc	Consider a Petition for Rehearing filed by Consolidated Edison Company of New York, Inc
*PSC-27-09-00011-P	exempt	Interconnection of the networks between Vernon and tw telecom of new york l.p. for local exchange service and exchange access.	To review the terms and conditions of the negotiated agreement between Vernon and tw telecom of new york l.p.
*PSC-27-09-00014-P	exempt	Billing and payment for energy efficiency measures through utility bill	To promote energy conservation
*PSC-27-09-00015-P	exempt	Interconnection of the networks between Oriskany and tw telecom of new york l.p. for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Oriskany and tw telecom of new york l.p
*PSC-29-09-00011-P	exempt	Consideration of utility compliance filings	Consideration of utility compliance filings
*PSC-32-09-00009-P	exempt	Cost allocation for Consolidated Edison's East River Repowering Project	To determine whether any changes are warranted in the cost allocation of Consolidated Edison's East River Repowering Project
*PSC-34-09-00016-P	exempt	Recommendations made in the Management Audit Final Report	To consider whether to take action or recommendations contained in the Management Audit Final Report
*PSC-34-09-00017-P	exempt	To consider the transfer of control of Plattsburgh Cablevision, Inc. d/b/a Charter Communications to CH Communications, LLC	To allow the Plattsburgh Cablevision, Inc. to distribute its equity interest in CH Communications, LLC
*PSC-36-09-00008-P	exempt	The increase in the non-bypassable charge implemented by RG&E on June 1, 2009	Considering exemptions from the increase in the non-bypassable charge implemented by RG&E on June 1, 2009
*PSC-37-09-00015-P	exempt	Sale of customer-generated steam to the Con Edison steam system	To establish a mechanism for sale of customer-generated steam to the Con Edison steam system
*PSC-37-09-00016-P	exempt	Applicability of electronic signatures to Deferred Payment Agreements	To determine whether electronic signatures can be accepted for Deferred Payment Agreements
*PSC-39-09-00015-P	exempt	Modifications to the $5 Bill Credit Program	Consideration of petition of National Grid to modify the Low Income $5 Bill Credit Program
*PSC-39-09-00018-P	exempt	The offset of deferral balances with Positive Benefit Adjustments	To consider a petition to offset deferral balances with Positive Benefit Adjustments
*PSC-40-09-00013-P	exempt	Uniform System of Accounts - request for deferral and amortization of costs	To consider a petition to defer and amortize costs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-51-09-00029-P	exempt	Rules and guidelines for the exchange of retail access data between jurisdictional utilities and eligible ESCOs	To revise the uniform Electronic Data Interchange Standards and business practices to incorporate a contest period
*PSC-51-09-00030-P	exempt	Waiver or modification of Capital Expenditure condition of merger	To allow the companies to expend less funds for capital improvement than required by the merger
*PSC-52-09-00006-P	exempt	ACE's petition for rehearing for an order regarding generator-specific energy deliverability study methodology	To consider whether to change the Order Prescribing Study Methodology
*PSC-52-09-00008-P	exempt	Approval for the New York Independent System Operator, Inc. to incur indebtedness and borrow up to $50,000,000	To finance the renovation and construction of the New York Independent System Operator, Inc.'s power control center facilities
*PSC-05-10-00008-P	exempt	Petition for the submetering of electricity	To consider the request of University Residences - Rochester, LLC to submeter electricity at 220 John Street, Henrietta, NY
*PSC-05-10-00015-P	exempt	Petition for the submetering of electricity	To consider the request of 243 West End Avenue Owners Corp. to submeter electricity at 243 West End Avenue, New York, NY
*PSC-06-10-00022-P	exempt	The Commission's Order of December 17, 2009 related to redevelopment of Consolidated Edison's Hudson Avenue generating facility	To reconsider the Commission's Order of December 17, 2009 related to redevelopment of the Hudson Avenue generating facility
*PSC-07-10-00009-P	exempt	Petition to revise the Uniform Business Practices	To consider the RESA petition to allow rescission of a customer request to return to full utility service
*PSC-08-10-00007-P	exempt	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847	Whether to grant, deny, or modify , in whole or in part, the rehearing petition filed in Case 06-E-0847
*PSC-08-10-00009-P	exempt	Consolidated Edison of New York, Inc. energy efficiency programs	To modify approved energy efficiency programs
*PSC-12-10-00015-P	exempt	Recommendations made by Staff intended to enhance the safety of Con Edison's gas operations	To require that Con Edison implement the Staff recommendations intended to enhance the safety of Con Edison's gas operations
*PSC-14-10-00010-P	exempt	Petition for the submetering of electricity	To consider the request of 61 Jane Street Owners Corporation to submeter Electricity at 61 Jane Street, Manhattan, NY
*PSC-16-10-00005-P	exempt	To consider adopting and expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-16-10-00007-P	exempt	Interconnection of the networks between TDS Telecom and PAETEC Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between TDS Telecom and PAETEC Communications
*PSC-16-10-00015-P	exempt	Interconnection of the networks between Frontier and Choice One Communications for local exchange service and exchange access	To review the terms and conditions of the negotiated agreement between Frontier and Choice One Communications
*PSC-18-10-00009-P	exempt	Electric utility transmission right-of-way management practices	To consider electric utility transmission right-of-way management practices

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PUBLIC SERVICE COMMISSION			
*PSC-19-10-00022-P	exempt	Whether National Grid should be permitted to transfer a parcel of property located at 1 Eddy Street, Fort Edward, New York	To decide whether to approve National Grid's request to transfer a parcel of vacant property in Fort Edward, New York
*PSC-22-10-00006-P	exempt	Requirement that Noble demonstrate that its affiliated electric corporations operating in New York are providing safe service	Consider requiring that Noble demonstrate that its affiliated electric corporations in New York are providing safe service
*PSC-22-10-00008-P	exempt	Petition for the submetering of electricity	To consider the request of 48-52 Franklin Street to submeter electricity at 50 Franklin Street, New York, New York
*PSC-24-10-00009-P	exempt	Verizon New York Inc. tariff regulations relating to voice messaging service	To remove tariff regulations relating to retail voice messaging service from Verizon New York Inc.'s tariff
*PSC-25-10-00012-P	exempt	Reassignment of the 2-1-1 abbreviated dialing code	Consideration of petition to reassign the 2-1-1 abbreviated dialing code
*PSC-27-10-00016-P	exempt	Petition for the submetering of electricity	To consider the request of 9271 Group, LLC to submeter electricity at 960 Busti Avenue, Buffalo, New York
*PSC-34-10-00003-P	exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-34-10-00005-P	exempt	Approval of a contract for $250,000 in tank repairs that may be a financing	To decide whether to approve a contract between the parties that may be a financing of $250,000 for tank repairs
*PSC-34-10-00006-P	exempt	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program	The modification of Central Hudson Gas & Electric Corporation's Enhanced Powerful Opportunities Program
*PSC-36-10-00010-P	exempt	Central Hudson's procedures, terms and conditions for an economic development plan	Consideration of Central Hudson's procedures, terms and conditions for an economic development plan
*PSC-40-10-00014-P	exempt	Disposition of a state sales tax refund	To determine how much of a state sales tax refund should be retained by National Grid
*PSC-40-10-00021-P	exempt	Whether to permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall	To permit the submetering of natural gas service to a commercial customer at Quaker Crossing Mall
*PSC-41-10-00018-P	exempt	Amount of hourly interval data provided to Hourly Pricing customers who have not installed a phone line to read meter	Allow Central Hudson to provide less than a years worth of interval data and charge for manual meter reading for some customers
*PSC-41-10-00022-P	exempt	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY	Request for waiver of the individual living unit metering requirements at 5742 Route 5, Vernon, NY
*PSC-42-10-00011-P	exempt	Petition for the submetering of electricity	To consider the request of 4858 Group, LLC to submeter electricity at 456 Main Street, Buffalo, New York
*PSC-43-10-00016-P	exempt	Utility Access to Ducts, Conduit Facilities and Utility Poles	To review the complaint from Optical Communications Group

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PUBLIC SERVICE COMMISSION			
*PSC-44-10-00003-P	exempt	Third and fourth stage gas rate increase by Corning Natural Gas Corporation	To consider Corning Natural Gas Corporation's request for a third and fourth stage gas rate increase
*PSC-51-10-00018-P	exempt	Commission proceeding concerning three-phase electric service by all major electric utilities	Investigate the consistency of the tariff provisions for three-phase electric service for all major electric utilities
*PSC-11-11-00003-P	exempt	The proposed transfer of 55.42 acres of land and $1.4 million of revenues derived from the rendition of public service	The proposed transfer of 55.42 acres of land and $1.4 million of revenues derived from the rendition of public service
*PSC-13-11-00005-P	exempt	Exclude the minimum monthly bill component from the earnings test calculation	Exclude the minimum monthly bill component from the earnings test calculation
*PSC-14-11-00009-P	exempt	Petition for the submetering of electricity	To consider the request of 83-30 118th Street to submeter electricity at 83-30 118th Street, Kew Gardens, New York
*PSC-19-11-00007-P	exempt	Utility price reporting requirements related to the Commission's "Power to Choose" website	Modify the Commission's utility electric commodity price reporting requirements related to the "Power to Choose" website
*PSC-20-11-00012-P	exempt	Petition for the submetering of electricity	To consider the request of KMW Group LLC to submeter electricity at 122 West Street, Brooklyn, New York
*PSC-20-11-00013-P	exempt	Determining the reasonableness of Niagara Mohawk Power Corporation d/b/a National Grid 's make ready charges	To determine if the make ready charges of Niagara Mohawk Power Corporation d/b/a National Grid are reasonable
*PSC-22-11-00004-P	exempt	Whether to permit the use of the Sensus accWAVE for use in residential gas meter applications	To permit gas utilities in New York State to use the Sensus accWAVE diaphragm gas meter
*PSC-26-11-00007-P	exempt	Water rates and charges	To approve an increase in annual revenues by about $25,266 or 50%
*PSC-26-11-00009-P	exempt	Petition for the submetering of electricity at commercial property	To consider the request of by Hoosick River Hardwoods, LLC to submeter electricity at 28 Taylor Avenue, in Berlin, New York
*PSC-26-11-00012-P	exempt	Waiver of generation retirement notice requirements	Consideration of waiver of generation retirement notice requirements
*PSC-29-11-00011-P	exempt	Petition requesting the Commssion reconsider its May 19, 2011 Order and conduct a hearing, and petition to stay said Order.	To consider whether to grant or deny, in whole or in part, Windstream New York's Petition For Reconsideration and Rehearing.
*PSC-35-11-00011-P	exempt	Whether to permit Consolidated Edison a waiver to commission regulations Part 226.8	Permit Consolidated Edison to conduct a inspection program in lieu of testing the accuracy of Category C meters
*PSC-36-11-00006-P	exempt	To consider expanding mobile stray voltage testing requirements	Adopt additional mobile stray voltage testing requirements
*PSC-38-11-00002-P	exempt	Operation and maintenance procedures pertaining to steam trap caps	Adopt modified steam operation and maintenance procedures
*PSC-38-11-00003-P	exempt	Waiver of certain provisions of the electric service tariffs of Con Edison	Consideration of waiver of certain provisions of the electric service tariffs of Con Edison

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PUBLIC SERVICE COMMISSION			
*PSC-40-11-00010-P	exempt	Participation of regulated local exchange carriers in the New York Data Exchange, Inc. (NYDE)	Whether to partially modify its order requiring regulated local exchange carriers' participation NYDE
*PSC-40-11-00012-P	exempt	Granting of transfer of plant in-service to a regulatory asset	To approve transfer and recovery of unamortized plant investment
*PSC-42-11-00018-P	exempt	Availability of telecommunications services in New York State at just and reasonable rates	Providing funding support to help ensure availability of affordable telecommunications service throughout New York
*PSC-43-11-00012-P	exempt	Transfer of outstanding shares of stock	Transfer the issued outstanding shares of stock of The Meadows at Hyde Park Water-Works Corporation to HPWS, LLC
*PSC-47-11-00007-P	exempt	Remedying miscalculations of delivered gas as between two customer classes	Consideration of Con Edison's proposal to address inter-class delivery imbalances resulting from past Company miscalculations
*PSC-48-11-00007-P	exempt	Transfer of controlling interests in generation facilities from Dynegy to PSEG	Consideration of the transfer of controlling interests in electric generation facilities from Dynegy to PSEG
*PSC-48-11-00008-P	exempt	Petition for the submetering of electricity	To consider the request of To Better Days, LLC to submeter electricity at 37 East 4th Street, New York, New York
*PSC-01-12-00007-P	exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-01-12-00008-P	exempt	Transfer of real property and easements from NMPNS to NMP3	Consideration of the transfer of real property and easements from NMPNS to NMP3
*PSC-01-12-00009-P	exempt	Recovery of expenses related to the expansion of Con Edison's ESCO referral program, PowerMove	To determine how and to what extent expenses related to the Expansion of Con Edison's ESCO referral program should be recovered
*PSC-11-12-00002-P	exempt	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff	Whether to grant, deny or modify, in whole or part, Hegeman's petition for a waiver of Commission policy and Con Edison tariff
*PSC-11-12-00005-P	exempt	Transfer of land and water supply assets	Transfer the land and associated water supply assets of Groman Shores, LLC to Robert Groman
*PSC-13-12-00005-P	exempt	Authorization to transfer certain real property	To decide whether to approve the transfer of certain real property
*PSC-19-12-00023-P	exempt	Petition for approval pursuant to Section 70 for the sale of goods with an original cost of less than $100,000	To consider whether to grant, deny or modify, in whole or in part, the petition filed by Orange and Rockland Utilities, Inc.
*PSC-21-12-00006-P	exempt	Tariff filing requirements and refunds	To determine if certain agreements should be filed pursuant to the Public Service Law and if refunds are warranted
*PSC-21-12-00011-P	exempt	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47	Whether to grant, deny or modify, in whole or part, the petition for waiver of tariff Rules 8.6 and 47

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-23-12-00007-P	exempt	The approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility	To consider the approval of a financing upon a transfer to Alliance of upstream ownership interests in a generation facility
*PSC-23-12-00009-P	exempt	Over earnings sharing between rate payers and shareholders	To establish an Earnings Sharing Mechanism to be applied following the conclusion of Corning's rate plan
*PSC-27-12-00012-P	exempt	Implementation of recommendations made in a Management Audit Report	To consider implementation of recommendations made in a Management Audit Report
*PSC-28-12-00013-P	exempt	Exemption of reliability reporting statistics for the purpose of the 2012 Reliability Performance Mechanism	Consideration of Orange and Rockland Utilities request for exemption of the 2012 reliability reporting statistics
*PSC-29-12-00019-P	exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Hamden to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-30-12-00010-P	exempt	Waiver of 16 NYCRR 894.1 through 894.4	To allow the Town of Andes to waive certain preliminary franchising procedures to expedite the franchising process
*PSC-33-12-00009-P	exempt	Telecommunications companies ability to attach to utility company poles	Consideration of Tech Valley's ability to attach to Central Hudson poles
*PSC-37-12-00009-P	exempt	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers	Proposed modification by Con Edison of its procedures to calculate estimated bills to its customers
*PSC-42-12-00009-P	exempt	Regulation of Gipsy Trail Club, Inc.'s long-term financing agreements	To exempt Gipsy Trail Club, Inc. from Commission regulation of its financing agreements
*PSC-45-12-00008-P	exempt	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff	Whether to grant, deny or modify, in whole or part, ESHG's petition for a waiver of Commission policy and RG&E tariff
*PSC-45-12-00010-P	exempt	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District	Whether to grant, deny or modify, in whole or in part the petition of Con Edison to grant easements to Millwood Fire District
*PSC-50-12-00003-P	exempt	Affiliate standards for Corning Natural Gas Corporation	To resolve issues raised by Corning Natural Gas Corporation in its petition for rehearing
*PSC-04-13-00006-P	exempt	Expansion of mandatory day ahead hourly pricing for customers of Orange and Rockland Utilities with demands above 100 kW	To consider the expansion of mandatory day ahead hourly pricing for customers with demands above 100 kW
*PSC-04-13-00007-P	exempt	Authorization to transfer certain real property.	To decide whether to approve the transfer of certain real property.
*PSC-06-13-00008-P	exempt	Verizon New York Inc.'s retail service quality	To investigate Verizon New York Inc.'s retail service quality
*PSC-08-13-00012-P	exempt	Filing requirements for certain Article VII electric facilities	To ensure that applications for certain electric transmission facilities contain pertinent information

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-08-13-00014-P	exempt	Uniform System of Accounts - Request for Accounting Authorization	To allow the company to defer an item of expense or capital beyond the end of the year in which it was incurred
*PSC-12-13-00007-P	exempt	Protecting company water mains	To allow the company to require certain customers to make changes to the electrical grounding system at their homes
*PSC-13-13-00008-P	exempt	The potential waiver of 16 NYCRR 255.9221(d) completion of integrity assessments for certain gas transmission lines.	To determine whether a waiver of the timely completion of certain gas transmission line integrity assessments should be granted.
*PSC-18-13-00007-P	exempt	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes	Whether Demand Energy Networks energy storage systems should be designated technologies for standby rate eligibility purposes
*PSC-21-13-00003-P	exempt	To consider policies that may impact consumer acceptance and use of electric vehicles	To consider and further develop policies that may impact consumer acceptance and use of electric vehicles
*PSC-21-13-00005-P	exempt	To implement an abandonment of Windover's water system	To approve the implementation of abandonment of Windover's water system
*PSC-21-13-00008-P	exempt	Rates of National Fuel Gas Distribution Corporation	To make the rates of National Fuel Gas Distribution Corporation temporary, subject to refund, if they are found to be excessive
*PSC-21-13-00009-P	exempt	Reporting requirements for natural gas local distribution companies	To help ensure efficient and economic expansion of the natural gas system as appropriate
*PSC-22-13-00009-P	exempt	On remand from New York State court litigation, determine the recovery of certain deferred amounts owed NFG by ratepayers	On remand, to determine the recovery of certain deferral amounts owed NFG from ratepayers
*PSC-23-13-00005-P	exempt	Waiver of partial payment, directory database distribution, service quality reporting, and service termination regulations	Equalize regulatory treatment based on level of competition and practical considerations
*PSC-25-13-00008-P	exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-25-13-00009-P	exempt	Provision by utilities of natural gas main and service lines.	To help ensure efficient and economic expansion of the natural gas system as appropriate.
*PSC-25-13-00012-P	exempt	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.	To deny, grant or modify, in whole or in part, Central Hudson's rehearing request.
*PSC-27-13-00014-P	exempt	Columbia Gas Transmission Corporation Cost Refund	For approval for temporary waiver of tariff provisions regarding its Columbia Gas Transmission Corporation cost refund.
*PSC-28-13-00014-P	exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-28-13-00016-P	exempt	The request of NGT for lightened regulation as a gas corporation.	To consider whether to approve, reject, or modify the request of Niagara gas transport of Lockport, NY LLC.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-28-13-00017-P	exempt	The request by TE for waiver of regulations requiring that natural gas be odorized in certain gathering line segments	Consider the request by TE for waiver of regulations that gas be odorized in certain lines
*PSC-32-13-00009-P	exempt	To consider the definition of “misleading or deceptive conduct” in the Commission’s Uniform Business Practices	To consider the definition of “misleading or deceptive conduct” in the Commission’s Uniform Business Practices
*PSC-32-13-00012-P	exempt	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion	To consider whether NYSEG should be required to undertake actions to protect its name and to minimize customer confusion
*PSC-33-13-00027-P	exempt	Waive underground facility requirements for new construction in residential subdivisions to allow for overhead electric lines.	Determine whether Chapin Lumberland, LLC subdivision will be allowed overhead electric distribution and service lines.
*PSC-33-13-00029-P	exempt	Deferral of incremental costs associated with the restoration of steam service following Superstorm Sandy.	To consider a petition by Con Edison to defer certain incremental steam system restoration costs relating to Superstorm Sandy.
*PSC-34-13-00004-P	exempt	Escrow account and surcharge to fund extraordinary repairs	To approve the establishment of an escrow account and surcharge
*PSC-42-13-00013-P	exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-42-13-00015-P	exempt	Failure to Provide Escrow Information	The closure of the Escrow Account
*PSC-43-13-00015-P	exempt	Petition for submetering of electricity	To consider the request of 2701 Kingsbridge Terrace L.P. to submeter electricity at 2701 Kingsbridge Terrace, Bronx, N.Y.
*PSC-45-13-00021-P	exempt	Investigation into effect of bifurcation of gas and electric utility service on Long Island.	To consider a Petition for an investigation into effect of bifurcation of gas and electric utility service on Long Island.
*PSC-45-13-00022-P	exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4)	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00023-P	exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00024-P	exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4); waiver of filing deadlines.	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-45-13-00025-P	exempt	Waiver of PSC regulations, 16 NYCRR section 88.4(a)(4).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting
*PSC-47-13-00009-P	exempt	Petition for submetering of electricity.	To consider the request of Hegeman Avenue Housing L.P. to submeter electricity at 39 Hegeman Avenue, Brooklyn, N.Y.
*PSC-47-13-00012-P	exempt	Conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.	Consideration of conditioning,restricting or prohibiting the purchase of services by NYSEG and RG&E from certain affiliates.
*PSC-49-13-00008-P	exempt	Authorization to transfer all of Crystal Water Supply Company, Inc. stocks to Essel Infra West Inc.	To allow Crystal Water Supply Company, Inc to transfer all of its issued and outstanding stocks to Essel Infra West Inc.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-51-13-00009-P	exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00010-P	exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-51-13-00011-P	exempt	Consolidated Edison proposing to use data from a test period ending September 30, 2013 to support its next rate filing.	To ensure there is a reasonable basis for data submitted in support of a request for a change in rates.
*PSC-52-13-00012-P	exempt	The development of reliability contingency plan(s) to address the potential retirement of Indian Point Energy Center (IPEC).	To address the petition for rehearing and reconsideration/motion for clarification of the IPEC reliability contingency plan(s).
*PSC-52-13-00015-P	exempt	To enter into a loan agreement with the banks for up to an amount of $94,000.	To consider allowing Knolls Water Company to enter into a long-term loan agreement.
*PSC-05-14-00010-P	exempt	The New York State Reliability Council's revisions to its rules and measurements	To adopt revisions to various rules and measurements of the New York State Reliability Council
*PSC-07-14-00008-P	exempt	Petition for submetering of electricity	To consider the request of Greater Centennial Homes HDFC, Inc. to submeter electricity at 102, 103 and 106 W 5th Street, et al.
*PSC-07-14-00012-P	exempt	Water rates and charges	Implementation of Long-Term Water Supply Surcharge to recover costs associated with the Haverstraw Water Supply Project
*PSC-08-14-00015-P	exempt	Verizon New York Inc.'s service quality and Customer Trouble Report Rate (CTRR) levels at certain central office entities	To improve Verizon New York Inc.'s service quality andthe Customer Trouble Report Rate levels at certain central office entities
*PSC-10-14-00006-P	exempt	Actions to facilitate the availability of ESCO value-added offerings, ESCO eligibility and ESCO compliance	To facilitate ESCO value-added offerings and to make changes to ESCO eligibility and to ensure ESCO compliance
*PSC-11-14-00003-P	exempt	Provision for the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces	To consider the recovery and allocation of costs of transmission projects that reduce congestion on certain interfaces
*PSC-16-14-00014-P	exempt	Whether to order NYSEG to provide gas service to customers when an expanded CPCN is approved and impose PSL 25-a penalties.	To order gas service to customers in the Town of Plattsburgh after approval of a town wide CPCN and to impose penalties.
*PSC-16-14-00015-P	exempt	Whether Central Hudson should be permitted to defer obligations of the Order issued on October 18, 2013 in Case 13-G-0336.	Consideration of the petition by Central Hudson to defer reporting obligations of the October 18, 2013 Order in Case 13-G-0336
*PSC-17-14-00003-P	exempt	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2013 performance under the Electric Service Reliability Performance Mechanism
*PSC-17-14-00004-P	exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-17-14-00007-P	exempt	To consider petitions for rehearing, reconsideration and/or clarification	To consider petitions for rehearing, reconsideration and/or clarification

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-17-14-00008-P	exempt	To consider certain portions of petitions for rehearing, reconsideration and/or clarification	To consider certain portions of petitions for rehearing, reconsideration and/or clarification
*PSC-19-14-00014-P	exempt	Market Supply Charge	To make tariff revisions to the Market Supply Charge for capacity related costs
*PSC-19-14-00015-P	exempt	Whether to permit the use of the Sensus accuWAVE for use in residential and commercial gas meter applications	To permit gas utilities in New York State to use the Sensus accuWAVE 415TC gas meter
*PSC-22-14-00013-P	exempt	Petition to transfer and merge systems, franchises and assets.	To consider the Comcast and Time Warner Cable merger and transfer of systems, franchises and assets.
*PSC-23-14-00010-P	exempt	Whether to permit the use of the GE Dresser Series B3-HPC 11M-1480 rotary gas met for use in industrial gas meter applications	To permit gas utilities in New York State to use the GE Dresser Series B3-HPC 11M-1480 rotary gas meter
*PSC-23-14-00014-P	exempt	Waiver of the negative revenue adjustment associated with KEDLI's 2013 Customer Satisfaction Performance Metric	Consideration of KEDLI's waiver request pertaining to its 2013 performance under its Customer Satisfaction Metric
*PSC-24-14-00005-P	exempt	To examine LDC's performance and performance measures.	To improve gas safety performance.
*PSC-26-14-00013-P	exempt	Waiver of RG&E's tariffed definition of emergency generator.	To consider waiver of RG&E's tariffed definition of emergency generator.
*PSC-26-14-00020-P	exempt	New electric utility backup service tariffs and standards for interconnection may be adopted.	To encourage development of microgrids that enhance the efficiency, safety, reliability and resiliency of the electric grid.
*PSC-26-14-00021-P	exempt	Consumer protections, standards and protocols pertaining to access to customer data may be established.	To balance the need for the information necessary to support a robust market with customer privacy concerns.
*PSC-28-14-00014-P	exempt	Petition to transfer systems, franchises and assets.	To consider the Comcast and Charter transfer of systems, franchise and assets.
*PSC-30-14-00023-P	exempt	Whether to permit the use of the Sensus iPERL Fire Flow Meter.	Pursuant to 16 NYCRR Part 500.3 , it is necessary to permit the use of the Sensus iPERL Fire Flow Meter.
*PSC-30-14-00026-P	exempt	Petition for a waiver to master meter electricity.	Considering the request of Renaissance Corporation of to master meter electricity at 100 Union Drive,Albany, NY.
*PSC-31-14-00004-P	exempt	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross	To transfer 100% of the issued and outstanding stock from Vincent Cross to Bonnie and Michael Cross
*PSC-32-14-00012-P	exempt	Whether to grant or deny, in whole or in part, the Connect New York Coalition's petition	To consider the Connect New York Coalition's petition seeking a formal investigation and hearings
*PSC-35-14-00004-P	exempt	Regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY	To consider regulation of a proposed electricity generation facility located in the Town of Brookhaven, NY
*PSC-35-14-00005-P	exempt	Whether to permit the use of the Sensus iConA electric meter	Pursuant to 16 NYCRR Parts 92 and 93, Commission approval is necessary to permit the use of the Sensus iConA electric meter

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-36-14-00009-P	exempt	Modification to the Commission's Electric Safety Standards.	To consider revisions to the Commission's Electric Safety Standards.
*PSC-38-14-00003-P	exempt	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.	Whether to approve, reject or modify, in whole or in part a time-sensitive rate pilot program.
*PSC-38-14-00004-P	exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00005-P	exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
*PSC-38-14-00007-P	exempt	Whether to expand Con Edison's low income program to include Medicaid recipients.	Whether to expand Con Edison's low income program to include Medicaid recipients.
*PSC-38-14-00008-P	exempt	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.	The study and petition of Con Edison regarding use, accounting and ratemaking treatment for 11-23 and 2-28 Hudson Ave. Brooklyn.
*PSC-38-14-00010-P	exempt	Inter-carrier telephone service quality standard and metrics and administrative changes.	To review recommendations from the Carrier Working Group and incorporate appropriate modifications to the existing Guidelines.
*PSC-38-14-00012-P	exempt	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.	Action on the report and petition of Con Edison regarding the Storm Hardening and Resiliency Collaborative, Phase 2.
*PSC-39-14-00020-P	exempt	Whether to permit the use of the Mueller Systems 400 Series and 500 Series of water meters	Pursuant to 16 NYCRR section 500.3, whether to permit the use of the Mueller Systems 400, and 500 Series of water meters
*PSC-40-14-00008-P	exempt	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.	To consider granting authorization for Buy Energy Direct to resume marketing to residential customers.
*PSC-40-14-00009-P	exempt	Whether to permit the use of the Itron Open Way Centron Meter with Hardware 3.1 for AMR and AMI functionality.	Pursuant to 16 NYCRR Parts 93, is necessary to permit the use of the Itron Open Way Centron Meter with Hardware 3.1.
*PSC-40-14-00011-P	exempt	Late Payment Charge.	To modify Section 7.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-40-14-00013-P	exempt	Regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.	To consider regulation of a proposed natural gas pipeline and related facilities located in the Town of Ticonderoga, NY.
*PSC-40-14-00014-P	exempt	Waiver of 16 NYCRR Sections 894.1 through 894.4(b)(2)	To allow the Town of Goshen, NY, to waive certain preliminary franchising procedures to expedite the franchising process.
*PSC-40-14-00015-P	exempt	Late Payment Charge.	To modify Section 6.6 - Late Payment Charge to designate a specific time for when a late payment charge is due.
*PSC-42-14-00003-P	exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries	The filings of various LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-42-14-00004-P	exempt	Winter Bundled Sales Service Option	To modify SC-11 to remove language relating to fixed storage charges in the determination of the Winter Bundled Sales charge
*PSC-48-14-00014-P	exempt	Considering the recommendations contained in Staff' s electric outage investigation report for MNRR, New Haven Line.	To consider the recommendations contained in Staff's electric outage investigation report for MNRR, New Haven Line.
*PSC-52-14-00019-P	exempt	Petition for a waiver to master meter electricity.	Considering the request of 614 South Crouse Avenue, LLC to master meter electricity at 614 South Crouse Avenue, Syracuse, NY..
*PSC-01-15-00014-P	exempt	State Universal Service Fund Disbursements	To consider Edwards Telephone Company's request for State Universal Service Fund disbursements
*PSC-08-15-00010-P	exempt	Request pertaining to the lawfulness of National Grid USA continuing its summary billing program.	To grant, deny, or modify URAC Rate Consultants' request that National Grid cease its summary billing program.
*PSC-10-15-00007-P	exempt	Notification concerning tax refunds	To consider Verizon New York Inc.'s partial rehearing or reconsideration request regarding retention of property tax refunds
*PSC-10-15-00008-P	exempt	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes	Whether to waive Policy on Test Periods in Major Rate Proceedings and provide authority to file tariff changes
*PSC-13-15-00024-P	exempt	Whether Leatherstocking should be permitted to recover a shortfall in earnings	To decide whether to approve Leatherstocking's request to recover a shortfall in earnings
*PSC-13-15-00026-P	exempt	Whether to permit the use of the Sensus Smart Point Gas AMR/AMI product	To permit the use of the Sensus Smart Point Gas AMR/AMI product
*PSC-13-15-00027-P	exempt	Whether to permit the use of the Measurlogic DTS 310 electric submeter	To permit the use of the Measurlogic DTS 310 submeter
*PSC-13-15-00028-P	exempt	Whether to permit the use of the SATEC EM920 electric meter	To permit necessary to permit the use of the SATEC EM920 electric meter
*PSC-13-15-00029-P	exempt	Whether to permit the use the Triacta Power Technologies 6103, 6112, 6303, and 6312 electric submeters	To permit the use of the Triacta submeters
*PSC-17-15-00007-P	exempt	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of $2.75 million	To consider the petition of Leatherstocking Gas Company, LLC seeking authority to issue long-term debt of $2.75 million
*PSC-18-15-00005-P	exempt	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism	Con Edison's Report on its 2014 performance under the Electric Service Reliability Performance Mechanism
*PSC-19-15-00011-P	exempt	Gas Safety Performance Measures and associated negative revenue adjustments	To update the performance measures applicable to KeySpan Gas East Corporation d/b/a National Grid
*PSC-22-15-00015-P	exempt	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)	To consider the request for waiver of the individual residential unit meter requirements and 16 NYCRR 96.1(a)

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-23-15-00005-P	exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-23-15-00006-P	exempt	The modification of New York American Water's current rate plan	Whether to adopt the terms of the Joint Proposal submitted by NYAW and DPS Staff
*PSC-25-15-00008-P	exempt	Notice of Intent to Submeter electricity.	To consider the request of 165 E 66 Residences, LLC to submeter electricity at 165 East 66th Street, New York, New York.
*PSC-29-15-00025-P	exempt	Joint Petition for authority to transfer real property located at 624 West 132nd Street, New York, NY	Whether to authorize the proposed transfer of real property located at 624 West 132nd Street, New York, NY
*PSC-32-15-00006-P	exempt	Development of a Community Solar Demonstration Project.	To approve the development of a Community Solar Demonstration Project.
*PSC-33-15-00009-P	exempt	Remote net metering of a demonstration community net metering program.	To consider approval of remote net metering of a demonstration community net metering program.
*PSC-33-15-00012-P	exempt	Remote net metering of a Community Solar Demonstration Project.	To consider approval of remote net metering of a Community Solar Demonstration Project.
*PSC-34-15-00021-P	exempt	Petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs	To consider the petition by NYCOM requesting assistance with obtaining information on CLECs and ESCOs
*PSC-35-15-00014-P	exempt	Consideration of consequences against Light Power & Gas, LLC for violations of the UBP	To consider consequences against Light Power & Gas, LLC for violations of the UBP
*PSC-37-15-00007-P	exempt	Submetered electricity	To consider the request of 89 Murray Street Ass. LLC, for clarification of the submetering order issued December 20, 2007
*PSC-40-15-00014-P	exempt	Whether to permit the use of the Open Way 3.5 with cellular communications	To consider the use of the Open Way 3.5 electric meter, pursuant to 16 NYCRR Parts 92 and 93
*PSC-42-15-00006-P	exempt	Deferral of incremental expenses associated with NERC's new Bulk Electric System (BES) compliance requirements approved by FERC.	Consideration of Central Hudson's request to defer incremental expenses associated with new BES compliance requirements.
*PSC-44-15-00028-P	exempt	Deferral of incremental expenses associated with new compliance requirements	Consideration of Central Hudson's request to defer incremental expenses associated with new compliance requirements
*PSC-47-15-00013-P	exempt	Whitepaper on Implementing Lightened Ratemaking Regulation.	Consider Whitepaper on Implementing Lightened Ratemaking Regulation.
*PSC-48-15-00011-P	exempt	Proposal to retire Huntley Units 67 and 68 on March 1, 2016.	Consider the proposed retirement of Huntley Units 67 and 68.
*PSC-50-15-00006-P	exempt	The reduction of rates.	To consider the reduction of rates charged by Independent Water Works, Inc.
*PSC-50-15-00009-P	exempt	Notice of Intent to submeter electricity.	To consider the request to submeter electricity at 31-33 Lincoln Road and 510 Flatbush Avenue, Brooklyn, New York.
*PSC-51-15-00010-P	exempt	Modification of the EDP	To consider modifying the EDP

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-01-16-00005-P	exempt	Proposed amendment to Section 5, Attachment 1.A of the Uniform Business Practices	To consider amendment to Section 5, Attachment 1.A of the Uniform Business Practices
*PSC-04-16-00007-P	exempt	Whether Hamilton Municipal Utilities should be permitted to construct and operate a municipal gas distribution facility.	Consideration of the petition by Hamilton Municipal Utilities to construct and operate a municipal gas distribution facility.
*PSC-04-16-00012-P	exempt	Proposal to mothball three gas turbines located at the Astoria Gas Turbine Generating Station.	Consider the proposed mothball of three gas turbines located at the Astoria Gas Turbine Generating Station.
*PSC-04-16-00013-P	exempt	Proposal to find that three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic.	Consider whether three gas turbines located at the Astoria Gas Turbine Generating Station are uneconomic.
*PSC-06-16-00013-P	exempt	Continued deferral of approximately $16,000,000 in site investigation and remediation costs.	To consider the continued deferral of approximately $16,000,000 in site investigation and remediation costs.
*PSC-06-16-00014-P	exempt	MEGA's proposed demonstration CCA program.	To consider MEGA's proposed demonstration CCA program.
*PSC-14-16-00008-P	exempt	Resetting retail markets for ESCO mass market customers.	To ensure consumer protections with respect to residential and small non-residential ESCO customers.
*PSC-18-16-00013-P	exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00014-P	exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00015-P	exempt	Petitions for rehearing of the Order Resetting Retail Energy Markets and Establishing Further Process.	To ensure consumer protections for ESCO customers.
*PSC-18-16-00016-P	exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-18-16-00018-P	exempt	Amendments to the Uniform Business Practices of ESCOs.	To ensure consumer protection for ESCO customers.
*PSC-20-16-00008-P	exempt	Consideration of consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP).	To consider consequences against Global Energy Group, LLC for violations of the Uniform Business Practices (UBP).
*PSC-20-16-00010-P	exempt	Deferral and recovery of incremental expense.	To consider deferring costs of conducting leak survey and repairs for subsequent recovery.
*PSC-20-16-00011-P	exempt	Enetics LD-1120 Non-Intrusive Load Monitoring Device in the Statewide Residential Appliance Metering Study.	To consider the use of the Enetics LD-1120 Non-Intrusive Load Monitoring Device.
*PSC-24-16-00009-P	exempt	Petition to submeter gas service.	To consider the Petition of New York City Economic Development Corp. to submeter gas at Pier 17, 89 South Street, New York, NY.
*PSC-25-16-00009-P	exempt	To delay Companies' third-party assessments of customer personally identifiable information until 2018.	To extend the time period between the Companies' third-party assessments of customer personally identifiable information.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-25-16-00025-P	exempt	Acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel.	To consider acquisition of all water supply assets of Woodbury Heights Estates Water Co., Inc. by the Village of Kiryas Joel.
*PSC-25-16-00026-P	exempt	Use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter, in residential fire service applications.	To consider the use of the Badger E Series Ultrasonic Cold Water Stainless Steel Meter in fire service applications.
*PSC-28-16-00017-P	exempt	A petition for rehearing of the Order Adopting a Ratemaking and Utility Revenue Model Policy Framework.	To determine appropriate rules for and calculation of the distributed generation reliability credit.
*PSC-29-16-00024-P	exempt	Participation of NYPA customers in surcharge-funded clean energy programs.	To consider participation of NYPA customers in surcharge-funded clean energy programs.
*PSC-32-16-00012-P	exempt	Benefit-Cost Analysis Handbooks.	To evaluate proposed methodologies of benefit-cost evaluation.
*PSC-33-16-00001-EP	exempt	Use of escrow funds for repairs.	To authorize the use of escrow account funds for repairs.
*PSC-33-16-00005-P	exempt	Exemption from certain charges for delivery of electricity to its Niagara Falls, New York facility.	Application of System Benefits Charges, Renewable Portfolio Standard charges and Clean Energy Fund surcharges.
*PSC-35-16-00015-P	exempt	NYSRC's revisions to its rules and measurements	To consider revisions to various rules and measurements of the NYSRC
*PSC-36-16-00004-P	exempt	Recovery of costs for installation of electric service.	To consider the recovery of costs for installation of electric service.
*PSC-40-16-00025-P	exempt	Consequences pursuant to the Commission's Uniform Business Practices (UBP).	To consider whether to impose consequences on Smart One for its apparent non-compliance with Commission requirements.
*PSC-47-16-00009-P	exempt	Petition to use commercial electric meters	To consider the petition of Itron, Inc. to use the Itron CP2SO and CP2SOA in commercial electric meter applications
*PSC-47-16-00010-P	exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00013-P	exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00014-P	exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-47-16-00016-P	exempt	Standby Service rate design	To consider the report filed and the recommendations therein
*PSC-02-17-00010-P	exempt	Implementation of the four EAMs.	To consider the implementation of EAMs for RG&E.
*PSC-02-17-00012-P	exempt	Implementation of the four EAMs.	To consider the implementation of EAMs for NYSEG.
*PSC-18-17-00024-P	exempt	A petition for rehearing or reconsideration of the Order Addressing Public Policy Transmission Need for AC Transmission Upgrades	To determine whether Public Policy Transmission Need/Public Policy Requirements continue to exist.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-18-17-00026-P	exempt	Revisions to the Dynamic Load Management surcharge.	To consider revisions to the Dynamic Load Management surcharge.
*PSC-19-17-00004-P	exempt	NYAW's request to defer and amortize, for future rate recognition, pension settlement payout losses incurred in 2016.	Consideration of NYAW's petition to defer and amortize, for future rate recognition, pension payour losses incurred in 2016.
*PSC-20-17-00008-P	exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles.	To consider a report filed by National Grid NY regarding the potential for adoption of compressed natural gas as a motor fuel.
*PSC-20-17-00010-P	exempt	Compressed natural gas as a motor fuel for diesel fueled vehicles.	To consider a report filed by National Grid regarding the potential for adoption of compressed natural gas as a motor fuel.
*PSC-21-17-00013-P	exempt	The establishment and implementation of Earnings Adjustment Mechanisms.	To consider the establishment and implementation of Earnings Adjustment Mechanisms.
*PSC-21-17-00018-P	exempt	Proposed agreement for the provision of water service by Saratoga Water Services, Inc.	To consider a waiver and approval of terms of a service agreement.
*PSC-22-17-00004-P	exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives	To consider the proposed Interconnection Survey Process and Earnings Adjustment Mechanisms
*PSC-24-17-00006-P	exempt	Development of the Utility Energy Registry.	Improved data access.
*PSC-26-17-00005-P	exempt	Notice of Intent to submeter electricity.	To consider the Notice of Intent to submeter electricity at 125 Waverly Street, Yonkers, New York.
*PSC-34-17-00011-P	exempt	Waiver to permit Energy Cooperative of America to serve low-income customers	To consider the petition for a waiver
*PSC-37-17-00005-P	exempt	Financial incentives to create customer savings and develop market-enabling tools, with a focus on outcomes and incentives.	To consider the revised Interconnection Survey Process and Earnings Adjustment Mechanisms.
*PSC-39-17-00011-P	exempt	Whether to direct New York State Electric & Gas to complete electric facility upgrades at no charge to Hanehan.	To determine financial responsibility between NYSEG and Hanehan for the electric service upgrades to Hanehan.
*PSC-42-17-00010-P	exempt	Petition for rehearing of negative revenue adjustment and contents of annual Performance Report.	To consider NFGD's petition for rehearing.
*PSC-48-17-00015-P	exempt	Low Income customer options for affordable water bills.	To consider the Low Income Bill Discount and/or Energy Efficiency Rebate Programs.
*PSC-50-17-00017-P	exempt	New Wave Energy Corp.'s petition for rehearing.	To consider the petition for rehearing filed by New Wave Energy Corp.
*PSC-50-17-00018-P	exempt	Application of the Public Service Law to DER suppliers.	To determine the appropriate regulatory framework for DER suppliers.
*PSC-50-17-00019-P	exempt	Transfer of utility property.	To consider the transfer of utility property.
*PSC-50-17-00021-P	exempt	Disposition of tax refunds and other related matters.	To consider the disposition of tax refunds and other related matters.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-51-17-00011-P	exempt	Petition for recovery of certain costs related to the implementation of a Non-Wires Alternative Project.	To consider Con Edison's petition for the recovery of costs for implementing the JFK Project.
*PSC-04-18-00005-P	exempt	Notice of intent to submeter electricity.	To consider the notice of intent of Montante/ Morgan Gates Circle LLC to submeter electricity.
*PSC-05-18-00004-P	exempt	Lexington Power's ZEC compliance obligation.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-06-18-00012-P	exempt	To consider further proposed amendments to the original criteria to grandfathering established in the Transition Plan	To modify grandfathering criteria
*PSC-06-18-00017-P	exempt	Merger of NYAW and Whitlock Farms Water Corp.	To consider the merger of NYAW and Whitlock Farms Water Company into a single corporate entity
*PSC-07-18-00015-P	exempt	The accuracy and reasonableness of National Grid's billing for certain interconnection upgrades.	To consider AEC's petition requesting resolution of their billing dispute with National Grid.
*PSC-11-18-00004-P	exempt	New York State Lifeline Program.	To consider TracFone's petition seeking approval to participate in Lifeline.
*PSC-13-18-00015-P	exempt	Eligibility of an ESCO to market to and enroll residential customers.	To consider whether Astral should be allowed to market to and enroll residential customers following a suspension.
*PSC-13-18-00023-P	exempt	Reconciliation of property taxes.	To consider NYAW's request to reconcile property taxes.
*PSC-14-18-00006-P	exempt	Petition for abandonment	To consider the abandonment of Willsboro Bay Water Company's water system
*PSC-17-18-00010-P	exempt	Petition for use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
*PSC-18-18-00009-P	exempt	Transfer of control of Keene Valley Video Inc.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest
*PSC-23-18-00006-P	exempt	Whether to impose consequences on Aspirity for its non-compliance with Commission requirements.	To ensure the provision of safe and adequate energy service at just and reasonable rates.
*PSC-24-18-00013-P	exempt	Implementation of program rules for Renewable Energy Standard and ZEC requirements.	To promote and maintain renewable and zero-emission electric energy resources.
*PSC-28-18-00011-P	exempt	Storm Hardening Collaborative Report.	To ensure safe and adequate gas service.
*PSC-29-18-00008-P	exempt	Participation in Targeted Accessibility Fund	To encourage enhanced services for low-income consumers
*PSC-29-18-00009-P	exempt	Overvaluing real property tax expense recovery in water rates	To prevent unjust and unreasonable water rates
*PSC-34-18-00015-P	exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and energy efficiency protections are in place.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-34-18-00016-P	exempt	Deferral of pre-staging and mobilization storm costs.	To ensure just and reasonable rates for ratepayers and utility recovery of unexpected, prudently incurred costs.
*PSC-35-18-00003-P	exempt	Con Edison's 2018 DSIP and BCA Handbook Update.	To continue Con Edison's transition to a modern utility serving as a Distributed System Platform Provider.
*PSC-35-18-00005-P	exempt	NYSEG and RG&E's 2018 DSIP and BCA Handbook Update.	To continue NYSEG and RG&E's transition to modern utilities acting as Distributed System Platform Providers.
*PSC-35-18-00006-P	exempt	National Grid's 2018 DSIP and BCA Handbook Update.	To continue National Grid's transition to a modern utility serving as a Distributed System Platform Provider.
*PSC-35-18-00008-P	exempt	Central Hudson's 2018 DSIP and BCA Handbook Update.	To continue Central Hudson's transition to a modern utility serving as a Distributed System Platform Provider.
*PSC-35-18-00010-P	exempt	O&R's 2018 DSIP and BCA Handbook Update.	To continue O&R's transition to a modern utility acting as a Distributed System Platform Provider.
*PSC-39-18-00005-P	exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.
*PSC-40-18-00014-P	exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.	To review the gas utilities' reconciliation of Gas Expenses and Gas Cost Recoveries for 2018.
*PSC-42-18-00011-P	exempt	Voluntary residential beneficial electrification rate design.	To provide efficient rate design for beneficial technologies in New York State that is equitable for all residential customers.
*PSC-42-18-00013-P	exempt	Petition for clarification and rehearing of the Smart Solutions Program Order.	To address the increased demand for natural gas in the Con Edison's service territory and the limited pipeline capacity.
*PSC-44-18-00016-P	exempt	Petition for approval of gas metering equipment.	To ensure that customer bills are based on accurate measurements of gas usage.
*PSC-45-18-00005-P	exempt	Notice of intent to submeter electricity and waiver of energy audit	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place
*PSC-01-19-00013-P	exempt	Order of the Commission related to caller ID unblocking.	To require telephone companies to unblock caller ID on calls placed to the 311 municipal call center in Suffolk County.
*PSC-03-19-00002-P	exempt	DPS Staff White Paper for who must be trained in 16 NYCRR Part 753 requirements and how the Commission will approve trainings.	To reduce damage to underground utility facilities by requiring certain training and approving training curricula.
*PSC-04-19-00004-P	exempt	Con Edison's petition for the Gas Innovation Program and associated budget.	To pursue programs that continue service reliability and meet customer energy needs while aiding greenhouse gas reduction goals.
*PSC-04-19-00011-P	exempt	Update of revenue targets.	To ensure NYAW's rates are just and reasonable and accurately reflect the needed revenues.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-06-19-00005-P	exempt	Consideration of the Joint Utilities' proposed BDP Program.	To to expand opportunities for low-income households to participate in Community Distributed Generation (CDG) projects.
*PSC-07-19-00009-P	exempt	Whether to impose consequences on AAA for its non-compliance with Commission requirements.	To insure the provision of safe and adequate energy service at just and reasonable rates.
*PSC-07-19-00016-P	exempt	Participation in New York State Lifeline Program.	To encourage enhanced services for low-income customers.
*PSC-09-19-00010-P	exempt	Non-pipeline alternatives report recommendations.	To consider the terms and conditions applicable to gas service.
*PSC-12-19-00004-P	exempt	To test innovative pricing proposals on an opt-out basis.	To provide pricing structures that deliver benefits to customers and promote beneficial electrification technologies.
*PSC-13-19-00010-P	exempt	New Commission requirements for gas company operator qualification programs.	To make pipelines safer with improved training of workers who perform construction and repairs on natural gas facilities.
*PSC-19-19-00013-P	exempt	Proposed merger of three water utilities into one corporation.	To determine if the proposed merger is in the public interest.
*PSC-20-19-00008-P	exempt	Reporting on energy sources	To ensure accurate reporting and encourage clean energy purchases
*PSC-20-19-00010-P	exempt	Compensation policies for certain CHP projects	To consider appropriate rules for compensation of certain CHP resources
*PSC-31-19-00013-P	exempt	Implementation of Statewide Energy Benchmarking.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
*PSC-32-19-00012-P	exempt	Standby Service Rates and Buyback Service Rates	To ensure just and reasonable rates, including compensation, for distributed energy resources
*PSC-38-19-00002-P	exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
*PSC-39-19-00018-P	exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
*PSC-41-19-00003-P	exempt	A voluntary residential three-part rate that would include fixed, usage and demand charges.	To provide qualifying residential customers with an optional three-part rate.
*PSC-44-19-00003-P	exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*PSC-44-19-00005-P	exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*PSC-44-19-00006-P	exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*PSC-44-19-00007-P	exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-44-19-00009-P	exempt	Proposed revisions to Standby Service Rates and Buyback Service Rates.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*PSC-46-19-00008-P	exempt	Wappingers Falls Hydroelectric LLC's facility located in Wappingers Falls, New York.	To promote and maintain renewable electric energy resources.
*PSC-46-19-00010-P	exempt	To test innovative rate designs on an opt-out basis.	To implement alternative innovative rate designs intended to assess customer behaviors in response to price signals
*PSC-52-19-00006-P	exempt	Authorization to defer pension settlement losses.	To address the ratemaking related to the pension settlement losses.
*PSC-08-20-00003-P	exempt	PSC regulation 16 NYCRR § § 86.3(a)(2) and 86.3(b)(2).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
*PSC-10-20-00003-P	exempt	The Commission's statewide low-income discount policy.	To consider modifications to certain conditions regarding utility low-income discount programs.
*PSC-12-20-00008-P	exempt	Delivery rates of Corning Natural Gas Corporation.	Whether to postpone the implementation of a change in rates that would otherwise become effective on June 1, 2020.
*PSC-15-20-00011-P	exempt	To modify the terms and conditions under which gas utilities provide service to electric generators.	To provide clarity and uniformity to the provision of gas service to electric generators.
*PSC-15-20-00013-P	exempt	Ownership of New York American Water Company, Inc.	To consider whether a proposed transfer of ownership of New York American Water Company, Inc. is in the public interest.
*PSC-16-20-00004-P	exempt	Disposition of a state sales tax refund.	To determine how much of a state sales tax refund should be retained by Central Hudson.
*PSC-18-20-00012-P	exempt	The purchase price of electric energy and capacity from customers with qualifying on-site generation facilities.	To revise the price to be paid by the Company under Service Classification No. 10. for qualifying purchases of unforced capacity
*PSC-18-20-00015-P	exempt	Participation of Eligible Telecommunications Carriers (ETCs) in New York State Lifeline Program.	Commission will consider each petition filed by an ETCs seeking approval to participate in the NYS Lifeline program.
*PSC-19-20-00004-P	exempt	Clarification of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether energy service companies should be permitted to bank RECs to satisfy their renewable energy requirements.
*PSC-19-20-00005-P	exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation.	To provide cost recovery for new DLM programs and prevent double compensation to participating customers.
*PSC-19-20-00009-P	exempt	Cost recovery associated with Day-Ahead-DLM and Auto-DLM programs, and elimination of double compensation.	To consider revisions to P.S.C. No. 10 - Electricity, and P.S.C. No. 12 - Electricity.
*PSC-23-20-00008-P	exempt	Disposition of sales tax refund and other related matters.	To consider the appropriate allocation of the sales tax refund proceeds while balancing ratepayer and shareholder interests.
*PSC-25-20-00010-P	exempt	Whitepaper regarding energy service company financial assurance requirements.	To consider the form and amount of financial assurances to be included in the eligibility criteria for energy service companies.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
*PSC-25-20-00016-P	exempt	Modifications to the Low-Income Affordability program.	To address the economic impacts of the COVID-19 pandemic.
*PSC-27-20-00003-P	exempt	To make the uniform statewide customer satisfaction survey permanent.	To encourage consumer protections and safe and adequate service.
*PSC-28-20-00022-P	exempt	Compensation of distributed energy resources.	To ensure just and reasonable rates, including compensation, for distributed energy resources.
*PSC-28-20-00034-P	exempt	Petition to implement Section 7(5) of the Accelerated Renewable Energy Growth and Community Benefit Act	To develop the bulk transmission investments necessary to achieve the Climate Leadership and Community Protection Act goals
*PSC-34-20-00005-P	exempt	Petition to provide a renewable, carbon-free energy option to residential and small commercial full-service customers.	To increase customer access to renewable energy in the Consolidated Edison Company of New York, Inc. service territory.
*PSC-38-20-00004-P	exempt	The annual Reconciliation of Gas Expenses and Gas Cost Recoveries.	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.
*PSC-40-20-00004-P	exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
*PSC-42-20-00006-P	exempt	Proposed major rate increase in National Grid's delivery revenues of approximately $41.8 million (or 9.8% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
*PSC-42-20-00008-P	exempt	Availability of gas leak information to the public safety officials.	Facilitate availability of gas leak information to public safety officials by gas corporations.
*PSC-42-20-00009-P	exempt	Proposed major rate increase in National Grid's delivery revenues of approximately $100.4 million (or 3.2% in total revenues).	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-43-20-00003-P	exempt	The use of $50 million to support residential and commercial customers experiencing financial hardship	To consider whether the proposed support of ratepayers is in the public interest
PSC-45-20-00003-P	exempt	Petition to submeter electricity	To ensure adequate submetering equipment and consumer protections are in place
PSC-45-20-00004-P	exempt	Major gas rate filing	To consider an increase in Central Hudson's gas delivery revenues
PSC-45-20-00005-P	exempt	Major electric rate filing	To consider an increase in Central Hudson's electric delivery revenues
PSC-46-20-00005-P	exempt	The recommendations of the DPS Staff report to improve Hudson Valley Water's service.	To determine if approving the DPS Staff's recommendations is in the public interest.
PSC-48-20-00005-P	exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Chief Energy Power, LLC should be permitted to offer green gas products to mass market customers.
PSC-48-20-00007-P	exempt	Tariff modifications to change National Fuel Gas Distribution Corporation's Monthly Gas Supply Charge provisions.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-51-20-00007-P	exempt	Whitepaper on the ACOS method used by utilities in developing Standby and Buyback Service rates.	To standardize the utility ACOS methods and resulting rates, and to enable stand-alone energy storage systems.
PSC-51-20-00009-P	exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether petitioner should be permitted to offer its "Energy Savings Program" to mass market customers.
PSC-51-20-00014-P	exempt	Electric system needs and compensation for distributed energy resources.	To ensure safe and adequate service and just and reasonable rates, including compensation, for distributed energy resources.
PSC-52-20-00011-P	exempt	Petition for the use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
PSC-01-21-00004-P	exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether petitioner should be permitted to offer its Home Warranty product to mass market customers.
PSC-01-21-00006-P	exempt	A debt financing arrangement with respect to an electric transmission line under development.	To review the proposed financing and consider whether it is within the public interest.
PSC-02-21-00006-P	exempt	Disposition of a sales tax refund received by New York American Water, Inc.	To determine the disposition of tax refunds and other related matters.
PSC-03-21-00006-P	exempt	Comprehensive study to identify distribution and transmission investments in accordance with the AREGCB Act.	To support distribution and local transmission investments necessary to achieve the State's climate goals.
PSC-04-21-00016-P	exempt	Request for a waiver.	To consider whether good cause exists to support a waiver of the Commission's Test Period Policy Statement.
PSC-05-21-00005-P	exempt	The applicable regulatory regime under the Public Service Law for the owner of a merchant electric generating facility.	Consideration of a lightened regulatory regime for the owner of an approximately 100 MW electric generating facility.
PSC-06-21-00009-P	exempt	Disposition of a property tax refund received by New York American Water, Inc.	To determine the disposition of tax refunds and other related matters.
PSC-07-21-00007-P	exempt	Conditioned pre-approval of stock transactions of regulated entities.	To consider allowing stock transactions within statutory parameters without Commission approval for individual transactions.
PSC-09-21-00002-P	exempt	Gas moratorium procedures	To consider procedures and criteria to minimize customer hardships in the unlikely event of a future gas moratorium
PSC-09-21-00005-P	exempt	Utility capital expenditure proposal.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-09-21-00006-P	exempt	Long-term gas system planning.	To consider a process to review gas distribution utilities' long-term system planning.
PSC-12-21-00008-P	exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-12-21-00009-P	exempt	Transfer of ownership interests and facilities associated with three nuclear generating units, funds, and storage facilities.	To ensure appropriate regulatory review, oversight, and action concerning the proposed transfer to serve the public interest.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-13-21-00016-P	exempt	Revised distribution strategies and reallocation of remaining funding.	To ensure the appropriate use of funding reserved for gas safety programs.
PSC-13-21-00019-P	exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-13-21-00023-P	exempt	Petition for the use of steam metering equipment.	To ensure that consumer bills are based on accurate measurements of steam usage.
PSC-14-21-00003-P	04/07/22	More specific requirements for Operator Qualification to work on pipelines. Allows applications for "special permits."	To make the provision of natural gas service safer in New York State with better qualified pipeline workers.
PSC-15-21-00007-P	exempt	The applicable regulatory regime under the Public Service Law for the owner of a merchant electric generating facility.	Consideration of a lightened regulatory regime.
PSC-16-21-00006-P	exempt	The appropriate level of community credit capacity for distributed energy generation projects in the territory.	Consideration of an increase in the community credit capacity for distributed generation projects in the territory.
PSC-16-21-00007-P	exempt	Accounting-related rules for utilities implementing the Integrated Energy Data Resource.	To consider cost recovery of capital expenditures and budget allocations of costs between affiliated companies.
PSC-17-21-00005-P	exempt	Submetering equipment.	To consider use of submetering equipment and if it is in the public interest.
PSC-17-21-00006-P	exempt	Community Choice Aggregation and Community Distributed Generation.	To consider permitting opt-out Community Distributed Generation to be offered as the sole product in an aggregation.
PSC-17-21-00007-P	exempt	Utility studies of climate change vulnerabilities.	To assess the need for utilities to conduct distinct studies of their climate change vulnerabilities.
PSC-18-21-00004-P	exempt	Community Choice Aggregation programs.	To modify and improve Community Choice Aggregation programs in New York State.
PSC-18-21-00005-P	exempt	Proposed transfer of the Company's capital stock to the Purchaser.	To determine if transfer of the Company's capital stock to the Purchaser is in the public interest.
PSC-18-21-00006-P	exempt	Community Choice Aggregation renewable products.	To consider waiving the locational and delivery requirements for RECs purchased to support renewable CCA products.
PSC-18-21-00008-P	exempt	RG&E's Economic Development Programs and exemption from funding limits.	To consider RG&E to grant up to $5.25 million in ED funding to Project Block to the benefit of ratepayers.
PSC-19-21-00008-P	exempt	Community Choice Aggregation (CCA) and Community Distributed Generation (CDG).	To consider permitting Upstate Power, LLC to serve as a CCA administrator offering an opt-out CDG focused program.
PSC-19-21-00009-P	exempt	Major electric rate filing.	To consider an increase in O&R's electric delivery revenues.
PSC-19-21-00012-P	exempt	Major gas rate filing.	To consider an increase in O&R's gas delivery revenues.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-19-21-00013-P	exempt	The proposed transfer of ownership interests and debt financing arrangement related to certain electric generating facilities.	To determine whether the proposed transfer of ownership interests and financing arrangement are in the public interest.
PSC-20-21-00004-P	exempt	Regulatory approvals in connection with a 437 MW electric generating facility.	To ensure appropriate regulatory review, oversight, and action, consistent with the public interest.
PSC-21-21-00012-P	exempt	Petition for the use of gas metering equipment.	To ensure that consumer bills are based on accurate measurements of gas usage.
PSC-21-21-00015-P	exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-21-21-00016-P	exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-21-21-00017-P	exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-21-21-00019-P	exempt	Utility capital expenditure proposal.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-22-21-00006-P	exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-22-21-00007-P	exempt	The applicable regulatory regime under the Public Service Law for the owner of a merchant electric generating facility.	Consideration of a lightened regulatory regime for the owner of an approximately 7.6 mile, 13 kV AC electric cable.
PSC-22-21-00008-P	exempt	Cost allocation for project(s) to meet a Public Policy Transmission Need/Public Policy Requirement.	To address the cost allocation methodology for use by the New York Independent System Operator, Inc. (NYISO).
PSC-23-21-00002-P	exempt	Waiver for allocation of natural gas to commercial and industrial economic development customers.	To provide commercial and industrial economic development customers access to natural gas.
PSC-23-21-00003-P	exempt	Petitions for rehearing of the Order Adopting a Data Access Framework and Establishing Further Process.	To consider modifications and/or clarifications to the Order Adopting a Data Access Framework and Establishing Further Process.
PSC-23-21-00004-P	exempt	Establishing an alternative recovery mechanism for certain types of fees.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-25-21-00005-P	exempt	Transfer of Penelec assets and franchise rights.	To consider the transfer of utility assets and franchise to be in Waverly ratepayer and public interest.
PSC-25-21-00008-P	exempt	NYSERDA and National Grid's proposed Expanded Solar For All Program for low-income customers.	To consider the authorization and appropriate design of an opt-out community solar program for low-income customers.
PSC-25-21-00010-P	exempt	Petition to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-25-21-00013-P	exempt	Negative revenue adjustments for gas main replacements targets in 2020.	To promote and ensure safety and reliability enhancements for utility infrastructure replacement.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-26-21-00004-P	exempt	Notice of intent to submeter electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-26-21-00007-P	exempt	Petition to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-26-21-00010-P	exempt	Proposed acquisition of all shares of common stock of Corning Natural Gas Holding Corporation by ACP Crotona Corp.	To consider whether the acquisition of all shares of common stock of CNGH by ACP Crotona Corp. is in the public interest.
PSC-26-21-00011-P	exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-27-21-00011-P	exempt	The prohibition on ESCO service to low-income customers.	To consider whether NOCO Electric, LLC and NOCO Natural Gas, LLC should be granted a waiver to serve low-income customers.
PSC-27-21-00015-P	exempt	Transfer of street light facilities.	To consider the transfer of street lighting facilities to the Town of Lockport.
PSC-28-21-00011-P	exempt	Transfer of street lighting facilities.	To consider the transfer of street lighting facilities to the Town of Ithaca.
PSC-28-21-00012-P	exempt	Transfer of ownership interests in a 55 megawatt natural gas-fired cogeneration facility located in North Tonawanda, NY.	To address the proposed transfer and any matters within the public interest.
PSC-28-21-00013-P	exempt	Elimination of internal audits of wholesale performance metrics.	To consider Verizon New York Inc.'s petition to eliminate requirements for certain internal audits.
PSC-28-21-00015-P	exempt	Proposals for active and passive managed charging programs for mass market EV customers.	To shift EV charging to moderate grid impacts and customer costs.
PSC-28-21-00016-P	exempt	Transfer of Suez Water New York Inc.'s parent company to Veolia Environment S.A.	To determine if the proposed transfer is the public interest.
PSC-29-21-00004-P	exempt	Exemptions from utility standby rates for efficient combined heat and power projects.	To determine whether utility standby rate exemptions should be continued.
PSC-29-21-00006-P	exempt	Transfer of street lighting facilities.	To consider the transfer of street lighting facilities to the Town of Horseheads.
PSC-29-21-00007-P	exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-29-21-00009-P	exempt	Proposed pilot program to use AMI to disconnect electric service to customers during gas system emergencies.	To study the efficacy of using AMI to disconnect electric service during gas system emergencies.
PSC-30-21-00005-P	exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-30-21-00006-P	exempt	NYSERDA proposal regarding Clean Energy Standard backstop collection processes.	To ensure that NYSERDA has sufficient funds to make timely payments to generators pursuant to the Clean Energy Standard.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-30-21-00007-P	exempt	Submetering of electricity and waiver requests.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-30-21-00009-P	exempt	Submetering of electricity and waiver request.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-30-21-00010-P	exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer of street lighting facilities and the proper accounting for the transaction.
PSC-31-21-00008-P	exempt	Issuance of securities and other forms of indebtedness.	To consider Central Hudson's request to issue and sell unsecured debt obligations
PSC-31-21-00009-P	exempt	Waiver of certain rules, i.e., cable television advisory committee, public notice of request for proposals.	To determine whether to waive any rules and regulations.
PSC-31-21-00010-P	exempt	Establishment of the regulatory regime applicable to a solar electric generating facility and energy storage.	To ensure appropriate regulation of a new electric corporation.
PSC-31-21-00011-P	exempt	Establishment of the regulatory regime applicable to a solar electric generating facility.	To ensure appropriate regulation of a new electric corporation.
PSC-32-21-00002-P	exempt	The prohibition on ESCO service to low-income customers.	To consider whether Icon Energy, LLC d/b/a Source Power Company should be granted a waiver to serve low-income customers.
PSC-32-21-00003-P	exempt	Exemptions from utility standby rates for certain designated or environmentally advantageous technologies.	To harmonize standby rate exemptions statewide.
PSC-33-21-00006-P	exempt	Proposed rate increase.	To ensure safe and adequate service at just and reasonable rates.
PSC-33-21-00007-P	exempt	Acquisition of cable television facilities and franchises of two municipalities.	To ensure performance in accordance with applicable cable laws, regulations and standards and the public interest.
PSC-33-21-00008-P	exempt	Establishment of a Tapping and Connection Fee.	To consider whether the proposed fees are in the public interest.
PSC-33-21-00009-P	exempt	Banking of credits and switching between Community Distributed Generation and Remote Crediting projects.	To ensure just and reasonable rates charged to customers.
PSC-34-21-00004-P	exempt	CDG subscriber eligibility requirements.	To consider modifications to the CDG program eligibility requirements for certain Standby Service customers.
PSC-34-21-00005-P	exempt	Notice of intent to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-34-21-00006-P	exempt	Staff recommendations to address the financial impacts of the COVID-19 pandemic.	To consider measures to provide relief to those financially impacted by the COVID-19 pandemic.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-34-21-00007-P	exempt	Authorization to extend the maturity date of certain short-term indebtedness and total debt.	To consider the request for authorization to enter into indebtedness.
PSC-34-21-00008-P	exempt	Issuance of securities and other forms of indebtedness.	To consider the Con Edison's request to issue and sell unsecured debt obligations.
PSC-34-21-00009-P	exempt	Authorization to continue the PRIME-WNY.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-34-21-00010-P	exempt	Clean Energy Standard Programs.	Continued implementation of the Clean Energy Standard and the Zero Energy Credit Requirements Programs.
PSC-35-21-00002-P	exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-35-21-00003-P	exempt	PSC regulations 16 NYCRR 86.3(a)(2); 86.3(b)(2).	To consider a waiver of certain regulations relating to the content of an application for transmission line siting.
PSC-35-21-00004-P	exempt	Major gas rate filing.	To consider a proposed increase in Corning's gas delivery revenues of approximately $5.8 million (20.4% in total revenues).
PSC-35-21-00005-P	exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-35-21-00006-P	exempt	Proposed rate increase.	To ensure safe and adequate service at just and reasonable rates.
PSC-35-21-00007-P	exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-35-21-00008-P	exempt	Tariff filing to allow eligible CHP Customers to provide export support to their other service connections.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-35-21-00009-P	exempt	To modify the terms and conditions under which gas utilities provide service to electric generators.	To provide clarity and uniformity to the provision of gas service to electric generators in New York State.
PSC-36-21-00005-P	exempt	Transfer of real property.	To determine whether to authorize the transfer of real property and the proper accounting for the transaction.
PSC-36-21-00006-P	exempt	The Westchester Power Program.	To consider integration of Opt-out Community Distributed Generation into the Westchester Power program.
PSC-36-21-00007-P	exempt	Pension settlement payout losses incurred in 2020.	Consideration of NYAW's petition to defer and amortize, for future rate recognition, pension payout losses incurred in 2020.
PSC-36-21-00008-P	exempt	Transfer of real property.	To determine whether to authorize the transfer of real property and the proper accounting for the transaction.
PSC-36-21-00009-P	exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-37-21-00007-P	exempt	Waiver of tariff rules and a related Commission regulation.	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.
PSC-37-21-00008-P	exempt	Transfer of street lighting facilities.	To determine whether to authorize the transfer street of lighting facilities and the proper accounting for the transaction.
PSC-37-21-00009-P	exempt	Procedures necessary to implement Tax Law Section 187-q.	To establish procedures by which eligible utility-taxpayers can have the amounts of certain waived customer arrears certified.
PSC-37-21-00010-P	exempt	Zero emitting electric generating facilities that are not renewable energy systems.	To consider modifications to the Clean Energy Standard.
PSC-37-21-00011-P	exempt	Green Button Connect implementation.	To consider the proposed Green Button Connect User Agreement and Green Button Connect Onboarding Process document.
PSC-37-21-00012-P	exempt	Partial waiver of the Order Adopting Changes to the Retail Access Energy Market and Establishing Further Process.	To consider whether Catalyst should be permitted to offer its Community Distributed Generation product to mass market customers.
PSC-37-21-00013-P	exempt	Tariff revisions to SUEZ Water New York Inc.'s tariff P.S.C. No. 2 - Water.	To consider whether proposed tariff revisions are in the public interest.
PSC-37-21-00014-P	exempt	Consideration of Time Warner Cable Information Services (New York)'s Revised Implementation Plan and audit recommendations.	To ensure that recommendations issued in a management and operations audit are appropriately addressed and implemented.
PSC-37-21-00015-P	exempt	Rehearing and/or reconsideration of the Commission's determination related to ITIA's non-pipe alternative project.	To determine whether the Commission made an error of fact related to ITIA's non-pipe alternative project.
PSC-37-21-00016-P	exempt	Customer Consent to Contact.	To include a new provision establishing customer consent for the utilities to contact them electronically about utility service.
PSC-38-21-00006-P	exempt	Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.	To consider filings of LDCs and municipalities regarding their Annual Reconciliation of Gas Expenses and Gas Cost Recoveries.
PSC-38-21-00007-P	exempt	Electric metering equipment.	To consider use of electric submeter and ensure that consumer bills will be based on accurate measurements of electric usage.
PSC-39-21-00005-P	exempt	Establishment of the regulatory regime applicable to a electric transmission facility.	To ensure appropriate regulation of a new electric corporation.
PSC-39-21-00006-P	exempt	Minor electric rate filing to increase annual electric revenues.	To ensure safe and adequate service at just and reasonable rates charged to customers without undue preferences.
PSC-39-21-00007-P	exempt	The proposed alternative method of account identification.	To facilitate secure customer data exchanges between the utility or provider and energy service entities.
PSC-40-21-00017-P	exempt	The Commission's Order Adopting Utility Energy Registry Modifications	To determine if the Commission committed errors of law or fact in its Order, or if new facts warrant a different result.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
PUBLIC SERVICE COMMISSION			
PSC-40-21-00018-P	exempt	Notice of intent to submeter electricity and request for waiver.	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-40-21-00019-P	exempt	Disposition of a New York State tax refund.	To determine the disposition of a tax refund obtained by New York American Water Company, Inc.
PSC-40-21-00020-P	exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-40-21-00021-P	exempt	Notice of intent to submeter electricity.	To ensure adequate submetering equipment and consumer protections are in place.
PSC-41-21-00005-P	exempt	Area code overlay as relief of the exhausting 516 area code (Long Island).	To ensure performance in accordance with applicable telecommunications laws, regulations and standards and the public interest.
PSC-41-21-00006-P	exempt	The proposed transfer of ownership interests and debt financing arrangement related to an electric generating facility.	To determine whether the proposed transfer of ownership interests and financing arrangement are in the public interest.
PSC-41-21-00007-P	exempt	Waiver of certain Commission requirements related to the distribution of telephone directories.	To ensure performance in accordance with applicable telecommunications laws, regulations and standards and the public interest.
PSC-41-21-00008-P	exempt	Waiver of the prohibition on service to low-income customers by ESCOs.	To consider the petition for an extension of the waiver of the prohibition on service to low-income customers by ESCOs.
PSC-41-21-00009-P	exempt	Waiver of the prohibition on service to low-income customers by ESCOs.	To consider the petition for an extension of the waiver of the prohibition on service to low-income customers by ESCOs.
PSC-41-21-00010-P	exempt	Waiver of the prohibition on service to low-income customers by ESCOs.	To consider the petition for an extension of the waiver of the prohibition on service to low-income customers by ESCOs.
PSC-41-21-00011-P	exempt	Notice of intent to submeter electricity and request for waiver of 16 NYCRR § 96.5(k)(3).	To ensure adequate submetering equipment, consumer protections and energy efficiency protections are in place.
PSC-42-21-00005-P	exempt	Electric metering equipment.	To ensure that consumer bills are based on accurate measurements of electric usage.
PSC-42-21-00006-P	exempt	Waiver of tariff rules and a related Commission regulation.	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.
PSC-42-21-00007-P	exempt	Waiver of tariff rules and a related Commission regulation.	To consider whether a waiver of tariff rules and a Commission regulation are just and reasonable and in the public interest.
PSC-43-21-00007-P	exempt	Minor rate filing.	To ensure safe and adequate service at just and reasonable rates.
PSC-43-21-00008-P	exempt	Incremental demand side management programs.	To consider proposed demand side management programs and cost recovery.

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
STATE, DEPARTMENT OF			
DOS-05-21-00013-RP	02/03/22	Requirements and procedures related to filing, review and publication of financial reports filed with the Department of State	To provide procedures related to the filing, review and publication of financial reports filed with the Department of State
DOS-19-21-00014-P	07/15/22	Minimum standards for administration and enforcement of the Uniform Code and Energy Code	To revise the minimum standards applicable to a program for administration and enforcement of the Uniform Code and Energy Code
DOS-39-21-00013-P	09/29/22	Procedures to help avoid abandonment of cemeteries and determine when a cemetery has become abandoned.	To provide procedures to help avoid abandonment of cemeteries and determine when a cemetery has become abandoned.
DOS-42-21-00003-EP	10/20/22	Ventilation Requirements	To provide an additional 6 months for appearance enhancement businesses to comply with existing ventilation standards
STATE UNIVERSITY OF NEW YORK			
SUN-24-21-00002-EP	06/16/22	Gender Neutral Bathrooms	To conform with legislation requiring SUNY state-operated campuses to designate all single occupancy bathrooms as gender neutral
TAXATION AND FINANCE, DEPARTMENT OF			
TAF-46-20-00003-P	exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period January 1, 2021 through March 31, 2021
TAF-34-21-00003-P	exempt	Fuel use tax on motor fuel and diesel motor fuel and the art. 13-A carrier tax jointly administered therewith	To set the sales tax component and the composite rate per gallon for the period October 1, 2021 through December 31, 2021
TAF-41-21-00003-P	10/13/22	New York State and City of Yonkers withholding tables and other methods.	To provide current New York State and City of Yonkers withholding tables and other methods.
TEMPORARY AND DISABILITY ASSISTANCE, OFFICE OF			
TDA-26-21-00014-EP	06/30/22	Camp fees	To conform state regulations to statutory requirement effectuated by Chapter 126 of the Laws of 2021, signed by the Governor on June 11, 2021 and effective June 30, 2021, allowing camp fees for children in family assistance or safety net assistance cases
TDA-39-21-00004-EP	09/29/22	Standard Utility Allowances (SUAs) for the Supplemental Nutrition Assistance Program (SNAP)	These regulatory amendments set forth the federally-approved SUAs as of 10/1/21
TDA-43-21-00006-EP	10/27/22	Public Assistance (PA) eligibility interviews by phone or other digital means at PA applicant's or recipient's request	See attached addendum
URBAN DEVELOPMENT CORPORATION			
UDC-38-21-00001-EP	09/22/22	Biodefense Commercialization Fund program	To create the administrative processes for the Biodefense Commercialization Fund program
WORKERS' COMPENSATION BOARD			
*WCB-42-20-00004-P	10/21/21	Medical Treatment Guidelines	To add PTSD and acute stress disorder, and major depressive disorder MTGs

Agency I.D. No.	Expires	Subject Matter	Purpose of Action
WORKERS' COMPENSATION BOARD			
WCB-28-21-00008-P	07/14/22	DME Fee Schedule	To correct codes ad update DME fee schedule
WCB-28-21-00009-P	07/14/22	Telehealth	Provides the option for telehealth visits in some circumstances
WCB-37-21-00018-P	09/15/22	NY Workers' Compensation Drug Formulary	Update the Formulary (technical and clarifying changes)
WCB-41-21-00012-P	10/13/22	Medical Treatment Guidelines	To add Eye Disorders, Traumatic Brain Injury, and Complex Regional Pain Syndrome MTGs

ADVERTISEMENTS FOR BIDDERS/CONTRACTORS

SEALED BIDS

REPLACE
DOMESTIC WATER HEATERS
Manhattan Psychiatric Center
New York, New York County

Sealed bids for Project No. M3158-H, comprising a contract for HVAC Work, Replace Domestic Water Heaters, Manhattan Psychiatric Center, Wards Island, 600 E 125th Street, New York (New York County), NY will be received by the Office of General Services (OGS), Design & Construction Group (D&C), Division of Contract Management, 35th Fl., Corning Tower, Empire State Plaza, Albany, NY 12242, on behalf of the Office of Mental Health, until 2:00 p.m. on Wednesday, November 3, 2021 when they will be publicly opened and read. Each bid must be prepared and submitted in accordance with the Instructions to Bidders and must be accompanied by a bid security (i.e. certified check, bank check, or bid bond in the amount of $23,100 for H).

Further, Wicks Exempt Projects require a completed form BDC 59 (Wicks Exempt List of Contractors) be filled out and submitted (included in a separate, sealed envelope) in accordance with Document 002220, Supplemental Instructions to Bidders – Wicks Exempt. Failure to submit this form correctly will result in a disqualification of the bid.

All successful bidders will be required to furnish a Performance Bond and a Labor and Material Bond pursuant to Sections 136 and 137 of the State Finance Law, each for 100% of the amount of the Contract estimated to be between $250,000 and $500,000 for H.

Pursuant to State Finance Law §§ 139-j and 139-k, this solicitation includes and imposes certain restrictions on communications between OGS D&C and a bidder during the procurement process. A bidder is restricted from making contacts from the earliest posting, on the OGS website, in a newspaper of general circulation, or in the Contract Reporter of written notice, advertisement or solicitation of offers through final award and approval of the contract by OGS D&C and the Office of the State Comptroller ("Restricted Period") to other than designated staff unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law § 139-j(3)(a). Designated staff are John Pupons, Jessica Hoffman, and Pierre Alric in the Division of Contract Management, telephone (518) 474-0203, fax (518) 473-. OGS D&C employees are also required to obtain certain information when contacted during the restricted period and make a determination of the responsibility of the bidder pursuant to these two statutes. Certain findings of non-responsibility can result in rejection for contract award and in the event of two findings within a four-year period, the bidder is debarred from obtaining governmental Procurement Contracts. Bidders responding to this Advertisement must familiarize themselves with the State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the bid form. Further information about these requirements can be found within the project manual or at: https://ogs.ny.gov/ACPL/

Pursuant to Public Buildings Law § 8(6), effective January 11, 2020, for any projects where the project design commenced on or after January 1, 2020 and for any contracts over $5,000 for the work of construction, reconstruction, alteration, repair, or improvement of any State building, a responsible and reliable NYS-certified Minority or Women-Owned Business Enterprise that submits a bid within ten percent of the lowest bid will be deemed the apparent low bidder provided that the bid is $1,400,000 or less, as adjusted annually for inflation beginning January 1, 2020. If more than one responsible and reliable MWBE firm meets these requirements, the MWBE firm with the lowest bid will be deemed the apparent low bidder.

_____Project commenced design before January 1, 2020. Not subject to provision.

__X__Project commenced design on or after January 1, 2020. Subject to provision.

The substantial completion date for this project is 176 days after the Agreement is approved by the Comptroller.

No pre-bid site visits have been scheduled for this project and prospective bidders are not allowed to visit the project site or facility buildings and grounds to take measurements or examine existing conditions.

Pursuant to New York State Executive Law Article 15-A and the rules and regulations promulgated thereunder, OGS is required to promote opportunities for the maximum feasible participation of New York State-certified Minority- and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of OGS contracts. All bidders are expected to cooperate in implementing this policy. OGS hereby establishes an overall goal of 20% for MWBE participation, 10% for Minority-Owned Business Enterprises ("MBE") participation and 10% for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs). The total contract goal can be obtained by utilizing any combination of MBE and/or WBE participation for subcontracting and supplies acquired under this Contract. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of MWBEs on the Contract for the provision of services and materials.

Article 17-B of the New York State Executive Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses ("SDVOBs"). Bidders are expected to consider SDVOBs in the fulfillment of the requirements of the Contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles. OGS hereby establishes overall goals for SDVOBs' participation under this contract as follows: 3% for the H trade contractor, based on the current availability of qualified SDVOBs. Trades with 0% goals are encouraged to make "good faith efforts" to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials.

The Office of General Services reserves the right to reject any or all bids.

The Bidding and Contract Documents for this Project are available for viewing and downloading from OGS Design & Construction's plan room hosting service, Bid Express. Vendors wishing to view and/or download bid documents must complete a one-time registration for the Bid Express service. There is no cost to register for Bid Express. Registration along with viewing and downloading of documents can be accessed at the following link: http://www.bidexpress.com

For questions about downloading of bid documents, please send an e-mail to support@bidexpress.com, or call the Bid Express toll-free number at (888) 352-2439.

For all other questions, please send an email to DCPlans@ogs.ny.gov, or call (518) 474-0203.

For additional information on this project, please use the link below and then click on the project number: https://online.ogs.ny.gov/dnc/contractorConsultant/esb/ESBPlansAvailableIndex.asp

By OGS - Design & Construction Group

MISCELLANEOUS
NOTICES/HEARINGS

Notice of Abandoned Property Received by the State Comptroller

Pursuant to provisions of the Abandoned Property Law and related laws, the Office of the State Comptroller receives unclaimed monies and other property deemed abandoned. A list of the names and last known addresses of the entitled owners of this abandoned property is maintained by the office in accordance with Section 1401 of the Abandoned Property Law. Interested parties may inquire if they appear on the Abandoned Property Listing by contacting the Office of Unclaimed Funds, Monday through Friday from 8:00 a.m. to 4:30 p.m., at:

1-800-221-9311
or visit our web site at:
www.osc.state.ny.us

Claims for abandoned property must be filed with the New York State Comptroller's Office of Unclaimed Funds as provided in Section 1406 of the Abandoned Property Law. For further information contact: Office of the State Comptroller, Office of Unclaimed Funds, 110 State St., Albany, NY 12236.

NOTICE OF PUBLIC HEARING

Susquehanna River Basin Commission

SUMMARY: The Susquehanna River Basin Commission will hold a public hearing on November 4, 2021. The Commission will hold this hearing telephonically. At this public hearing, the Commission will hear testimony on the projects listed in the Supplementary Information section of this notice. The Commission will also hear testimony on a proposed policy, Fee Incentives for the Withdrawal and Consumptive Use of AMD Impacted Waters & Treated Wastewater (formerly the draft Use of Lesser Quality Waters Policy), as well as proposals to amend its Regulatory Program Fee Schedule and a proposed Letter of Understanding (LOU) regarding program coordination between the Susquehanna River Basin Commission and the Pennsylvania Department of Environmental Protection (DEP). Such projects and proposals are intended to be scheduled for Commission action at its next business meeting, tentatively scheduled for December 17, 2021, which will be noticed separately. The public should take note that this public hearing will be the only opportunity to offer oral comment to the Commission for the listed projects and proposals. The deadline for the submission of written comments is November 15, 2021.

DATES: The public hearing will convene on November 4, 2021, at 6:30 p.m. The public hearing will end at 9:00 p.m. or at the conclusion of public testimony, whichever is earlier. The deadline for the submission of written comments is November 15, 2021.

ADDRESSES: This hearing will be held by telephone conference rather than at a physical location. Conference Call # 1-877-668-4493 (Toll-Free number) / Access code: 177 163 3585.

FOR FURTHER INFORMATION CONTACT: Jason Oyler, General Counsel and Secretary to the Commission, telephone: (717) 238-0423 or joyler@srbc.net.

Information concerning the applications for the projects is available at the Commission's Water Application and Approval Viewer at https://www.srbc.net/waav. Information concerning the proposals can be found at https://www.srbc.net/about/meetings-events/. Additional supporting documents are available to inspect and copy in accordance with the Commission's Access to Records Policy at www.srbc.net/regulatory/policies-guidance/docs/access-to-records-policy-2009-02.pdf.

SUPPLEMENTARY INFORMATION: The Commission is proposing a policy for Fee Incentives for the Withdrawal and Consumptive Use of AMD Impacted Waters & Treated Wastewater (formerly the draft Use of Lesser Quality Waters Policy, which was revised based on prior public comment). This policy would replace the current Policy No. 2009-01. The Commission is also proposing changes to its Regulatory Program Fee Schedule, which it typically does on an annual basis. The Commission is also seeking public comment on the LOU with the Pennsylvania DEP. The LOU would replace the current MOU with DEP signed in 1999. The public hearing will cover the following projects:

Projects Scheduled for Action:

1. Project Sponsor and Facility: Artesian Water Company, Inc., New Garden Township, Chester County, Pa. Application for renewal of the transfer of water of up to 3.000 mgd (30-day average) from the Chester Water Authority (Docket No. 19961105).

2. Project Sponsor and Facility: Chesapeake Appalachia, L.L.C. (Susquehanna River), Terry Township, Bradford County, Pa. Application for renewal and modification of surface water withdrawal of up to 3.000 mgd (peak day) (Docket No. 20170904).

3. Project Sponsor and Facility: Clearfield Municipal Authority, Pike Township, Clearfield County, Pa. Modification to extend the approval term of the groundwater withdrawal approval (Docket No. 19910704) to allow for project improvements.

4. Project Sponsor and Facility: Deep Woods Lake LLC, Dennison Township, Luzerne County, Pa. Applications for groundwater withdrawal of up to 0.200 mgd (30-day average) from Well SW-5 and consumptive use of up to 0.467 mgd (peak day).

5. Project Sponsor and Facility: Municipal Authority of the Township of East Hempfield dba Hempfield Water Authority, East Hempfield Township, Lancaster County, Pa. Applications for renewal of groundwater withdrawals (30 day averages) of up to 0.353 mgd from Well 6, 0.145 mgd from Well 7, 1.447 mgd from Well 8, and 1.800 mgd from Well 11, and Commission-initiated modification to Docket No. 20120906, which approves withdrawals from Wells 1, 2, 3, 4, and 5 and Spring S-1 (Docket Nos. 19870306, 19890503, 19930101, and 20120906).

6. Project Sponsor: Farmers Pride, Inc. Project Facility: Bell & Evans Plant 3, Bethel Township, Lebanon County, Pa. Applications for groundwater withdrawals (30-day averages) of up to 0.108 mgd from Well PW-1, 0.139 mgd from Well PW-2, and 0.179 mgd from Well PW-4.

7. Project Sponsor: Glenn O. Hawbaker, Inc. Project Facility: Naginey Facility, Armagh Township, Mifflin County, Pa. Applications for groundwater withdrawal of up to 0.300 mgd (30-day average) from the Quarry Pit Pond and consumptive use of up to 0.310 mgd (peak day).

8. Project Sponsor: Hydro Recovery-Antrim LP. Project Facility: Antrim Treatment Plant (Antrim No. 1 Mine Discharge and Back-

switch Mine Discharge), Duncan Township, Tioga County, Pa. Applications for renewal of surface water withdrawal of up to 1.872 mgd (peak day) and for consumptive use of up to 1.872 mgd (30-day average) (Docket No. 20090902).

9. Project Sponsor and Facility: Project Sponsor and Facility: Mifflin County Municipal Authority (formerly The Municipal Authority of the Borough of Lewistown), Armagh Township, Mifflin County, Pa. Applications for groundwater withdrawals (30-day averages) of up to 0.770 mgd from McCoy Well 1, 1.152 mgd from McCoy Well 2, and 0.770 mgd from the Milroy Well.

10. Project Sponsor: Nature's Way Purewater Systems, Inc. Project Facility: USHydrations – Dupont Bottling Plant, Dupont Borough, Luzerne County, Pa. Modification to increase consumptive use (peak day) by an additional 0.100 mgd, for a total consumptive use of up to 0.449 mgd (Docket No. 20110618).

11. Project Sponsor and Facility: Shippensburg Borough Authority, Southampton Township, Cumberland County, Pa. Application for renewal of groundwater withdrawal of up to 2.000 mgd (30-day average) from Well 3 (Docket No. 20070305).

12. Project Sponsor and Facility: Walker Township Water Association, Inc., Walker Township, Centre County, Pa. Applications for renewal of groundwater withdrawals (30-day averages) of up to 0.432 mgd from Zion Well 2 and 0.320 mgd from Hecla Well 1 (Docket Nos. 19910302 and 19950906).

Project Scheduled for Action Involving a Diversion:

1. Project Sponsor and Facility: Chester Water Authority, New Garden Township, Chester County, Pa. Applications for renewal of consumptive use and for an out-of-basin diversion of up to 3.000 mgd (30-day average) (Docket No. 19961104).

Commission-Initiated Project Approval Modification:

1. Project Sponsor and Facility: Chester Water Authority, New Garden Township, Chester County, Pa. Applications for renewal of consumptive use and for an out-of-basin diversion of up to 3.000 mgd (30-day average) (Docket No. 19961104).

Opportunity to Appear and Comment:

Interested parties may call into the hearing to offer comments to the Commission on any business listed above required to be the subject of a public hearing. Given the telephonic nature of the meeting, the Commission strongly encourages those members of the public wishing to provide oral comments to pre-register with the Commission by e-mailing Jason Oyler at joyler@srbc.net prior to the hearing date. The presiding officer reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing. Access to the hearing via telephone will begin at 6:15 p.m. Guidelines for the public hearing are posted on the Commission's website, www.srbc.net, prior to the hearing for review. The presiding officer reserves the right to modify or supplement such guidelines at the hearing. Written comments on any business listed above required to be the subject of a public hearing may also be mailed to Mr. Jason Oyler, Secretary to the Commission, Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, Pa. 17110-1788, or submitted electronically through https://www.srbc.net/regulatory/public-comment/. Comments mailed or electronically submitted must be received by the Commission on or before November 15, 2021, to be considered.

AUTHORITY: Pub. L. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806, 807, and 808.

Dated: October 7, 2021

Jason E. Oyler

General Counsel and Secretary to the Commission

PUBLIC NOTICE

Department of Civil Service

PURSUANT to the Open Meetings Law, the New York State Civil Service Commission hereby gives public notice of the following:

Please take notice that the regular monthly meeting of the State Civil Service Commission for November 2021 will be conducted on November 17 and November 18 commencing at 10:00 a.m. This meeting will be conducted at NYS Media Services Center, Suite 146, South Concourse, Empire State Plaza, Albany, NY with live coverage available at: https://www.cs.ny.gov/commission/

For further information, contact: Office of Commission Operations, Department of Civil Service, Empire State Plaza, Agency Bldg. One, Albany, NY 12239, (518) 473-6598

PUBLIC NOTICE

Division of Criminal Justice Services
DNA Subcommittee

Pursuant to Public Officers Law section 104, the Division of Criminal Justice Services gives notice of a meeting of the New York State DNA Subcommittee to be held on:

Date: November 5, 2021
Time: 10:00 a.m. - 12:00 p.m.

Video Conference Only: The webcast information for this meeting will be posted on the Division of Criminal Justice website under the Newsroom, Open Meeting/Webcasts.

https://www.criminaljustice.ny.gov/pio/openmeetings.htm

PUBLIC NOTICE

Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to enhance, and increase access to, Home and Community Based Services (HCBS) in accordance with the federal statutory provisions of Section 9817 of the American Rescue Plan Act of 2021 (ARP) which, subject to approval of the State's initial spending plan and narrative (Spending Plan) by the Centers for Medicare and Medicaid Services (CMS), provides a ten percent increase in Federal Medical Assistance Percentage (FMAP) to state Medicaid programs from April 1, 2021 to March 31, 2022 to supplement existing state expenditures on HCBS. The following changes are proposed:

Non-Institutional Services

The following is a clarification to the October 6, 2021 noticed provision that proposed to increase reimbursement rates, as follows:

1) Rates for state-plan approved Assertive Community Treatment (ACT) Services will be increased by 5.0 percent, effective October 7, 2021. However, to allow for the full disbursement of funds available April 1, 2021 – March 31, 2022, the rate increase for the period October 7, 2021 – March 31, 2022 will be, with clarification, an additional 5.4 percent, for a total increase of 10.4 percent. Rates will then be reduced 5.4 percent effective April 1, 2022. This enhancement will allow providers to supplement the implementation of one or more activities to enhance, expand or strengthen HCBS under the Medicaid program, including strengthening the response to the COVID-19 Public Health Emergency, assisting providers in meeting the challenges of serving the highest need individuals including but not limited to, dually diagnosed individuals, homeless individuals and those receiving court-ordered treatment.

The estimated annual net aggregate increase in gross Medicaid expenditures as a result of the proposed increase for ACT Services is $6,100,000.

2) Rates for state-plan approved ACT Services will be increased, with clarification, by an additional 8.5 percent for the period October 7, 2021 – March 31, 2022. This enhancement will allow providers to increase recruitment and retention of experienced and dedicated direct care and other staff through measures including, but not limited to, targeted loan forgiveness, tuition reimbursement, hiring and signing bonuses, longevity payments, expanded student placements, shift differential pay and retirement contributions.

The estimated annual net aggregate increase in gross Medicaid expenditures as a result of this proposed increase for ACT Services is $4,700,000.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/state_plans/status. Individuals without Internet access may view the State Plan Amendments at any local (county) social services district.

For the New York City district, copies will be available at the following places:

New York County
250 Church Street
New York, New York 10018

Queens County, Queens Center
3220 Northern Boulevard
Long Island City, New York 11101

Kings County, Fulton Center
114 Willoughby Street
Brooklyn, New York 11201

Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact: Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE

Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional Services to permit remote delivery of services. The following changes are proposed:

Non-Institutional Services

Effective on and after November 1, 2021, the Office for People With Developmental Disabilities' (OPWDD) will allow reimbursement for the remote delivery of Crisis Services for Individuals with Intellectual and/or Developmental Disabilities (CSIDD). The State will allow reimbursement for the remote delivery of CSIDD through telephonic or other technology in accordance with State, Federal, and Health Insurance Portability and Accountability Act (HIPAA) requirements. Other technology means any two-way, real-time communication technology that meets HIPAA requirements.

There is no estimated annual change to gross Medicaid expenditures as a result of the proposed amendment.

The public is invited to review and comment on this proposed State Plan amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/. Individuals without Internet access may view the proposed State Plan Amendments at any local (county) social services district.

For the New York City district, copies will be available at the following places:

New York County
250 Church Street
New York, New York 10018

Queens County, Queens Center
3220 Northern Boulevard
Long Island City, New York 11101

Kings County, Fulton Center
114 Willoughby Street
Brooklyn, New York 11201

Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact: Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE

Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to comply with enacted federal statutory provisions of Section 9817 of the American Rescue Plan Act of 2021 (ARP) which, subject to approval of the state's initial spending plan and narrative (Spending Plan) by the Centers for Medicare and Medicaid Services (CMS), provides a ten percent increase in Federal Medical Assistance Percentage (FMAP) to state Medicaid programs from April 1, 2021 to March 31, 2022 to supplement existing state expenditures on home and community-based services (HCBS).The following changes are proposed:

Non-Institutional Services

Contingent upon CMS approval of the Spending Plan submitted by the state, effective on or after November 1, 2021, this notice proposes to enhance (increase) state established reimbursement rates as follows:

State established rates will be enhanced for state-plan approved private duty nursing (PDN) services for members 23 years of age and older by an additional 60 percent for the period November 1, 2021 through March 31, 2022.

The estimated annual net aggregate increase in gross Medicaid expenditures as a result of the proposed amendments for PDN services is $13,100,000.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/state_plans/status. Individuals without Internet access may view the State Plan Amendments at any local (county) social services district.

For the New York City district, copies will be available at the following places:

New York County
250 Church Street
New York, New York 10018

Queens County, Queens Center
3220 Northern Boulevard
Long Island City, New York 11101

Kings County, Fulton Center
114 Willoughby Street
Brooklyn, New York 11201

Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457
Richmond County, Richmond Center

95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact: Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE
Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to enhance and increase access to Home and Community Based Services (HCBS) in accordance with the federal statutory provisions of Section 9817 of the American Rescue Plan Act of 2021 (ARP) which, subject to approval of the State's initial spending plan and narrative (Spending Plan) by the Centers for Medicare and Medicaid Services (CMS), provides a ten percent increase in Federal Medical Assistance Percentage (FMAP) to state Medicaid programs from April 1, 2021 to March 31, 2022 to supplement existing state expenditures on HCBS. The following changes are proposed:

Non-Institutional Services

Contingent upon CMS approval of the Spending Plan submitted by the State, effective on or after November 1, 2021, this notice proposes to increase recovery oriented residential offerings by incorporating the residential reintegration services into the Medicaid benefit package and provide for an enhanced rate for a period of November 1, 2021 to March 31, 2024. To allow for full disbursement of funds available April 1, 2021 – March 31, 2022, the initial rate will be increased by 50% for November 1, 2021 until December 31, 2021. Rates will then be reduced 50% percent effective January 1, 2022. This enhancement will enhance and expand the HCBS system and sustain promising and effective programs and services for individuals in recovery from a substance use disorder under the Medicaid program, including, but not limited to, strengthening the response to the COVID-19 Public Health Emergency, increasing services for individuals in early recovery to assist with reintegrating into their community and allowing providers to supplement the implementation of residential rehabilitation reintegration services to address increases in overdose rates and substance use disorder treatment and recovery service needs of Medicaid beneficiaries receiving HCBS during the COVID–19 PHE.

The estimated annual net aggregate increase in gross Medicaid expenditures as a result of this proposed increase for Residential Rehabilitation Integration Services is $23,668,639.05.

The public is invited to review and comment on this proposed State Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/state_plans/status. Individuals without Internet access may view the State Plan Amendments at any local (county) social services district.

For the New York City district, copies will be available at the following places:

New York County
250 Church Street
New York, New York 10018

Queens County, Queens Center
3220 Northern Boulevard
Long Island City, New York 11101

Kings County, Fulton Center
114 Willoughby Street
Brooklyn, New York 11201

Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact: Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE
Department of Health

Pursuant to 42 CFR Section 447.205, the Department of Health hereby gives public notice of the following:

The Department of Health proposes to amend the Title XIX (Medicaid) State Plan for non-institutional services to enhance and increase access to Home and Community Based Services (HCBS) in accordance with the federal statutory provisions of Section 9817 of the American Rescue Plan Act of 2021 (ARP) which, subject to approval of the State's initial spending plan and narrative (Spending Plan) by the Centers for Medicare and Medicaid Services (CMS), provides a ten percent increase in Federal Medical Assistance Percentage (FMAP) to state Medicaid programs from April 1, 2021 to March 31, 2022 to supplement existing state expenditures on HCBS. The following changes are proposed:

Non-Institutional Services

Contingent upon CMS approval of the Spending Plan submitted by the State, effective on or after November 1, 2021, this notice proposes to increase reimbursement rates, as follows:

1) Residential Addiction Rehabilitation Services. To allow for the full disbursement of funds available April 1, 2021 – March 31, 2022, rates for state-plan approved residential addiction rehabilitation services provided in 820 stabilization and reintegration services will be increased by ten percent, for the period November 1, 2021 – December 31, 2021. Rates will then be reduced 10 percent effective January 1, 2022. This enhancement will allow providers to supplement the implementation of one or more activities to enhance, expand or strengthen HCBS under the Medicaid program, including strengthening the response to the COVID-19 Public Health Emergency, assisting providers in meeting the challenges of serving the highest need individuals including but not limited to, those suffering from opioid addiction, dually diagnosed individuals or individuals with multiple comorbidities.

The estimated annual net aggregate increase in gross Medicaid expenditures as a result of the proposed increase for Residential Rehabilitation Addiction Services is $41,420,118.34.

2) Outpatient Addiction Rehabilitation Services. Rates for state-plan approved Outpatient Addiction Rehabilitation Services provided to individuals in the community will be temporarily increased by an additional 10 percent for the period November 1, 2021 – December 31, 2021. This enhancement will allow providers to increased patient engagement and access to services for those who are unwilling or unable to otherwise engage in care.

The estimated annual net aggregate increase in gross Medicaid expenditures as a result of this proposed increase for Outpatient Addiction Rehabilitation Services $11,834,319.53.

3) Rates for state-plan approved Addiction Services increased by an additional 10 percent for the period November 1, 2021 – December 31, 2021. This enhancement will allow providers to increase recruitment and retention of experienced and dedicated direct care and other staff through measures including, but not limited to, targeted loan forgiveness, tuition reimbursement, hiring and signing bonuses, longevity payments, continuing education assistance, shift differential pay and retirement contributions.

The estimated annual net aggregate increase in gross Medicaid expenditures as a result of this proposed increase for Addiction Rehabilitation Services $21,301,775.15.

The public is invited to review and comment on this proposed State

Plan Amendment, a copy of which will be available for public review on the Department's website at http://www.health.ny.gov/regulations/state_plans/status. Individuals without Internet access may view the State Plan Amendments at any local (county) social services district. For the New York City district, copies will be available at the following places:

New York County
250 Church Street
New York, New York 10018

Queens County, Queens Center
3220 Northern Boulevard
Long Island City, New York 11101

Kings County, Fulton Center
114 Willoughby Street
Brooklyn, New York 11201

Bronx County, Tremont Center
1916 Monterey Avenue
Bronx, New York 10457

Richmond County, Richmond Center
95 Central Avenue, St. George
Staten Island, New York 10301

For further information and to review and comment, please contact: Department of Health, Division of Finance and Rate Setting, 99 Washington Ave., One Commerce Plaza, Suite 1432, Albany, NY 12210, spa_inquiries@health.ny.gov

PUBLIC NOTICE

Department of State
F-2021-0555
Date of Issuance – October 27, 2021

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program.

In F-2021-0555, Goswami Property Seawall Project, the applicant, Amit Goswami, is proposing to install a concrete wall using epoxy coated 3/4 inch rebar, 5000 psi. 12 inch thick wall. Excavation 3 feet deep for a 3 foot wide and 2 feet high footing. Wall will be installed in front of existing sea wall. Gap between Concrete wall and sea wall will be filled with concrete. 6 inch horizontal concrete pad will be installed and connected to sea wall. The pad will extend from house to sea wall. The purpose of the proposed project is to repair and build a residential seawall to decrease the risk of erosion.

The site is located at the western bluff at 62 River Road in the Village of Grand View on Hudson, Rockland County on the Hudson River.

The applicant's consistency certification and supporting information are available for review at: https://dos.ny.gov/system/files/documents/2021/10/f-2021-0555.pdf

Original copies of public information and data submitted by the applicant are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or, November 26, 2021.

Comments should be addressed to: Consistency Review Unit, Department of State, Office of Planning, Development and Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
F-2021-0582
Date of Issuance – October 27, 2021

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program.

In F-2021-0582, Agostinacchio Property Dock Installation, the applicant, Steve Agostinacchio, is proposing to construct 6' x 40' wood pier, 2.5' x 20'' wood ramp and 8' x 16' wood floating dock. Install 4-pile boat lift and 1-pile dual PWC lift. The purpose of the proposed project is to regain recreational access to the waterfront.

The site is located at the western bluff at 310 Shore Road in the Town of Hempstead, Nassau County on East Bay.

The applicant's consistency certification and supporting information are available for review at: https://dos.ny.gov/system/files/documents/2021/10/f-2021-0582.pdf

Original copies of public information and data submitted by the applicant are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or, November 26, 2021.

Comments should be addressed to: Consistency Review Unit, Department of State, Office of Planning, Development and Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
F-2021-0609
Date of Issuance – October 27, 2021

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program.

In F-2021-0609, Bulkhead Replacement and Access Stairs, the applicant, John Pashko, is proposing to reconstruct in place of the existing 100' bulkhead with vinyl sheet piling. Install two new 10' vinyl returns. Backfill with 45cyds clean fill. Install a new 4' x 47' stairs with 4' x 6' platforms and 3' x 13' beach access stairs parallel to bulkhead. The purpose of the proposed project is to reconstruct the bulkhead in place for erosion control and access stairs for access to the beach.

The site is located at the western bluff at 28 Aqua Drive in the Town of Southampton, Suffolk County on Shinnecock Bay.

The applicant's consistency certification and supporting informa-

tion are available for review at: https://dos.ny.gov/system/files/documents/2021/10/f-2021-0609.pdf

Original copies of public information and data submitted by the applicant are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or, November 11, 2021.

Comments should be addressed to: Consistency Review Unit, Department of State, Office of Planning, Development and Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
F-2021-0623
Date of Issuance – October 27, 2021

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program.

In F-2021-0623, Fleming Property Deck Reconstruction Project, the applicant, Michael Fleming, is proposing to reconstruct a 50 foot by 20 foot deck. The purpose of the proposed project is to rebuild the wooden deck that was destroyed during a storm event.

The site is located at the western bluff at 561 East Bay Drive in the City of Long Beach, Nassau County on Reynolds Channel.

The applicant's consistency certification and supporting information are available for review at: https://dos.ny.gov/system/files/documents/2021/10/f-2021-0623.pdf

Original copies of public information and data submitted by the applicant are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice, or, November 11, 2021.

Comments should be addressed to: Consistency Review Unit, Department of State, Office of Planning, Development and Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
F-2021-0684
Date of Issuance – October 27, 2021

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act (CZMA) of 1972, as amended.

The applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2021-0684, Guilford Yacht Club Association, Inc., proposes to dredge at their existing facility in Guilford, CT, with subsequent unconfined dredged material placement of approximately 24,900 cubic yards of material at the Central Long Island Sound Disposal Site (CLDS), Long Island Sound. The New England District Army Corps of Engineers has found the dredged material to be suitable for unconfined disposal at the CLDS, and the US Environmental Protection Agency Region 1 (EPA) has agreed.

The applicant's consistency certification and supporting information are available for review at: https://dos.ny.gov/system/files/documents/2021/10/F-2021-0684GuilfordYCConsistencyCert.pdf

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 15 days from the date of publication of this notice or by Friday, November 12, 2021.

Comments should be addressed to: Department of State, Office of Planning and Development and Community Infrastructure, Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Ave., Albany, NY 12231, (518) 474-6000. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE

Department of State
F-2021-0849
Date of Issuance – October 27, 2021

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act (CZMA) of 1972, as amended.

The applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2021-0849, Frank Tarantino is proposing to construct a 4' x 80' fixed pier to access navigable water at the site. The proposed pier will follow the canal line and extend seaward on the owner's adjacent property at 99 Braham Avenue to reach navigable water. The pier will have a 14' x 14' four pile boat lift, two jet ski lifts off the inside of the pier and three safety ladders to access the lifts. An 2' x 4' access platform will be installed off the side of the pier for the owner to access the boat lift. Also, proposed is a 4' x 6' platform, 3' x 16' ramp leading to a 6' x 30' float. The platform, ramp and float will be installed along the pier and used for safe boarding of the boat when it is off of the lift. The site is located on Hoover Canal at 95 and 99 Braham Avenue, Amityville, NY 11701, Suffolk County.

The applicant's consistency certification and supporting information are available for review at: https://dos.ny.gov/system/files/documents/2021/10/f-2021-0849tarantino.pdf

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or November 26, 2021.

Comments should be addressed to: Department of State, Office of Planning and Development and Community Infrastructure, Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Ave., Albany, NY 12231, (518) 474-6000. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE
Department of State
F-2021-0903
Date of Issuance – October 27, 2021

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act (CZMA) of 1972, as amended.

The applicant has certified that the proposed activities comply with and will be conducted in a manner consistent with the federally approved New York State Coastal Management Program (NYSCMP). The applicant's consistency certification and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2021-0903, Eagle Dock Foundation, Inc. is proposing to construct a 6' x 144' long, fixed grate pier, 3' x 24' long aluminum gangway, and three (3) 8' x 25' long floats. The proposed dock is located on Cold Spring Harbor at 85 Shore Road, Cold Spring Harbor, NY 11724.

The applicant's consistency certification and supporting information are available for review at: https://dos.ny.gov/system/files/documents/2021/10/F-2021-0903eagledock.pdf

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice or November 26, 2021.

Comments should be addressed to: Department of State, Office of Planning and Development and Community Infrastructure, Consistency Review Unit, One Commerce Plaza, Suite 1010, 99 Washington Ave., Albany, NY 12231, (518) 474-6000. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE
Department of State
F-2021-0911
Date of Issuance – October 27, 2021

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The applicant has certified that the proposed activity complies with and will be conducted in a manner consistent with the approved New York State Coastal Management Program.

In F-2021-0911, United States National Park Service is proposing to enter into a 60-year lease with Brooklyn Bazaar, LLC (the Lessee), for the use and occupancy of the Jacob Riis Beach Bathhouse and related buildings at Gateway National Recreation Area (GATE), Jamaica Bay Unit in Queens, New York. All renovations would be done in accordance with federal standards for restoration of historic structures.

The project is located on Gateway National Park, Rockaway Peninsula, Borough of Queens, Queens County, Atlantic Ocean.

The stated purpose of the proposed action is to reuse and rehabilitation would return the vacant and underutilized bathhouse back to its historic public facility.

The applicant's consistency certification and supporting information are available for review at: https://dos.ny.gov/system/files/documents/2021/10/f-2021-0911_riis_bathouse.pdf

Original copies of public information and data submitted by the applicant are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

Any interested parties and/or agencies desiring to express their views concerning any of the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or November 26, 2021.

Comments should be addressed to: Consistency Review Unit, Department of State, Office of Planning, Development and Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE
Department of State
F-2021-0916 (DA)
Date of Issuance – October 27, 2021

The New York State Department of State (DOS) is required by Federal regulations to provide timely public notice for the activities described below, which are subject to the consistency provisions of the Federal Coastal Zone Management Act of 1972, as amended.

The United States Army Corps of Engineers - Philadelphia District has determined that the proposed activity complies with and will be conducted in a manner consistent to the maximum extent practicable with the approved New York State Coastal Management Program. The agency's consistency determination and accompanying public information and data are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York.

In F-2021-0916, The U.S. Army Corps of Engineers, Philadelphia District, has submitted a consistency determination for the proposed Nassau County Back Bay Coastal Storm Risk Management Study proposing to elevate approx. 14,183 residential structures to the modeled 1% AEP non-structural design water surface elevation and dry flood proof approx. 2,667 industrial/commercial structures from the ground surface up to 3' above ground. Project area includes all tidally influenced bays and estuaries hydraulically connected to the south shore of Nassau County on the Atlantic Ocean.

More information on the Nassau County Back Bay Study can be found on the U.S. Army Corps of Engineers - Philadelphia District website at: https://www.nap.usace.army.mil/Missions/Civil-Works/Nassau-County-Back-Bays-Study/, which includes links to the USACE's Public Notice and to the full draft report, or by contacting the Philadelphia District, Corps of Engineers at: 100 Penn Square East, 7th Floor Wanamaker Building, Philadelphia, PA 19107-3390.

The agency's consistency determination and supporting information are available for review at: https://dos.ny.gov/system/files/documents/2021/10/f-2021-0916da.pdf

Original copies of public information and data submitted by the applicant are available for inspection at the New York State Department of State offices located at One Commerce Plaza, 99 Washington Avenue, in Albany, New York

Any interested parties and/or agencies desiring to express their views concerning the above proposed activities may do so by filing their comments, in writing, no later than 4:30 p.m., 30 days from the date of publication of this notice, or November 26, 2021.

Comments should be addressed to: Consistency Review Unit, Department of State, Office of Planning, Development and Community Infrastructure, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-6000, Fax (518) 473-2464. Electronic submissions can be made by email at: CR@dos.ny.gov

This notice is promulgated in accordance with Title 15, Code of Federal Regulations, Part 930.

PUBLIC NOTICE
Department of State
Uniform Code Variance/Appeal Petitions

Pursuant to 19 NYCRR Part 1205, the variance and appeal petitions below have been received by the Department of State. Unless otherwise indicated, they involve requests for relief from provisions of the

New York State Uniform Fire Prevention and Building Code. Persons wishing to review any petitions, provide comments, or receive actual notices of any subsequent proceeding may contact Brian Tollisen or Neil Collier, Building Standards and Codes, Department of State, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231, (518) 474-4073 to make appropriate arrangements.

2021-0485 Matter of Barr Rickman, 10 Clive Place, East Northport, NY 11731, for a variance concerning safety requirements, including the ceiling height and the height under a girder/soffit. Involved is an existing one-family dwelling located at 10 Clive Place, East Northport, Town of Huntington, NY 11731, County of Suffolk, State of New York.

2021-0492 Matter of Gray Architectural SVS, P.C., Chris Gray, 2401 Capri Place, N. Bellmore, NY 11710, for a variance concerning safety requirements, including the ceiling height and the height under a girder/soffit. Involved is an existing one-family dwelling located at 175 Scarcliffe Drive, Village of Malverne, NY 11565, County of Nassau, State of New York.

2021-0493 Matter of McCray Architect P.C., Kevin Mccray, 73 Kenrick Lane, Dix Hills, NY 11746, for a variance concerning safety requirements, including the height under a girder/soffit. Involved is an existing one-family dwelling located at 46 Corbin Avenue, Shirley, Town of Brookhaven, NY 11967, County of Suffolk, State of New York.

COURT NOTICES

AMENDMENT OF RULE
Rules of the Chief Judge

Pursuant to Article VI, § 28(c) of the State Constitution and section 211 of the Judiciary Law, upon consultation with the Administrative Board of the Courts, and with the approval of the Court of Appeals of the State of New York, I hereby amend, effective immediately, section 17.3 of the Rules of the Chief Judge, to read as follows:

17.3 Training and Education of Judges and Justices other than Town and Village Justices

The Unified Court System shall provide training and education for its judges and justices, other than town and village justices, which shall include annual seminars, special seminars for new judges, *anti-bias training* and such other courses, classes and presentations as the Chief Administrator of the Courts deems appropriate. Judges and justices shall attend at least 24 hours of such training and education courses, classes and presentations, *including two hours of anti-bias training,* every two calendar years, which may include, with the approval of the Chief Administrator, courses, classes and presentations provided outside of the Unified Court System. The Chief Administrator also may grant credit in complying with the requirements of this rule for the teaching of courses and classes, the making of presentations, and the writing of publications, directed to the training and education of judges or to the presentation of a judicial perspective.

AMENDMENT OF RULE
Uniform Rules for the Supreme and County Courts

Pursuant to the authority vested in me, and with the advice and consent of the Administrative Board of the Courts, I hereby promulgate Rule 35 of section 202.70(g) of the Uniform Rules for the Supreme and County Courts (Rules of Practice for the Commercial Division), effective December 1, 2021, to read as follows:

Rule 35. Disclosure Statement.

(A) Who Must File: Contents. A non-governmental corporate party and a non-governmental corporation that seeks to intervene must file a disclosure statement that:

(1) identifies any parent corporation and any publicly held corporation owning 10% or more of its stock; or

(2) states that there is no such corporation.

(B) Time to File: Supplemental Filing. A party or a proposed intervenor must:

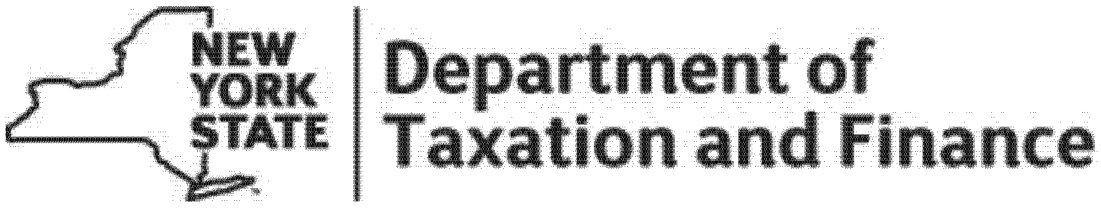
(1) file the disclosure statement with its first appearance, pleading, petition, motion, response, or other request addressed to the court; and

(2) promptly file a supplemental statement if any required information changes.

AMENDMENT OF RULE
Forms of the Family Court

Please see the Appendix in this issue for the rescinding and addition of new forms for the Family Court.

FINANCIAL REPORTS



Depositories for the Funds of the State of New York

Month End: September 30, 2021

Prepared by the Division of the Treasury
Investments, Cash Management and Accounting Operations

Michael R Schmidt
Commissioner

ACCOUNTS HELD IN JOINT CUSTODY BY THE COMMISSIONER OF TAXATION FINANCE AND THE NEW YORK STATE COMPTROLLER

Unemployment Insurance Funding Account	Key Bank	9,962,078.85
Occupational Training Act Funding Account	Key Bank	(38,880.64)
PIT Special Refund Account	JPMorgan Chase Bank, N.A.	(232,628,153.21)
General Checking	Key Bank	(872,646,792.72)
Direct Deposit Account	Wells Fargo	71,978.11
TOTAL		(251,949,255.40)
01000 - EXECUTIVE CHAMBER		
Executive Chamber Advance Account	Key Bank	No report received
01010 - DIVISION OF BUDGET		
Advance Account	Bank of America, N.A.	2,621.17
01030 - DIVISION OF ALCOHOLIC BEVERAGE CONTROL		
Albany		
SLA Investigations Account	Key Bank	2,000.00
01050 - OFFICE OF GENERAL SERVICES		
Exec Mansion Official Function	Key Bank	10,090.10
NY ISO Account	Key Bank	8,168,963.98
SNY Office of General Services	JPMorgan Chase Bank, N.A.	10,385.58
State of New York Elicensing	Key Bank	31,485.51
State of New York OGS Petty Cash	Key Bank	319,139.51
State of New Your OGS Escrow	Key Bank	382,661.35
01060 - DIVISION OF STATE POLICE		
CNET Confidential Account	Key Bank	0.00
Div Headquarters - Petty Cash	Key Bank	1,307.23
Key Advantage Account	Key Bank	87,620.88
Manhattan Office-confidential	JPMorgan Chase Bank, N.A.	500.00
NYS Police Special Account	Key Bank	1,891,769.05
NYSP CTIU Confidential Fund	Key Bank	3,900.00
SIU Confidential Fund Account	Key Bank	8,789.01
Special Fund	Key Bank	240,759.29
State Police Receipts Account	Bank of America, N.A.	301,756.61
Troop A Batavia - Petty Cash	Bank of America, N.A.	1,000.00
Troop A Batavia-Confidential	Bank of America, N.A.	3,465.07
Troop B Confidential	Key Bank	5,800.00
Troop B Petty Cash	Community Bank	1,000.00
Troop C Confidential Fund	NBT Bank	4,300.00
Troop C Petty Cash	NBT Bank	938.00
Troop D Oneida - Confidential	Alliance Bank	2,800.00
Troop D Oneida Petty Cash	Alliance Bank	1,000.00
Troop E Canandaigua Confidential	Canandaigua National Bank	2,000.00
Troop E Petty Cash	Canandaigua National Bank	1,000.00
Troop F Confidential	JPMorgan Chase Bank, N.A.	2,500.00
Troop F Petty Cash	JPMorgan Chase Bank, N.A.	1,000.00
Troop G Loudonville Conf	Bank of America, N.A.	7,466.75
Troop G Petty Cash	Bank of America, N.A.	1,000.00
Troop K Petty Cash	Bank of Millbrook	924.00
Troop K Poughkeepsie-Confidential	Bank of Millbrook	1,035.45
Troop L Confidential Fund	Bank of America, N.A.	6,594.47
01070 - DIVISION OF MILITARY & NAVAL AFFAIRS		
Advance For Travel	Key Bank	13,371.82
SNY Camp Smith Billeting Fund	JPMorgan Chase Bank, N.A.	5,493.65
01077 - OFFICE OF HOMELAND SECURITY		
Academy Of Fire Science	Chemung Canal Trust	71,997.00
01080 - DIVISION OF HOUSING & COMMUNITY RENEWAL		
Albany Office Of Financial Administration		
Maximum Base Rent Fee Account	JPMorgan Chase Bank, N.A.	No report received
Revenue Account	JPMorgan Chase Bank, N.A.	No report received
01090 - DIVISION OF HUMAN RIGHTS		
Petty Cash Fund Account	JPMorgan Chase Bank, N.A.	No report received
01150 - OFFICE OF EMPLOYEE RELATIONS		
GOER Panel Administration Escrow Account	Key Bank	7,430.07
NYS Flex Spending	Key Bank	720,003.45
State of New York LMC Petty Cash Account	Key Bank	1,840.00
01160 - JUSTICE CENTER FOR THE PROTECTION OF PEOPLE WITH SPECIAL NEEDS		
Agency Advance Account	Key Bank	1,819.80
01300 - ADIRONDACK PARK AGENCY		
General Fund	Community Bank	1,502.00
Petty Cash	Community Bank	3,870.00
01400 - CRIME VICTIMS COMPENSATION BOARD		

Crime Victims	JPMorgan Chase Bank, N.A.	No report received
Emergency Award Account	M&T Bank	No report received
Emergency Claims	Key Bank	No report received
Petty Cash Account	Key Bank	No report received
REST/SUBROG Escrow Account	Key Bank	No report received
01490 - DIVISION OF CRIMINAL JUSTICE SERVICES		
Advance Account	Bank of America, N.A.	2,840.00
Fingerprint Fee Account	Bank of America, N.A.	761,802.05
01530 - STATE COMMISSION OF CORRECTION		
Advance Account	Bank of America, N.A.	2,000.00
01540 - STATE BOARD OF ELECTIONS		
Revenue Account	Key Bank	No report received
01620 - OFFICE FOR PREVENTION OF DOMESTIC VIOLENCE		
NYS Prevention Domestic Violence	Bank of America, N.A.	No report received
02000 - OFFICE OF THE STATE COMPTROLLER		
Admissions	Bank of America, N.A.	221,163.70
Advance for Travel Account	Key Bank	No report received
Alcohol Beverage	Bank of America, N.A.	23,812.99
Alcoholic Bev Control License	Wells Fargo Bank	67,972.91
Alcoholic Beverage Control License	M&T Bank	377,273.05
Alcoholic Beverage Tax Collections	Wells Fargo Bank	48,014.97
Assessments Bulk	JPMorgan Chase Bank, N.A.	3,950,758.81
Assessments Receivable	JPMorgan Chase Bank, N.A.	9,172,700.77
Assessments Receivable (EFT)	Wells Fargo Bank	356,160.30
Boxing And Wrestling Tax	Bank of America, N.A.	63,052.91
Check 21 Corporation Tax	JPMorgan Chase Bank, N.A.	128,885.06
Check 21 Estate Tax	JPMorgan Chase Bank, N.A.	4,880,836.65
Check 21 Highway Use	JPMorgan Chase Bank, N.A.	508,399.35
Check 21 PIT	JPMorgan Chase Bank, N.A.	833,754.19
Check 21 Real Estate Transfer	JPMorgan Chase Bank, N.A.	416,897.43
Check Sales Tax	JPMorgan Chase Bank, N.A.	812,822.27
Cigarette Stamp Tax (EFT)	Wells Fargo Bank	430,278.80
Cigarette Stamp Tax Split	JPMorgan Chase Bank, N.A.	413,877.78
Cigarette Tax Tobacco Products	Bank of America, N.A.	155,731.36
Congestion Surcharge	Wells Fargo Bank	51,233.57
Corporation Tax	Wells Fargo Bank	299.58
Corporation Tax - Coupon Acct.	JPMorgan Chase Bank, N.A.	81,118.94
Educational Chartable Account	Wells Fargo Bank	1.00
Employer Compensation Expense	Wells Fargo Bank	17,662.37
Encon Beverage Container Deposit/Bottle Bill (EFT)	Wells Fargo Bank	200,078.57
ERS Petty Cash Acct	Key Bank	No report received
Estimated Tax	JPMorgan Chase Bank, N.A.	9,184,016.68
Gift Tax	Bank of America, N.A.	0.00
Hazardous Waste	Key Bank	41,974.63
Highway Use - Permits & Reg.	Bank of America, N.A.	47,322.14
Highway Use Truck Mileage Tax (EFT)	Wells Fargo Bank	610,686.08
Hudson River-Black River	Bank of America, N.A.	913,937.74
Hudson River-Black River	Community Bank	335,216.81
Hut/Oscar Registrations & Renewals (EFT)	Wells Fargo Bank	63,848.50
IFTA Fuel Use Tax (EFT)	Wells Fargo Bank	18,856.22
IFTA/Oscar Renewals (EFT)	Wells Fargo Bank	0.00
IFTA-Decal/Permit Fee Acct.	Bank of America, N.A.	73,138.00
IFTA-Fuel Use	Bank of America, N.A.	18,515.42
Justice Court	Key Bank	49,508.10
Mac #847 NYS T&F Pari Mutuel	Key Bank	1,106,723.67
Mac #848 NYS T&F Off Track	Key Bank	2,680,059.13
Medallion Taxicab Trip Tax (EFT)	Wells Fargo Bank	2,001.50
Medical Marijuana Tax Collections	Bank of America, N.A.	1,720.19
Metro Commuter Trans. Mobility	JPMorgan Chase Bank, N.A.	79,261.58
Ogdensburg Bridge & Port	Community Bank	166,547.49
Opioid Excise Tax	Wells Fargo Bank	90,041.01
Personal Income Tax	Wells Fargo Bank	38,125.94
Petroleum Business Tax (EFT)	Wells Fargo Bank	308,651.61
Petroleum Products Tax	Bank of America, N.A.	3,000,944.06
Petty Cash Account	Key Bank	No report received
PIT Bulk	JPMorgan Chase Bank, N.A.	971,952.00
Port Of Oswego	Key Bank	6,858.01
Promptax - MCTMT	Wells Fargo Bank	812,787.94
Promptax - Petroleum Business Tax	Wells Fargo Bank	897.79
Promptax - Sales Tax/Sales Tax Prepaid Fuel	Wells Fargo Bank	348.79
Promptax - Withholding	Wells Fargo Bank	3,221,917.01
Real Estate Transfer Tax	Key Bank	2,184.95
Revenue Holding	First Niagara Bank	2,988,000.00
Sales Tax	JPMorgan Chase Bank, N.A.	0.00

Sales Tax	Wells Fargo Bank	29,704.30
SUNY Concentration	First Niagara Bank	256,000.00
TNC Assessment (EFT)	Wells Fargo Bank	1,198.46
Troy Debt Service Reserve Fund	Bank of America, N.A.	5,057,754.32
Uncashed Winning Tickets	Bank of America, N.A.	49,975.49
Withholding	Wells Fargo Bank	439.84
Withholding Tax	JPMorgan Chase Bank, N.A.	25,259,354.82
Cash Advance Accounts		
Advance For Travel Account	Key Bank	No report received
ERS Petty Cash Acct	Key Bank	No report received
Petty Cash Account	Key Bank	No report received
Common Retirement Fund		
Common Retirement Fund - Depository	JPMorgan Chase Bank, N.A.	No report received
NYS Common Retirement Fund	JPMorgan Chase Bank, N.A.	No report received
Employees Retirement System		
Employees Retirement System - EFT	JPMorgan Chase Bank, N.A.	No report received
Employees Retirement System - General	JPMorgan Chase Bank, N.A.	No report received
Employees Retirement System - Pension	JPMorgan Chase Bank, N.A.	No report received
Group Term Life		
Group Term Life - General	JPMorgan Chase Bank, N.A.	No report received
Municipal Assistance Corporation Accounts		
City Of Troy - MAC	JPMorgan Chase Bank, N.A.	719,231.00
Police and Fire		
Retirement Police & Firemen's - EFT	JPMorgan Chase Bank, N.A.	No report received
Retirement Police & Firemen's - General	JPMorgan Chase Bank, N.A.	No report received
Retirement Police & Firemen's - Pension	JPMorgan Chase Bank, N.A.	No report received
03000 - DEPARTMENT OF LAW		
Albany Filing Fees Account	Key Bank	No report received
Albany Petty Cash	Bank of America, N.A.	No report received
Albany Revenue Account	Key Bank	No report received
Assessment Account	JPMorgan Chase Bank, N.A.	No report received
Attorney General Account	Key Bank	No report received
Civil Recoveries Account	Key Bank	No report received
Dept Of Law Controlled Disb	M&T Bank	No report received
Marie Roberts	JPMorgan Chase Bank, N.A.	No report received
NYC Filing Fees Account	JPMorgan Chase Bank, N.A.	No report received
NYC Petty Cash Account	JPMorgan Chase Bank, N.A.	No report received
NYC Revenue Account	JPMorgan Chase Bank, N.A.	No report received
Restitution Account	M&T Bank	No report received
Special Account	Key Bank	No report received
US Justice Dept - Shared Forfeiture	Key Bank	No report received
US Treas Dept - Shared Forfeiture	Key Bank	No report received
03010 - OFFICE OF THE ATTORNEY GENERAL		
OCTF - Confidential Fund Checking	JPMorgan Chase Bank, N.A.	No report received
OCTF - Confidential Fund Checking	JPMorgan Chase Bank, N.A.	No report received
03020 - MEDICAID FRAUD CONTROL		
dept atty gen vs john doe	Key Bank	6,320,327.46
National Global Settlement	JPMorgan Chase Bank, N.A.	349,048.38
NYS Department Of Law Confidential Account	JPMorgan Chase Bank, N.A.	28,869.76
NYS Department of Law Petty Cash Account	JPMorgan Chase Bank, N.A.	4,978.19
04020 - NYS ASSEMBLY		
Advance For Travel	Bank of America, N.A.	2,832.00
Petty Cash Account Dist Off	Bank of America, N.A.	20,930.99
Petty Cash New York City	JPMorgan Chase Bank, N.A.	722.56
Public Information Office	Key Bank	33.25
04030 - ASSEMBLY WAYS & MEANS COMMITTEE		
Advance For Travel	Key Bank	No report received
Petty Cash	Key Bank	No report received
04040 - LEGISLATIVE BILL DRAFTING COMMISSION		
NY LBDC - Legislative Computer Services Fund	Key Bank	No report received
NYS Leg Bill Drafting Comm-Petty Cash Acct	Key Bank	No report received
04250 - REAPPORTIONMENT		
NYS Taskforce On Demo Res & Reapp	JPMorgan Chase Bank, N.A.	No report received
05000 - OFFICE OF COURT ADMINISTRATION		
Attorney Registration Fees - Revenue	JPMorgan Chase Bank, N.A.	828,200.00
Criminal Records Search Acct - Revenue	JPMorgan Chase Bank, N.A.	9,716,785.00
Finger Print Account	JPMorgan Chase Bank, N.A.	1,050.00
05005 - OCA OFFICE OF BUDGET & FINANCE		
Petty Cash Account	Key Bank	2,487.20
05008 - LAWYERS FUND FOR CLIENT PROTECTION		
Client Security Fund - Bail	Key Bank	1,343,275.91
Lawyers Fund For Client Protection - Bail	Key Bank	702.15
Petty Cash	Key Bank	2,836.10
05071 - COURT OF APPEALS		

Chief Judge Advance	Key Bank	15.07
Clerk Of The Court Of Appeals	Key Bank	4,140.00
05072 - STATE BOARD OF LAW EXAMINERS		
State Board Of Law Examiners Fee	Key Bank	53,350.00
05081 - APPELLATE DIVISION - 1ST JUDICIAL DEPARTMENT		
1st Appellate Division Supreme Ct	JPMorgan Chase Bank, N.A.	47,391.00
05082 - APPELLATE DIVISION - 2ND JUDICIAL DEPARTMENT		
Appellate Div 2nd Dept Revenue	JPMorgan Chase Bank, N.A.	75,621.50
05083 - APPELLATE DIVISION - 3RD JUDICIAL DEPARTMENT		
Third Dept Civil Fees Acct - Revenue	Key Bank	No report received
05084 - APPELLATE DIVISION - 4TH JUDICIAL DEPARTMENT		
4th Dept Appellate Div Civil Fees - Revenue	JPMorgan Chase Bank, N.A.	13,618.50
05090 - COURT OF CLAIMS		
Court Of Claims Revenue Account	Key Bank	4,715.74
05111 - 10TH JUDICIAL DISTRICT NASSAU COUNTY ADMINISTRATION		
Glen Cove City Court		
Glen Cove City Court Bail	Wells Fargo Bank	3,000.40
Glen Cove City Court Revenue	Wells Fargo Bank	21,669.72
Long Beach City Court		
Long Beach City Court Revenue	Wells Fargo Bank	137,687.23
Long Beach Court Bail	Wells Fargo Bank	66,560.02
Nassau County Court		
Nassau County Assessment	Wells Fargo Bank	51,911.29
Nassau District Court - Criminal		
Nassau Dist Ct Criminal Revenue	Wells Fargo Bank	152,067.50
Nassau District Court-Civil		
Nassau County Dist Ct- Civil Revenue	Wells Fargo Bank	19,960.59
Nassau Surrogate		
Nassau County Surrogate Court-Revenue	Wells Fargo Bank	275,341.75
05112 - 10TH JUDICIAL DISTRICT SUFFOLK COUNTY ADMINISTRATION		
10th Judicial District Suffolk County Admin		
Suffolk County Court -Court Fund	People's United Bank	20,343.60
Suffolk County Surrogate		
Surrogate Court Of Suffolk County	People's United Bank	85,473.00
Suffolk District Court Civil Fees		
Suffolk County District Court Civil Fees	Citibank	No report received
Suffolk District Court Criminal Fines		
Suffolk County District Court Criminal Fines	Citibank	No report received
Suffolk District Court Trust Acct		
Suffolk County District Court Trust Account	Citibank	No report received
05210 - NYC-CIVIL COURT		
Bronx Civil Court - Civil		
Bronx Civil Court - Revenue	JPMorgan Chase Bank, N.A.	1,069,316.87
Harlem Community Justice Court		
Harlem Community Justice - Revenue Account	JPMorgan Chase Bank, N.A.	19,662.68
Kings Civil Court- Civil		
Kings Civil Court- Civil Revenue	JPMorgan Chase Bank, N.A.	300,751.67
New York Civil Court - Civil		
New York Civil Court Revenue Acct	JPMorgan Chase Bank, N.A.	73,472.94
Queens Civil Court - Civil		
Queens Civil - Revenue	JPMorgan Chase Bank, N.A.	634,473.56
Richmond Civil Court - Civil		
Richmond Civil Ct Revenue Acct	JPMorgan Chase Bank, N.A.	35,121.32
05215 - NYC-CRIMINAL COURT		
Bronx Criminal Court- Criminal Court		
Bronx Criminal Division- Criminal Bail	JPMorgan Chase Bank, N.A.	109,656.00
Bronx Criminal Court- Criminal Court		
Bronx Criminal Division- Criminal Revenue	JPMorgan Chase Bank, N.A.	17,646.00
Kings County Criminal Court		
Kings Criminal Court	Citibank	187,087.00
New York County Criminal Court		
New York Criminal Court	JPMorgan Chase Bank, N.A.	61,167.00
New York Criminal Court- State Funds	JPMorgan Chase Bank, N.A.	22,065.00
Queens County Criminal Court		
Queens Criminal Court	JPMorgan Chase Bank, N.A.	52,180.00
Queens Criminal Court - State Funds	JPMorgan Chase Bank, N.A.	57,037.00
Richmond County Criminal Court		
Richard Criminal Court-City Funds	JPMorgan Chase Bank, N.A.	16,297.00
Richmond Criminal Court-State Funds	JPMorgan Chase Bank, N.A.	18,912.00
05231 - SUPREME COURT - BRONX COUNTY		
Bronx County Supreme - NYS OCA	JPMorgan Chase Bank, N.A.	4,405.00
05235 - SUPREME COURT - KINGS COUNTY		
Kings Co Supreme		
Supreme Court Kings County-Revenue	JPMorgan Chase Bank, N.A.	7,234.00

05240 - SUPREME COURT - QUEENS COUNTY		
Queens Co Supreme		
Queens County Supreme Court	JPMorgan Chase Bank, N.A.	0.00
Queens County Supreme Court	JPMorgan Chase Bank, N.A.	20,027.26
05250 - NEW YORK COUNTY CLERK		
New York Co Clerk Revenue Account	JPMorgan Chase Bank, N.A.	1,554,043.75
05255 - BRONX COUNTY CLERK		
Bronx County Clerk		
Bronx Cnty Clerk Revenue Acct	JPMorgan Chase Bank, N.A.	700,493.00
05260 - KINGS COUNTY CLERK		
Kings County Clerk		
Kings County Clerk Revenue Account	Flushing Commercial Bank	1,388,173.80
05265 - QUEENS COUNTY CLERK		
Queens County Clerk-Revenue Acct	Sterling Bank	1,065,776.67
05270 - RICHMOND COUNTY CLERK		
Richmond Co Clerk State Fees Account	JPMorgan Chase Bank, N.A.	8,930,607.40
Richmond County Clerk DEC	JPMorgan Chase Bank, N.A.	78.93
05275 - NEW YORK COUNTY SURROGATES COURT		
New York Surrogate		
New York Surrogate Court	JPMorgan Chase Bank, N.A.	102,562.75
05280 - BRONX COUNTY SURROGATES COURT		
Bronx Surrogate		
Bronx Surrogate Court Revenue Acct	JPMorgan Chase Bank, N.A.	125,390.00
05285 - KINGS COUNTY SURROGATES COURT		
Kings County Surrogate		
Kings Co. Surrogate Revenue Acct	Bank of America, N.A.	730,901.00
05290 - QUEENS COUNTY SURROGATES COURT		
Queens surrogate		
Queens Co Revenue Acct Surrogate	Signature Bank	77,818.00
05295 - RICHMOND COUNTY SURROGATES COURT		
Richmond County Surrogate Court Revenue Account	Victory State Bank	25,440.25
05360 - 3RD JUDICIAL DISTRICT ADMINISTRATION		
Albany City Court - (Civil)		
Albany City Civil - Revenue	Wells Fargo Bank	4,629.60
Albany City Court - (Crim-Bail)		
Albany City Criminal - Bail	Wells Fargo Bank	14,687.34
Albany City Court - (Traffic)		
Albany City Traffic-Revenue	Wells Fargo Bank	24,973.18
Albany Traffic Court - Bail	Bank of America, N.A.	0.00
Albany City Court - Civil Part		
Albany City Court Civil - Revenue	Trustco Bank	0.00
Albany City Court - Crim		
Albany City Court-Crim	Wells Fargo Bank	10,903.34
Albany City Court - Traffic-Bail		
Albany City Traffic - Bail	Wells Fargo Bank	1,300.17
Albany County Surrogate		
Albany Cty Surrogates Court - Revenue	Bank of America, N.A.	220.00
Albany Police Court		
Albany Police Court Bail Account	Key Bank	0.00
Albany Surrogates Court		
Albany County Surrogates Court Revenue	Wells Fargo Bank	24,698.00
Cohoes City Court		
Cohoes City Court Bail	Key Bank	1,913.00
Cohoes City Court Fees/Fines Account	Key Bank	9,139.00
Columbia County Surrogate		
Columbia Co Surrogate Ct Fees - Revenue	Key Bank	3,359.00
Greene Surrogate		
Greene Surrogate-Revenue	Wells Fargo Bank	5,400.00
Hudson City Court		
Hudson City Bail	Wells Fargo Bank	25,449.11
Hudson City Revenue	Wells Fargo Bank	40,198.52
Kingston City Court		
Kingston City Court Bail	Wells Fargo Bank	10.00
Kingston City Court Revenue	Wells Fargo Bank	30,948.79
Rensselaer City Court		
Rensselaer City Court - Bail	Wells Fargo Bank	5,161.47
Rensselaer City Court - Revenue	Wells Fargo Bank	3,913.24
Rensselaer County Surrogate		
Rensselaer Co Surrogate Ct Fees - Revenue	Key Bank	16,070.25
Schoharie Surrogate Court		
Schoharie Surrogates Court Revenue	NBT Bank	43.00
Sullivan Surrogate		
Sullivan Surrogate-Revenue	Wells Fargo Bank	10,146.59
Troy City Court		

Troy City Court- Revenue Acct - Revenue	Bank of America, N.A.	22,407.16
Troy Police Court Bail Account	Bank of America, N.A.	12,742.35
Ulster County Surrogate		
Ulster County Surrogate Court - Revenue	Key Bank	14,917.75
Watervliet City Court		
Watervliet City Court - Bail	Wells Fargo Bank	47,036.20
Watervliet City Court - Revenue	Wells Fargo Bank	14,381.53
05460 - 4TH JUDICIAL DISTRICT ADMINISTRATION		
Amsterdam City Court		
Amsterdam City Court - Bail	Key Bank	23,951.22
Amsterdam City Court - Revenue	Key Bank	16,353.02
Clinton County Surrogates		
Clinton County Surrogates - Revenue	NBT Bank	1,037.00
Essex County Surrogate		
Essex Co Surrogate Clerk - Revenue	Champlain National	4,782.00
Franklin County Surrogate		
Franklin Co Surrogate Court - Revenue	Key Bank	2,621.00
Fulton County Surrogate		
Fulton County Surrogate's Court	Key Bank	1,771.25
Glens Falls City Court		
Glens Falls City Court Account - Revenue	Glens Falls National	9,699.01
Glens Falls City Court Bail Acct	Glens Falls National	11,105.87
Gloversville City Court		
Gloversville City Court Bail	NBT Bank	22,554.49
Gloversville City Court Revenue	NBT Bank	5,457.17
Hamilton Surrogate		
Hamilton Surrogate - Revenue	Community Bank	0.00
Johnstown City Court		
City Of Johnstown Bail Account - Bail	Key Bank	3,576.05
Johnstown City Court Fines/Fees - Revenue	Key Bank	6,391.00
Mechanicville City Court		
Mechanicville City Court Bail	TD Bank	150.01
Mechanicville City Ct Revenue Acct	TD Bank	4,175.00
Montgomery County Surrogate		
Montgomery County Surrogates Court - Revenue	NBT Bank	1,026.00
Ogdensburg City Court		
Ogdensburg City Court Int Bail	Community Bank	2,011.00
Ogdensburg City Court Revenue	Community Bank	1,967.00
Plattsburgh City Court		
Plattsburgh City Court - Bail	Glens Falls National	26,301.52
State Of NY Plattsburgh City Court - Revenue	Glens Falls National	10,030.00
Saratoga County Surrogate		
Saratoga County Surrogate - Revenue	Ballston Spa National Bank	4,004.50
Saratoga Springs City Court		
Saratoga Springs Bail Account	The Adirondack Trust Company	28,821.37
Saratoga Springs City Revenue Acct	The Adirondack Trust Company	11,708.86
Schenectady City Court		
Schenectady City Court- Bail	Bank of America, N.A.	79,154.10
Schenectady City Court Revenue	Bank of America, N.A.	48,814.59
Schenectady Surrogate		
Schenectady Surrogate Court - Revenue	Key Bank	2,071.00
St. Lawrence Co Surrogate		
St. Lawrence County Surrogate - Revenue	Community Bank	1,295.00
Warren County Surrogate		
Warren County Surrogate Court - Revenue	TD Bank	6,206.00
Washington Surrogates		
Washington Surrogate Revenue	TD Bank	4,748.00
05560 - 5TH JUDICIAL DISTRICT ADMINISTRATION		
Fulton City Court		
Fulton City Court Bail Acct	Key Bank	29,050.23
Fulton City Court Revenue	Key Bank	9,213.89
Herkimer Surrogate		
Herkimer Surrogate - Revenue	Partners Trust	829.75
Jefferson Surrogates		
Jefferson Co Surrogate Revenue	Key Bank	8,996.75
Lewis County		
Lewis County Clerk	Community Bank	5,765.00
Lewis County Surrogates		
Lewis County Surrogate Court - Revenue	Key Bank	35.00
Little Falls City Court		
Little Falls City Court Bail	M&T Bank	12,000.00
Little Falls City Court Revenue	M&T Bank	1,917.45
Oneida County Combined		
Oneida County Combined Court	Adirondack Bank	5,496.69

Oneida County Surrogates		
Oneida County Surrogate Court Revenue	The Adirondack Trust Company	26,919.50
Onondaga County Surrogates		
Onondaga Surrogate Court - Revenue	Alliance Bank	13,806.66
Oswego City Court		
Oswego City Court Bail Acct	JPMorgan Chase Bank, N.A.	21,777.18
Oswego City Court Revenue	JPMorgan Chase Bank, N.A.	13,567.50
Oswego Surrogate Court		
Oswego County Surrogate Court - Revenue	Key Bank	2,098.75
Rome City Court		
City Court Of Rome Bail Account - Bail	NBT Bank	10,316.00
Rome City Court - Revenue	NBT Bank	20,948.06
Sherrill City Court		
Sherrill City Court 5th Jud Dist - Bail	NBT Bank	251.00
Sherrill City Court Fees - Revenue	NBT Bank	571.00
Syracuse City Court		
Syracuse City Court - Bail	NBT Bank	315,140.00
Syracuse City Court - Fees - Revenue	NBT Bank	30,285.61
Utica City Court		
Utica City Court Criminal Bail	Bank of Utica	111,611.56
Utica City Court Revenue Account	Key Bank	27,535.97
Watertown City Court		
Watertown City Court Bail	Key Bank	54,686.87
Watertown City Court Fees & Fines - Revenue	Key Bank	15,943.50
05661 - 6TH JUDICIAL DISTRICT ADMINISTRATION		
Binghamton City Court		
Binghamton City Court Bail	M&T Bank	65,352.00
Binghamton City Court Revenue	M&T Bank	15,605.25
Broome Surrogates		
SNY UCS Broome County Surrogates Court	Wells Fargo Bank	6,853.50
Chemung County Surrogates		
SNY UCS Chemung County Surrogates Court	Wells Fargo Bank	1,038.75
Chenango County Surrogates		
SNY UCS Chenango County Surrogates Court	Wells Fargo Bank	3,590.50
Cortland City Court		
Court City Court Bail	NBT Bank	19,886.55
Court City Court- Revenue	NBT Bank	8,331.50
Cortland County Surrogates		
SNY UCS Cortland County Surrogates Court	Wells Fargo Bank	1,686.00
Delaware County Surrogates		
Delaware County Surrogate - Revenue	Delaware National Bank	3,231.99
Elmira City Court		
Elmira City Court - Revenue Account	Chemung Canal Trust	11,881.26
Elmira City Court Bail	Chemung Canal Trust	63,081.20
Ithaca City Court		
Ithaca City Court	Tompkins County Trust	8,452.00
Ithaca City Court Revenue	Tompkins County Trust	11,092.17
Madison County Surrogates		
SNY UCS Madison County Surrogates Court	Wells Fargo Bank	810.00
Norwich City Court		
Norwich City Court Bail Acct	NBT Bank	No report received
Norwich City Court Revenue Acct	NBT Bank	No report received
Oneida City Court		
Oneida City Court Bail Account	JPMorgan Chase Bank, N.A.	8,382.00
Oneida City Court Fee & Fine - Revenue	JPMorgan Chase Bank, N.A.	12,199.00
Oneonta City Court		
Oneonta City Court - Revenue	Community Bank	No report received
Oneonta City Court Bail Account	Community Bank	No report received
Otsego County Surrogates		
Otsego County Surrogates Court - Revenue	Key Bank	1,388.50
Schuyler County Surrogates		
Schuyler County Surrogates Court	Community Bank	37.00
Tioga County Surrogates		
Tioga Surrogates Court - Revenue	M&T Bank	2,234.50
Tompkins County Surrogates		
SNY UCS Tompkins County Surrogates Court	Wells Fargo Bank	1,406.25
05761 - 7TH JUDICIAL DISTRICT ADMINISTRATION		
Auburn City Court		
Auburn City Court Bail Acct	Key Bank	26,662.00
Auburn City Court Fees & Fines - Revenue	Key Bank	13,516.00
Canandaigua City Court		
Canandaigua City Court Bail Acct	Canandaigua National Bank	18,302.48
Canandaigua City Court Revenue	Canandaigua National Bank	11,007.00
Cayuga County Surrogates		

Cayuga Surrogate Court	Wells Fargo Bank	3,038.00
Corning City Court		
Corning City Court - Bail	Wells Fargo Bank	11,749.01
Corning City Court - Revenue	Wells Fargo Bank	5,493.00
Geneva City Court		
Geneva City Court Bail Account	Wells Fargo Bank	20,902.26
Geneva City Court Revenue Account	Wells Fargo Bank	5,821.00
Hornell City Court		
Hornell City Court Bail Account	Community Bank	5,570.05
Hornell City Court Revenue	Community Bank	2,502.00
Livingston County Surrogates		
Livingston Surrogate Court	Wells Fargo Bank	666.00
Monroe County Surrogates		
7th District Monroe Surrogate	Wells Fargo Bank	14,489.00
Ontario County Surrogates		
Ontario Surrogate Court	Wells Fargo Bank	4,171.00
Rochester City Court		
Rochester City Court Bail Account	M&T Bank	472,632.90
Rochester City Revenue	M&T Bank	25,806.92
Seneca County Surrogates		
Seneca Surrogate Court	Wells Fargo Bank	991.50
Steuben County Surrogates		
7th District Steuben Surrogate	Wells Fargo Bank	6,223.00
Wayne County Surrogates		
Wayne Surrogate Court	Wells Fargo Bank	1,810.25
Yates County Surrogates		
Yates Surrogate Court	Wells Fargo Bank	1.00
05860 - 8TH JUDICIAL DISTRICT ADMINISTRATION		
ALLEGANY COUNTY SURROGATES COURT		
ST of NY Office of The State Comptroller State of New York Unified Courts Allegany Surrogate Court	Wells Fargo Bank	1,634.00
Batavia City Court		
ST of NY Office of The State Comptroller Batavia City Court Bail	Wells Fargo Bank	27,145.41
ST of NY Office of The State Comptroller Batavia City Court REVENUE	Wells Fargo Bank	14,225.00
BUFFALO CITY COURT		
ST of NY Office of The State Comptroller Buffalo City Court Bail Account	Wells Fargo Bank	250,966.18
ST of NY OFFICE OF THE STATE COMPTROLLER BUFFALO CITY COURT REVENUE ACCOUNT	Wells Fargo Bank	41,733.46
Cattaraugus County Surrogates		
ST of NY Office of the State Comptroller State of New York Unified Courts Cattaraugus Surrogate Court	Wells Fargo Bank	3,877.00
Chautauqua County Surrogates Court		
ST of NY Office of the State Comptroller State of New York Unified Courts Chautauqua Surrogate Court	Wells Fargo Bank	4,433.00
Dunkirk City Court		
ST of NY Office of The State Comptroller Dunkirk Bail Account	Wells Fargo Bank	5,858.48
ST of NY Office of The State Comptroller Dunkirk Revenue Account	Wells Fargo Bank	4,911.00
Erie - Buffalo County Law Library		
Sur Ct Lib At Buffalo - Revenue	M&T Bank	35.40
Erie County Surrogates		
ST of NY Office of the State Comptroller State of New York Unified Courts Erie Surrogate Court	Wells Fargo Bank	36,739.50
Genesee County Surrogates		
ST of NY Office of the State Comptroller State of New York Unified Courts Genesee Surrogate Court	Wells Fargo Bank	1,263.00
Jamestown City Court		
St of NY Office of the State Comptroller Jamestown City Court Bail Account	Wells Fargo Bank	25,332.19
St of NY Office of the State Comptroller Jamestown City Court Revenue Account	Wells Fargo Bank	7,715.00
Lackawanna City Court		
Lackawanna City Court Bail Account	Key Bank	21,095.82
Lackawanna City Court Revenue Account	Key Bank	24,014.87
Lockport City Court		
St of NY Office of the State Comptroller Lockport City Court Bail Account	Wells Fargo Bank	20,266.90
St of NY Office of the State Comptroller Lockport City Court Revenue Account	Wells Fargo Bank	5,717.85
Niagara County Surrogates		
ST of NY Office of the State Comptroller State of New York Unified Courts Niagara Surrogate Court	Wells Fargo Bank	5,711.00
Niagara Falls City Court		
ST of NY OFFICE OF THE STATE COMPTROLLER NIAGARA FALLS BAIL ACCOUNT	Wells Fargo Bank	49,935.63
ST of NY OFFICE OF THE STATE COMPTROLLER NIAGARA FALLS REVENUE ACCOUNT	Wells Fargo Bank	31,311.00
No. Tonawanda City Court		
ST of NY Office of The State Comptroller No. Tonawanda City Court Bail	Wells Fargo Bank	70,083.86
ST of NY Office of The State Comptroller No. Tonawanda Revenue	Wells Fargo Bank	70,753.08
Olean City Court		
ST of NY Office of The State Comptroller Olean City Court Bail	Wells Fargo Bank	1,523.50
ST of NY Office of The State Comptroller Olean City Court Revenue	Wells Fargo Bank	5,224.06
Orleans County Surrogates		
ST of NY Office of The State Comptroller State of New York Unified Courts Orleans Surrogate Court	Wells Fargo Bank	1,601.00
Salamanca City Court		
St of NY Office of the State Comptroller Salamanca City Court Bail Account	Wells Fargo Bank	3,754.86
St of NY Office of the State Comptroller Salamanca City Court Revenue Account	Wells Fargo Bank	5,588.64

Tonawanda City Court		
ST of NY Office of The State Comptroller Tonawanda City Court Bail	Wells Fargo Bank	58,592.12
ST of NY Office of The State Comptroller Tonawanda City Court Revenue	Wells Fargo Bank	22,415.22
Wyoming County Surrogates		
ST of NY Office of the State Comptroller State of New York Unified Courts Wyoming Surrogate Court	Wells Fargo Bank	1,160.00
05960 - 9TH JUDICIAL DISTRICT ADMINISTRATION		
Beacon City Court		
Beacon City Court Bail Account - Bail	JPMorgan Chase Bank, N.A.	11,381.09
Beacon City Fines Account - Revenue	JPMorgan Chase Bank, N.A.	9,108.53
Dutchess County Surrogates Court		
Dutchess County Surrogate Court - Revenue	JPMorgan Chase Bank, N.A.	41,701.85
Middletown City Court		
Middletown City Bail Escrow - Bail	Wells Fargo Bank	113,009.80
Middletown City Court Revenue	JPMorgan Chase Bank, N.A.	0.00
Middletown City Court Revenue	Wells Fargo Bank	36,803.45
Mt Vernon City Court		
Mt Vernon City Court State Bail	Wells Fargo Bank	156,929.01
Mt Vernon City Court State Revenue	Wells Fargo Bank	31,135.30
New Rochelle City Court		
New Rochelle City Court Bail	JPMorgan Chase Bank, N.A.	274,329.22
New Rochelle City Court Revenue	JPMorgan Chase Bank, N.A.	28,117.52
Newburgh City Court		
Newburgh Bail Account	Wells Fargo Bank	46,585.22
Newburgh City Court Revenue	Wells Fargo Bank	40,678.56
Orange County Surrogates Court		
Orange Co Surrogates Court - Revenue	JPMorgan Chase Bank, N.A.	17,954.75
Peekskill City Court		
Peekskill City Court Revenue	JPMorgan Chase Bank, N.A.	26,956.01
Peekskill City Court		
Peekskill City Court - Bail	JPMorgan Chase Bank, N.A.	108,128.61
Port Jervis City Court		
Port Jervis Bail Account - Bail	JPMorgan Chase Bank, N.A.	6,119.35
Port Jervis Revenue Account - Revenue	JPMorgan Chase Bank, N.A.	9,740.00
Poughkeepsie		
Poughkeepsie City Court -Bail	Wells Fargo Bank	44,273.99
Poughkeepsie City Court -Revenue	Wells Fargo Bank	30,850.65
Putnam Co Surrogate's Court		
Putnam Co Surrogates Court	Putnam County National Bank	16,653.50
Rockland County Surrogates Court		
Rockland Co Surrogates Court - Revenue	JPMorgan Chase Bank, N.A.	12,614.09
Rye City Court		
City Of Rye Bail Account	JPMorgan Chase Bank, N.A.	751.01
City Of Rye Fines And Fees - Revenue	JPMorgan Chase Bank, N.A.	34,397.01
Westchester County Surrogates Court		
Westchester Co Surrogates Fees - Revenue	Wells Fargo Bank	86,489.09
White Plains City Court		
White Plains City Court Bail Account	Sterling Bank	0.00
White Plains City Court Bail Account	Wells Fargo Bank	87,773.18
White Plains City Court Vehicle And Traffic Acct - Revenue	Sterling Bank	0.00
White Plains City Court Vehicle And Traffic Acct - Revenue	Wells Fargo Bank	65,330.87
Yonkers City Court		
Yonkers City Bail Account - Bail	Wells Fargo Bank	620,755.98
Yonkers City Revenue Account - Revenue	Wells Fargo Bank	96,609.24
06000 - AGRICULTURE & MARKETS		
Administration Account	Key Bank	4,624.12
Agency Advance Account	Key Bank	10,000.00
Agriculture Producers Sec Fund	Key Bank	34,962.68
Animal Population Control Account	Key Bank	32,028.71
Apple Marketing Order Fund	Key Bank	0.00
Consumer Food Industry Account	Key Bank	17,118.91
Dairy Industry Services Account	Key Bank	43,484.60
Dairy Promotion Order Fund	Key Bank	0.00
Milk Producers Security Fund	Key Bank	1,915.43
NYS Farmers Market Program	Key Bank	416,445.82
NYS WNY Milk Mktg Area Administration Fund	M&T Bank	46.76
NYS WNY Milk Mktg Area Equalization Fund	M&T Bank	12,199.20
NYS WNY Milk Mktg Area Equalization Fund Savings	M&T Bank	319.45
Plants Industry Account	Key Bank	10,487.14
Pride of NY	Key Bank	6,266.98
Weights & Measures Account	Key Bank	7,351.87
NYS Dept Agriculture & Markets		
Apple Marketing Order Fund	Key Bank	0.00
Dairy Promotion Order Fund	Key Bank	0.00
Farm Products	Key Bank	1,398.71

State Fair		
NYS Fair Operating Account	Solvay Bank	10,291.74
NYS Fair Special Account	Solvay Bank	232.08
08000 - DEPARTMENT OF CIVIL SERVICE		
Agency Advance Account	Bank of America, N.A.	3,000.00
Examination Application Fees Account	Bank of America, N.A.	363.00
Examination Application Fees Account	Key Bank	397.00
NYS Affirmative Action Advisory Account	Bank of America, N.A.	5,141.90
NYS Department of Civil Service	US Bank	1,398,597.18
08010 - PUBLIC EMPLOYEE RELATIONS BOARD		
Petty Cash And Travel Advance Account	Key Bank	No report received
09000 - DEPARTMENT OF ENVIRONMENTAL CONSERVATION		
Albany		
Conservation Petty Cash Account	M&T Bank	8,518.00
DEC/Exchange Account	M&T Bank	12,783.98
ENCON License Issuing Office	M&T Bank	5,176.67
ENCON/Montauk Point Feasibility Study	JPMorgan Chase Bank, N.A.	7,205.91
ENCON/South Shore Of Staten Island	JPMorgan Chase Bank, N.A.	22,922.53
Hunting Trapping & Fishing Account	M&T Bank	12,823.99
Lake Montauk Harbor	JPMorgan Chase Bank, N.A.	154,333.93
Lockbox Account	Wells Fargo Bank	152,905.10
NY Conservationist	Bank of America, N.A.	9,415.46
Program Fee	JPMorgan Chase Bank, N.A.	11,354.33
Revenue Account	Bank of America, N.A.	470,197.25
Rockaway Beach Study & Project	JPMorgan Chase Bank, N.A.	1,265,948.00
State of New York	Key Bank	214,425.40
Region 1		
Marine Permit Account	People's United Bank	9,815.48
Region 3		
Beaverkill & Mongaup Pond	Jeff Bank	5,836.39
Revenue Region 3 Account	Bank of America, N.A.	6,350.37
Region 4		
Bear Spring Revenue Account	Wayne Bank	25.25
Region 4	Greene County Commercial Bank	7,998.50
Region 4 Camping	NBT Bank	2,447.81
Region 5		
Campsite Revenue Account	Glens Falls National	97,298.59
Land & Forest Region 5W	TD Bank	37,439.06
NYS Conservation	Glens Falls National	2,184.25
Recreation (Warrensburg)	City National Bank & Trust	25,542.87
Region 5	Citizens Bank	22,471.59
Region 5	NBT Bank	41,058.64
Tree Nursery	Bank of America, N.A.	280.00
Region 6		
Fish & Wildlife Watertown	Key Bank	126.92
Lands & Forest District #7	Community Bank	25.00
Lands & Forests District #6	Community Bank	25.00
Lands And Forests District 10	M&T Bank	528.02
SNY Dept Of Environmental Conserv	Community Bank	14.04
10000 - ATTICA CORRECTIONAL FACILITY		
Agency Advance Account	Five Star Bank	1,437.36
Employee Benefit Fund	Five Star Bank	10,878.09
General Cash Fund	Five Star Bank	8,505.34
Inmate Occupational Therapy Fund	Five Star Bank	108,092.60
Spendable Fund	Five Star Bank	1,452,953.14
10010 - AUBURN CORRECTIONAL FACILITY		
Advance Account	Key Bank	4,456.75
Certificate of Deposit	Bank of America, N.A.	15,021.20
Inmate Occupational Therapy Fund	Key Bank	33,775.75
Inmate Spendable Account	Key Bank	396,688.50
Misc Revenue	Key Bank	54,636.40
10020 - CLINTON CORRECTIONAL FACILITY		
Advance Account	Key Bank	12,243.00
Employee Benefit Fund	Key Bank	8,322.35
General Fund	Key Bank	2,116.84
Inmate Funds	Key Bank	195,587.26
Inmate Occupational Therapy Acct	Key Bank	76,554.16
10040 - GREAT MEADOW CORRECTIONAL FACILITY		
Certificate of Deposit	Glens Falls National	150,000.00
Certificate of Deposit	Glens Falls National	100,000.00
Certificate of Deposit	Glens Falls National	25,000.00
Facility Advance	Key Bank	6,225.15
General Fund	Key Bank	0.00
Inmate Fund	Key Bank	676,060.75

Inmate Fund Savings Account	Glens Falls National	52,500.00
Miscellaneous Account	Key Bank	17,148.77
Occupational Therapy	Key Bank	62,910.38
10050 - FISHKILL CORRECTIONAL FACILITY		
Agency Advance	M&T Bank	3,908.61
Employee Benefits	M&T Bank	8,342.86
Inmate Spending Account	M&T Bank	1,730,650.68
Inmates Account	M&T Bank	463,162.41
Misc Receipts	M&T Bank	5,510.47
Occupational Therapy Account	M&T Bank	65,111.56
10060 - WALLKILL CORRECTIONAL FACILITY		
Advance Account	Key Bank	No report received
Employee Benefit	Key Bank	No report received
Inmate Occupational Therapy Fund	Key Bank	No report received
Inmate Savings Account	Key Bank	No report received
Inmates Fund Account	Key Bank	No report received
Misc. Receipts	Key Bank	No report received
10070 - SING SING CORRECTIONAL FACILITY		
Cash Advance	JPMorgan Chase Bank, N.A.	No report received
Inmate Funds	JPMorgan Chase Bank, N.A.	No report received
Inmate Interest Funds	JPMorgan Chase Bank, N.A.	No report received
Misc Receipts	JPMorgan Chase Bank, N.A.	No report received
Occupational Therapy	JPMorgan Chase Bank, N.A.	No report received
Quality Work Life	JPMorgan Chase Bank, N.A.	No report received
10080 - GREEN HAVEN CORRECTIONAL FACILITY		
Advance Account	Key Bank	2,300.00
General Fund	Key Bank	49,035.38
Inmates Money Market	Key Bank	287,852.70
Inmates Now Checking	Key Bank	1,461,569.23
Occupational Therapy Fund	Key Bank	160,755.71
10090 - ALBION CORRECTIONAL FACILITY		
Albion Advance Account	Bank of America, N.A.	5,108.55
Employee Benefit Fund	Bank of America, N.A.	15,562.36
Inmate Funds	Bank of America, N.A.	149,608.08
Misc Receipts	Bank of America, N.A.	6,078.50
Occupational Therapy	Bank of America, N.A.	22,123.82
10100 - EASTERN NEW YORK CORRECTIONAL FACILITY		
Agency Advance Account	Sterling Bank	720.04
Employee Benefit Fund	Sterling Bank	17,299.55
ID Now 3 Month CD	M&T Bank	50,102.55
Inmate Deposit Now Account	Sterling Bank	748,125.68
Inmate Occupational Therapy Account	Sterling Bank	50,246.83
Misc. Receipts	Sterling Bank	6,957.45
10110 - ELMIRA CORRECTIONAL & RECEPTION CENTER		
Agency Advance Account	Chemung Canal Trust	1,614.82
Employee Benefit Fund	Chemung Canal Trust	30,680.97
Inmates Fund	Chemung Canal Trust	615,825.83
Miscellaneous Receipts	Chemung Canal Trust	1,122.09
Occupational Therapy Fund	Chemung Canal Trust	35,745.62
10120 - BEDFORD HILLS CORRECTIONAL FACILITY		
Advance Account	JPMorgan Chase Bank, N.A.	5,069.96
Employee Benefit Fund	JPMorgan Chase Bank, N.A.	5,810.65
Inmate Funds	JPMorgan Chase Bank, N.A.	309,873.14
Inmate Funds CD	JPMorgan Chase Bank, N.A.	90,000.00
Inmate Funds Money Market	JPMorgan Chase Bank, N.A.	23,333.58
Misc. Receipts	JPMorgan Chase Bank, N.A.	131.48
Occupational Therapy	JPMorgan Chase Bank, N.A.	69,580.05
10130 - COXSACKIE CORRECTIONAL FACILITY		
Agency Advance Account	National Bank of Coxsackie	2,163.43
Employee Benefits Fund	National Bank of Coxsackie	31,505.70
Inmates Fund	National Bank of Coxsackie	214,117.68
Inmates Fund Savings Acct	National Bank of Coxsackie	187,674.21
Misc. Revenue	National Bank of Coxsackie	172.69
Occupational Therapy Acct	National Bank of Coxsackie	65,001.78
10140 - WOODBOURNE CORRECTIONAL FACILITY		
CD - Inmate Funds	First National Bank of Jeffersonville	190,000.00
CD - Inmate Funds	First National Bank of Jeffersonville	50,000.00
WCF Agency Advance	Jeff Bank	1,345.00
WCF General Fund	Jeff Bank	20,440.07
WCF Inmate Fund	Jeff Bank	547,940.38
WCF Occupational Therapy Fund	Jeff Bank	65,690.97
10160 - DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION		
Agency Advance Account	Key Bank	No report received
Employee Benefit Fund	Key Bank	No report received

Inmate Escrow Account	Key Bank	No report received
Misc. Receipts Account	Key Bank	No report received
Special Account	Key Bank	No report received
10170 - QUEENSBORO CORRECTIONAL FACILITY		
Agency Advance Account	JPMorgan Chase Bank, N.A.	7,645.60
Employee Benefit Fund	JPMorgan Chase Bank, N.A.	9,907.03
Inmate Funds Account	JPMorgan Chase Bank, N.A.	691,204.46
Miscellaneous Receipts Account	JPMorgan Chase Bank, N.A.	516.14
Occupational Therapy Fund	JPMorgan Chase Bank, N.A.	2,205.24
Savings Account	JPMorgan Chase Bank, N.A.	15,649.66
10230 - ADIRONDACK CORRECTIONAL FACILITY		
ADK QWL	Community Bank	5,717.85
Agency Advance	Community Bank	719.45
Employee Benefit Fund	Community Bank	4,766.77
General Fund	Community Bank	16.50
Inmate Funds	Community Bank	44,299.07
Inmate Occupational Therapy Fund	Community Bank	685.49
10240 - DOWNSTATE CORRECTIONAL FACILITY		
Agency Advance	JPMorgan Chase Bank, N.A.	2,389.16
Employee Recreational Funds	JPMorgan Chase Bank, N.A.	17,789.04
Inmate Fund	JPMorgan Chase Bank, N.A.	675,815.57
Misc. Receipts	JPMorgan Chase Bank, N.A.	19,447.32
Occupational Therapy	JPMorgan Chase Bank, N.A.	70,583.74
10250 - TACONIC CORRECTIONAL FACILITY		
Employee Benefit Fund	JPMorgan Chase Bank, N.A.	3,966.00
Inmate Funds	JPMorgan Chase Bank, N.A.	174,485.83
Misc. Revenue	JPMorgan Chase Bank, N.A.	879.37
Money Market	JPMorgan Chase Bank, N.A.	30,993.52
Occupational Therapy Fund	JPMorgan Chase Bank, N.A.	18,405.59
Taconic Advance Account	JPMorgan Chase Bank, N.A.	2,171.38
10270 - HUDSON CORRECTIONAL FACILITY		
Advance Account	Key Bank	4,923.51
Employee Benefit Fund Account	Key Bank	5,899.97
Inmate Funds Account	Key Bank	229,256.76
Inmate Key Advantage Account	Key Bank	50,363.38
Inmate Occupational Therapy Account	Key Bank	2,028.35
Miscellaneous Receipts Account	Key Bank	3,062.99
10290 - OTISVILLE CORRECTIONAL FACILITY		
Cash Advance	Jeff Bank	858.44
General Fund	Jeff Bank	3,130.24
Inmate Funds	Jeff Bank	599,969.16
Inmate Occupational Therapy	Jeff Bank	62,054.62
Inmate Savings	Jeff Bank	51,381.41
Inmate Savings CD	Hometown Bank	78,996.61
10300 - ROCHESTER CORRECTIONAL FACILITY		
Consolidated Advance Account	M&T Bank	1,598.32
Employee Recreation Fund	M&T Bank	1,367.25
Inmate Deposit Account	M&T Bank	158,518.71
Misc Fees	M&T Bank	453.35
Work Release Advance Account	M&T Bank	8,016.62
10320 - EDGECOMBE CORRECTIONAL FACILITY		
Agency Advance	JPMorgan Chase Bank, N.A.	1,383.15
Employee Benefit Account	JPMorgan Chase Bank, N.A.	1,544.64
Inmate Cash Account	JPMorgan Chase Bank, N.A.	86,098.23
Misc. Receipts Account	JPMorgan Chase Bank, N.A.	0.00
Occupational Therapy Acct	JPMorgan Chase Bank, N.A.	1,480.61
Work Release Account	JPMorgan Chase Bank, N.A.	No report received
10350 - OGDENSBURG CORRECTIONAL FACILITY		
Agency Advance Account	Community Bank	3,000.00
EBF	Community Bank	8,777.01
Inmate Fund	Community Bank	61,229.74
Inmate Savings	Community Bank	90,252.84
Misc. Receipts	Community Bank	300.46
Occupational Therapy	Community Bank	12,531.13
10370 - FIVE POINTS CORRECTIONAL FACILITY		
Consolidated Advance	Five Star Bank	815.50
EBF Checking	Five Star Bank	44,908.87
EBF Savings	Five Star Bank	30,850.05
Inmate Spendable	Five Star Bank	370,500.36
Misc Receipts	Five Star Bank	573.35
Occupational Therapy	Five Star Bank	48,979.67
10390 - MOHAWK CORRECTIONAL FACILITY		
Agency Advance	Key Bank	No report received
Employee Benefit Fund Checking	Bank of America, N.A.	No report received

Inmate Funds Checking	Key Bank	No report received
Inmate Funds Savings	Key Bank	No report received
Miscellaneous Revenue	Key Bank	No report received
Occupational Therapy	Key Bank	No report received
10430 - WENDE CORRECTIONAL FACILITY		
Consolidated Advance	Alden State Bank	3,760.73
Employee Benefit Account	Alden State Bank	29,949.99
Inmates Funds	Alden State Bank	261,185.31
Misc. Receipts	Alden State Bank	3,991.05
Occupational Therapy	Alden State Bank	48,649.89
10441 - DEPARTMENT OF CORRECTIONAL SERVICES-FOOD PRODUCTION CENTER		
Office of Nutritional Services		
Miscellaneous Receipts	Key Bank	32,775.38
10460 - GROVELAND CORRECTIONAL FACILITY		
Agency Advance Account	Five Star Bank	1,965.98
Employee Commission Account	Five Star Bank	12,104.78
Inmate Funds Account	Five Star Bank	375,380.33
Miscellaneous Receipts Account	Five Star Bank	1,037.70
Occupational Therapy Account	Five Star Bank	17,392.81
10470 - COLLINS CORRECTIONAL FACILITY		
Agency Advance	Community Bank	3,850.00
Employee Activities	Community Bank	48,243.62
Inmate Fund Checking	Community Bank	516,796.06
Miscellaneous Revenue	Community Bank	9,258.99
Occupational Therapy	Community Bank	18,039.64
10480 - MID-STATE CORRECTIONAL FACILITY		
Agency Advance	Key Bank	1,468.40
Employee Benefit Fund	Bank of America, N.A.	40,348.39
Inmate Funds	Key Bank	632,898.45
Inmate Savings	Key Bank	198,771.30
Misc. Revenue	Key Bank	1,261.85
Occupational Therapy	Key Bank	42,219.18
10490 - MARCY CORRECTIONAL FACILITY		
Agency Advance Account	Key Bank	3,752.77
Employee Benefit Fund Account	Bank of America, N.A.	35,090.20
Inmate Fund Account	Key Bank	498,972.43
Misc receipts Acct	Key Bank	0.00
NYS DOCS Marcy CORR Facility	Key Bank	206,836.27
Occupational Therapy fund Acct	Key Bank	42,228.47
10501 - CENTRAL PHARMACY		
NYS Docs Central Pharmacy Advance Acct	Bank of America, N.A.	1,000.00
10510 - MORIAH SHOCK INCARCERATION CORRECTIONAL FACILITY		
Moriah Shock Incarceration Advance Acct	Glens Falls National	1,800.00
Moriah Shock Incarceration Employee Benefit Fund	Glens Falls National	4,009.52
Moriah Shock Incarceration Occ Therapy	Glens Falls National	2,846.76
Moriah Shock Misc Receipts	Glens Falls National	0.00
NYS Moriah Shock Incarceration Inmate Checking	Glens Falls National	44,570.73
10530 - FRANKLIN CORRECTIONAL FACILITY		
Advance Account	Key Bank	4,703.44
Employee Benefit Account	Key Bank	18,532.73
Inmate Funds	Key Bank	242,012.92
Inmate Occupational Therapy	Key Bank	17,402.77
Misc. Receipts	Key Bank	4,279.32
10540 - ALTONA CORRECTIONAL FACILITY		
Cons Adv Travel Petty Cash	NBT Bank	2,812.48
Employees Vending Benefit	NBT Bank	6,767.61
Inmates Funds	NBT Bank	87,003.62
Misc Revenues General Fund	NBT Bank	373.33
Occupational Therapy	NBT Bank	4,346.20
10550 - CAYUGA CORRECTIONAL FACILITY		
Agency Advance	First National Bank of Groton	678.22
Cert Of Deposit	First National Bank of Groton	87,707.35
Employee Benefit Fund	First National Bank of Groton	4,956.08
Inmate Occupational Therapy Account	First National Bank of Groton	33,935.32
Inmate Spendable	First National Bank of Groton	320,444.00
Misc Receipts	First National Bank of Groton	2,338.08
10560 - BARE HILL CORRECTIONAL FACILITY		
Agency Advance	Key Bank	1,382.00
Employee Benefit Fund	Key Bank	7,250.13
Inmate Spendable Funds	Key Bank	176,945.60
Miscellaneous Receipts	Key Bank	1,086.04
Occupational Therapy	Key Bank	8,098.29
10570 - RIVERVIEW CORRECTIONAL FACILITY		
Agency Advance Account	Key Bank	1,500.00

Inmate Accounts	Key Bank	143,384.47
Inmate Savings Account	Key Bank	125,655.72
Miscellaneous Receipts Account	Key Bank	9,510.34
Occupational Therapy	Key Bank	19,002.32
10580 - CAPE VINCENT CORRECTIONAL FACILITY		
Advance Account	Community Bank	1,900.00
Employee Benefit Fund	Community Bank	44,324.64
Inmate Occupation Therapy Acct	Community Bank	35,052.18
Inmate Savings	Community Bank	141,765.67
Inmate Spendable Account	Community Bank	216,655.58
Miscellaneous Receipts Account	Community Bank	3,114.67
10600 - LAKEVIEW SHOCK INCARCERATION CORRECTIONAL FACILITY		
Agency Advance	Community Bank	3,675.00
Employee Benefit Fund	Community Bank	14,492.95
Inmate Funds	Community Bank	80,954.85
Inmate Funds - Sav	Community Bank	84,670.57
Miscellaneous Revenue	Community Bank	1,734.03
Occupational Therapy	Community Bank	931.35
10610 - ULSTER CORRECTIONAL FACILITY		
Agency Advance	Bank of America, N.A.	0.00
Agency Advance	M&T Bank	1,276.37
Employee Benefit Fund	Bank of America, N.A.	0.00
Employee Benefit Fund	M&T Bank	7,114.87
Inmate Fund	Bank of America, N.A.	0.00
Inmate Fund	M&T Bank	216,242.99
Inmate Funds Savings	Bank of America, N.A.	0.00
Inmate Funds Savings	M&T Bank	14,337.49
Misc Receipts	M&T Bank	687.67
Misc. Receipts	Bank of America, N.A.	0.00
Occupational Therapy	Bank of America, N.A.	0.00
Occupational Therapy	M&T Bank	3,807.89
10630 - SOUTHPORT CORRECTIONAL FACILITY		
Advance Account	Chemung Canal Trust	295.61
Employee Benefit Fund	Chemung Canal Trust	14,552.65
Inmate Funds Account	Chemung Canal Trust	91,490.18
Misc. Receipts Account	Chemung Canal Trust	116.32
Occupational Therapy Account	Chemung Canal Trust	27,386.97
10640 - ORLEANS CORRECTIONAL FACILITY		
Agency Advance	Bank of America, N.A.	2,185.00
Employee Benefit Fund	Bank of America, N.A.	11,711.54
Inmate Funds	Bank of America, N.A.	198,652.02
Miscellaneous Receipts	Bank of America, N.A.	18,396.38
Occupational Therapy	Bank of America, N.A.	20,349.52
10650 - WASHINGTON CORRECTIONAL FACILITY		
Advance Account	Key Bank	2,433.64
EBF Account	Key Bank	16,620.08
General Account	Key Bank	0.00
Inmate Account	Key Bank	246,008.21
Inmate Funds Account Certificate Of Deposit	Glens Falls National	79,307.33
Inmate Savings Account	Key Bank	14,370.68
Occupational Therapy Account	Key Bank	15,237.67
10660 - WYOMING CORRECTIONAL FACILITY		
Agency Advance	Five Star Bank	6,273.83
Employee Benefit Fund	Five Star Bank	12,840.65
Inmate Occupational Therapy	Five Star Bank	34,105.82
Inmate Spendable	Five Star Bank	486,115.56
Misc. Receipts Account	Five Star Bank	9,061.02
10670 - GREENE CORRECTIONAL FACILITY		
Consolidated Advance	National Bank of Coxsackie	2,000.00
Employee Benefit Fund	National Bank of Coxsackie	25,594.64
Inmate Accounts	National Bank of Coxsackie	165,265.46
Inmate Savings	National Bank of Coxsackie	496,926.44
Misc. Receipts	National Bank of Coxsackie	168.44
Occupational Therapy	National Bank of Coxsackie	50,132.40
10680 - SHAWANGUNK CORRECTIONAL FACILITY		
Consolidated Advance Account	Key Bank	1,300.00
Inmate Funds	Key Bank	150,399.05
Inmates Funds Account	Key Bank	300,594.34
Misc. Receipts Account	Key Bank	5,845.81
Occupational Therapy Acct	Key Bank	47,146.04
10690 - SULLIVAN CORRECTIONAL FACILITY		
Consolidated Advance	Key Bank	2,239.34
Inmate Checking	Key Bank	344,626.77
Inmate Savings	Key Bank	100,510.22

Miscellaneous	Key Bank	14,878.68
Occupational Therapy	Key Bank	41,509.29
10810 - GOUVERNEUR CORRECTIONAL FACILITY		
Agency Advance	Community Bank	1,430.00
Inmate Occupational Therapy	Community Bank	17,748.13
Inmate Savings	Community Bank	280,038.57
Inmate Spendable Fund	Community Bank	122,661.28
Misc Receipts	Community Bank	13,418.28
10820 - WILLARD DRUG TREATMENT CENTER		
Consolidated Advance	Community Bank	1,000.00
Employee Benefit Fund	Community Bank	12,539.25
Inmate Funds	Community Bank	53,600.12
Inmate Occupational Therapy	Community Bank	10,021.69
Misc Receipts	Community Bank	2,068.25
10840 - UPSTATE CORRECTIONAL FACILITY-AUDIT 1		
Advance Account	Key Bank	1,900.00
Facility Committees	Key Bank	14,362.48
Inmate Fund	Key Bank	296,392.87
Inmate Occupational Therapy Fund	Key Bank	12,745.36
Miscellaneous Account	Key Bank	922.40
10850 - HALE CREEK ASACTC		
Consolidated Advance	Key Bank	675.00
Employee Benefit Fund	Bank of America, N.A.	11,155.31
Inmate Funds	Key Bank	116,367.95
Inmate Interest Bearing Account	Key Bank	15,000.38
Misc Receipts	Key Bank	500.55
Occupational Therapy	Key Bank	20,313.93
10890 - CORRECTIONS AND COMMUNITY SUPERVISION		
Asset Forfeiture Special Rev Acct	Bank of America, N.A.	12,808.69
Parole Supervision Fee	Wells Fargo Bank	38,739.10
10916 - CENTRAL OFFICE - INDUSTRIES		
Div of Ind Petty Cash Acct	Key Bank	3,985.00
Div of Ind Revenue Acct	Key Bank	217,364.05
11000 - EDUCATION DEPARTMENT		
Consolidated Advance Account	Key Bank	No report received
Consolidated Advance Account (Control Disbursement)	Key Bank	No report received
Revenue Account	Key Bank	No report received
11100 - NYS HIGHER EDUCATION SERVICES CORPORATION		
Federal Student Loan Suspense	US Bank	124,169.36
NYS HESC-Federal Student Loan Suspense	Key Bank	318.08
Operating	Key Bank	563,333.01
Operating	US Bank	5,444,189.37
Retail Lockbox	US Bank	151,227.79
Wholesale Lockbox	US Bank	943,496.75
11260 - BATAVIA SCHOOL FOR THE BLIND		
Misc. Receipts	M&T Bank	No report received
Petty Cash	M&T Bank	No report received
Student Spending Account	Bank of America, N.A.	No report received
11270 - ROME SCHOOL FOR THE DEAF		
Miscellaneous Receipts	NBT Bank	17,648.44
Petty Cash	NBT Bank	2,000.00
Student Activity Fund	NBT Bank	15,009.03
11280 - ARCHIVES PARTNERSHIP TRUST		
Endowment	Janney Montgomery Scott LLC	5,695,879.31
Endowment - Special Account	Janney Montgomery Scott LLC	No report received
Trust's Board Project Account	Key Bank	157,072.03
12000 - DEPARTMENT OF HEALTH CENTRAL ADMINISTRATION		
CSA Rebate Account	Bank of America, N.A.	1,144,442.96
DOH EPIC Lockbox Acct	Wells Fargo Bank	18,132.79
DOH Main Cash Advance	Key Bank	16,864.13
Early Intervention - Municipal Deposits for Provider Pymts	Key Bank	0.00
Early Intervention - Provider Payments Escrow	Key Bank	250,189.95
Early Intervention - State Funds	Key Bank	15,465.26
EPIC Co Pay Account	Bank of America, N.A.	0.00
Epic Drug Manufacturer Rebate Account	Bank of America, N.A.	20,707.04
EPIC EFT Acct	Bank of America, N.A.	0.00
EPIC Master Funding Acct	Bank of America, N.A.	2,857,531.22
EPIC Provider Receipt Account	Bank of America, N.A.	0.00
EPIC Refund Acct	Bank of America, N.A.	0.00
eWIC	Wells Fargo Bank	60,791.83
General Account	M&T Bank	20,840.19
ICR Audit Fees Account	Bank of America, N.A.	15,949.82
Indian Health Disbursement Account	Bank of America, N.A.	0.00
Indian Health-Master Acct	Bank of America, N.A.	13,178.66

Medicaid	Key Bank	141,499.13
Medicaid Audit Recoveries Acct	Key Bank	0.00
Medicaid Insurance Recoveries Acct	Bank of America, N.A.	559,403.40
Nurses Aide Fees (Prometric)	Bank of America, N.A.	17,839.10
Nursing Home Fees Account	Bank of America, N.A.	50,289.43
NYS DOH CLEP Revenue	Key Bank	25,167.50
OBRA Drug Rebate Program Acct	Bank of America, N.A.	7,792,509.93
SPARCS	Key Bank	43,956.01
12010 - ROSWELL PARK MEMORIAL INSTITUTE		
Office Of Patient Accounts	M&T Bank	No report received
12030 - HELEN HAYES HOSPITAL		
Misc. Receipts	JPMorgan Chase Bank, N.A.	743,829.37
Petty Cash Account	JPMorgan Chase Bank, N.A.	13,604.40
Rental Deposit Acct	JPMorgan Chase Bank, N.A.	5,649.05
12120 - NYS VETERANS HOME-OXFORD		
Agency Advance	NBT Bank	7,607.59
Exchange Account	NBT Bank	10,702.48
Maintenance Fund	NBT Bank	324,639.12
NYS Veterans Home-Oxford (Resident Account, Custodial Account)	NBT Bank	543,555.35
Resident Custodial Account	NBT Bank	7,738.90
Resident Custodial Account	NBT Bank	6,167.63
Resident Custodial Account	NBT Bank	4,524.10
Resident Custodial Account	NBT Bank	14,571.03
Resident Custodial Account	NBT Bank	2,067.44
Resident Custodial Account	NBT Bank	2,153.00
Resident Custodial Account	NBT Bank	13,348.02
12150 - NYS VETERANS HOME-ST ALBANS		
NYC Veteran Home Agency Advance	JPMorgan Chase Bank, N.A.	126,682.95
St Albans NYC Vet Home Resid Funds	JPMorgan Chase Bank, N.A.	585,393.93
St Albans Vet Home Maintenance Acct	NBT Bank	68,813.95
12180 - WESTERN NEW YORK VETERANS HOME		
Advance Account	Bank of America, N.A.	5,410.84
Exchange Account	Bank of America, N.A.	7,729.30
Maintenance Account	NBT Bank	234,236.27
Resident Funds	Bank of America, N.A.	56,474.27
12190 - VETERANS HOME AT MONTROSE		
Agency Advance Account	Bank of America, N.A.	No report received
Maintenance Acct	NBT Bank	691,237.69
Residence Account	Bank of America, N.A.	No report received
12200 - OFFICE OF MEDICAID INSPECTOR GENERAL		
Albany Confidential Account	Key Bank	229.59
Albany Petty Cash Account	Key Bank	402.00
NYC Confidential Account	JPMorgan Chase Bank, N.A.	166.00
14000 - DEPARTMENT OF LABOR		
Agency Advance Account	Key Bank	28,001.00
Exchange Account	Bank of America, N.A.	4,340.09
Fee And Permit Account	Key Bank	743,715.32
Min Wage & Claim Funding Acct	Key Bank	103,602.54
Minimum Wage & Wage Claim Acct	Key Bank	1,012,958.56
Misc Receipts	Bank of America, N.A.	144,815.97
U.I. Fund Clearing Account	JPMorgan Chase Bank, N.A.	8,997,243.72
UI Fund ACH Transactions	Wells Fargo Bank	1,000,000.00
14010 - WORKERS COMPENSATION BOARD		
DTF/WCB MAC 14	JPMorgan Chase Bank, N.A.	196,324,281.20
16000 - PUBLIC SERVICE COMMISSION		
Cable Account	Key Bank	5,305.87
Petty Cash Account	Key Bank	3,846.55
Special Fee Account	Key Bank	10,171.86
17000 - NYS DEPARTMENT OF TRANSPORTATION		
Contractors Bid And Guarantee	Key Bank	No report received
Main Office Advance For Travel	Key Bank	No report received
Republic Airport, Long Island		
Republic Airport Revenue Acct	JPMorgan Chase Bank, N.A.	No report received
19000 - DEPARTMENT OF STATE		
Atheltic	M&T Bank	12,060.00
Licensing Revenue Account	JPMorgan Chase Bank, N.A.	567,132.33
Main	M&T Bank	70,829.16
Petty Cash Account	Key Bank	20,150.03
Summons	M&T Bank	619,813.00
19001 - TUG HILL COMMISSION		
Agency Advance Account	Key Bank	1,750.00
19002 - LAKE GEORGE PARK COMMISSION		
Petty Cash Account	Glens Falls National	No report received
Revenue Transfer Account	Glens Falls National	No report received

19005 - COMMISSION ON PUBLIC INTEGRITY		
JCOPE Petty Cash Account	Bank of America, N.A.	No report received
JCOPE Revenue Account	Bank of America, N.A.	No report received
20000 - DEPARTMENT OF TAXATION & FINANCE		
IFTA Funding	JPMorgan Chase Bank, N.A.	554.92
Misc Tax Account - Exchange	Bank of America, N.A.	380,645.04
Off Track Betting Tax (MAC 848)	Key Bank	2,680,059.13
Pari Mutuel Betting Tax (MAC 847)	Key Bank	1,106,723.67
Petty Cash	Bank of America, N.A.	14,781.00
Tax Preparer Registration Fee (EFT)	Wells Fargo Bank	42,200.00
Waste Tire Fee (EFT)	Wells Fargo Bank	1,347,645.01
Waste Tire Tax	JPMorgan Chase Bank, N.A.	88,839.74
20050 - NEW YORK STATE GAMING COMMISSION		
Charitable Gaming Account	Key Bank	230,907.34
Commercial Gaming Revenue Account	Key Bank	0.00
Custody Account	US Bank	12,689.23
Fingerprint Concentration Account	Key Bank	12,530.86
License Revenue Account	Bank of America, N.A.	18,737.81
Lottery Concentration Account	Key Bank	484,289.71
Lottery Prize Payment Account	Key Bank	0.00
Lottery Subscriptions Account	Key Bank	743,525.70
Petty Cash Account	Key Bank	921.17
Racing Refund Account	Key Bank	1,447,012.10
Video Gaming Revenue Account	Key Bank	11,343,880.10
21012 - WELFARE INSPECTOR GENERAL		
Confidential Fund	Bank of America, N.A.	15,000.00
Confidential Fund	JPMorgan Chase Bank, N.A.	No report received
Petty Cash	JPMorgan Chase Bank, N.A.	No report received
21110 - OFFICE OF REGULATORY REFORM		
Petty Cash	Key Bank	No report received
21190 - NYS ENERGY RESEARCH & DEVELOPMENT AUTHORITY		
NYSERDA Greenbank MAC 26	JPMorgan Chase Bank, N.A.	No report received
NYSERDA Main Checking MAC 30	JPMorgan Chase Bank, N.A.	(6,893,625.27)
21290 - HUDSON RIVER-BLACK RIVER REGULATING DISTRICT		
Checking- General Fund Acct.	Community Bank	335,216.81
Checking- Petty Cash Fund	Community Bank	5,000.00
Hudson River General Acct	Bank of America, N.A.	744,296.12
Money Market	Bank of America, N.A.	0.38
Petty Cash Fund	Bank of America, N.A.	6,500.00
21700 - OFFICE OF THE STATE INSPECTOR GENERAL		
Office Of The State Inspector General Pass Thru Account	Key Bank	0.00
OSIG Petty Cash Account	Key Bank	1,500.00
Albany		
Office of the Inspector General Confidential	Bank of America, N.A.	30,000.00
21820 - STATE COMMISSION ON JUDICIAL CONDUCT		
Petty Cash Account	JPMorgan Chase Bank, N.A.	No report received
Petty Cash Account	Key Bank	No report received
Petty Cash Fund	JPMorgan Chase Bank, N.A.	No report received
21940 - NYS FINANCIAL CONTROL BOARD		
Agency Advance Acct	JPMorgan Chase Bank, N.A.	No report received
23000 - DEPARTMENT OF MOTOR VEHICLES		
Abany Central Main Acct		
Albany Central Main Acct	Wells Fargo Bank	466,946.99
Albany Central Main Exchange		
Exchange	Wells Fargo Bank	26,901.20
Albany Central Office		
Title Escrow Exchange (Albany Central Office)	Wells Fargo Bank	31,270.45
Albany TVB Sub (Albany Central Office)		
Adjudication Account	Wells Fargo Bank	35,047.49
Albany-Region 3		
Confidential Inv Subpoena - Albany	Key Bank	1,500.00
Allegany-Belmont		
County Clerk Fee Allegany	Steuben Trust Co.	No report received
Andirondack Mountains		
County Fee Account	JPMorgan Chase Bank, N.A.	67,905.68
Buffalo-Region 5		
MV- Buffalo Investigator & Subpoena	M&T Bank	No report received
Capital Saratoga Revenue		
County Fee Account	JPMorgan Chase Bank, N.A.	167,259.73
Catskill Mountains		
County Fee Account	JPMorgan Chase Bank, N.A.	91,421.92
Central Leatherstocking		
County Fee Account	JPMorgan Chase Bank, N.A.	54,814.88
Chautaqua-Steuben		

County Fee Acct	JPMorgan Chase Bank, N.A.	50,077.61
Chautauqua County		
Holding Acct-Chautauqua County	Community Bank	No report received
Holding Acct-Chautauqua County	Key Bank	No report received
Holding Acct-Chautauqua County	M&T Bank	No report received
Concentration (CTY)(OSC)		
Concentration (CTY)(OSC)	Key Bank	114,758.48
Concentration (DO)(OSC)		
Concentration (DO)(OSC)	Key Bank	2,240,473.51
Confidential Fund (Albany Central Office)		
Confidential Fund	Bank of America, N.A.	2,964.12
CTY Credit Card (Albany Central Office)		
County Office Credit Card Account	JPMorgan Chase Bank, N.A.	No report received
Customer Service Counter (Albany)		
NYS DMV CSC	Wells Fargo Bank	53,001.75
D.O. Credit Card (Albany Central Office)		
District Office Credit Card Account	JPMorgan Chase Bank, N.A.	No report received
DMV Division Of Field Investigations - Albany Central Office		
Field Investigation	M&T Bank	No report received
Downstate		
Revenue Account - Downstate	Wells Fargo Bank	415,379.33
Eric County Revenue		
County Fee Account	JPMorgan Chase Bank, N.A.	50,000.00
Finger Lakes First		
County Fee Acct	JPMorgan Chase Bank, N.A.	50,000.00
Finger Lakes Second		
County Fee Acct	JPMorgan Chase Bank, N.A.	52,064.43
Genesee County		
Genesee County Clerk - DMV	Bank of Castile	No report received
Greene County		
Fee Account - Greene	Greene County Commercial Bank	No report received
Hudson Valley		
County Fee Acct	JPMorgan Chase Bank, N.A.	54,803.38
IRP (Albany Central Office)		
International Registration	M&T Bank	303,690.24
International Registration	Wells Fargo Bank	269,692.76
IRP Exchange (Albany Central Office)		
Irp Internet Office - Dept. MV	M&T Bank	179,066.31
Kiosk		
Kiosk Account	JPMorgan Chase Bank, N.A.	103,744.75
Long Island/Staten Island DO		
Long Island/Staten Island DO	Wells Fargo Bank	553,780.73
Long Island/Staten Island JP		
Long Island/Staten Island (Mass/Med)	JPMorgan Chase Bank, N.A.	49,987.50
Nassau Region 1		
Div. of Vehicle Safety	Citibank	No report received
Niagara Frontier		
County Fee Acct	JPMorgan Chase Bank, N.A.	51,825.95
Oneida County		
DMV Oneida County Fee Account	Bank of Utica	No report received
Oneida County Fee Account	NBT Bank	No report received
Petty Cash (Albany Central Office)		
Petty Cash	Bank of America, N.A.	15,625.83
Queens-Region 6		
Confidential - Queens	JPMorgan Chase Bank, N.A.	3,421.00
Rockland/Westchester DO		
Rockland/Westchester DO	Wells Fargo Bank	167,011.35
Search Exchange (Albany Central Office)		
MV Search	Key Bank	29,327.61
Search Exchange (Albany Central Office)		
MV Search	Wells Fargo Bank	14,942.26
Syracuse-Region 4		
Confidential - Syracuse	Key Bank	1,395.00
Thousand Island Seaway		
County Fee Acct	JPMorgan Chase Bank, N.A.	214,543.12
TLC/DOCCS		
TLC/DOCCS	JPMorgan Chase Bank, N.A.	11,438.88
Travel Advance (Albany Central Office)		
Travel Advance	Bank of America, N.A.	1,000.00
TVB Acct		
TVB Acct	Wells Fargo Bank	80,217.07
TVB Credit Card (Albany Central Office)		
TVB Credit Card Receipts	JPMorgan Chase Bank, N.A.	No report received
Upstate DO		

Upstate District Offices (ALB, SYD, SYS, UTD)	Wells Fargo Bank	191,535.06
Utica D.O.		
Exchange Account	Bank of Utica	No report received
Revenue Utica	Bank of Utica	No report received
Yonkers-Region 2		
Safety Sup Automotive FAC INSP	JPMorgan Chase Bank, N.A.	No report received
25000 - OFFICE OF CHILDREN & FAMILY SERVICES		
Brentwood Resid Center Cash Advance	JPMorgan Chase Bank, N.A.	950.00
Brentwood Residents' Account	JPMorgan Chase Bank, N.A.	267.95
Brookwood Cash Advance	Key Bank	1,722.18
Brookwood Resid Residential Cash	Key Bank	26,381.12
Check Exchange	Bank of America, N.A.	64.95
CO Independent Living Acct	Bank of America, N.A.	1,140.00
Co. Training Employment Dev (Youth Stipend)	Bank of America, N.A.	25,000.00
Columbia Girls Secure Center-Advance Acct	Key Bank	700.00
Columbia Girls Secure Center-Youth Savings	Key Bank	1,466.28
Finger Lakes Res Ctr Residents Cash	Tompkins County Trust	6,567.70
Fingerlakes Res Ctr Cash Advance	Tompkins County Trust	3,300.00
Goshen Cash Advance	Bank of America, N.A.	2,600.00
Goshen Residents Account	Bank of America, N.A.	33,705.23
Harriet Tubman Advance Account	Key Bank	500.00
Harriet Tubman Residents' Account	Key Bank	268.82
Highland Res Ctr Petty Cash Account	Bank of America, N.A.	2,425.00
Highland Res Ctr Residents Acct	Bank of America, N.A.	6,532.23
Industry Advance Account	JPMorgan Chase Bank, N.A.	2,374.89
Industry Res Account	JPMorgan Chase Bank, N.A.	12,733.85
Industry School Dug-Out	JPMorgan Chase Bank, N.A.	0.00
MacCormick Cash Advance	Tompkins County Trust	1,901.00
MacCormick Residents' Account	Tompkins County Trust	23,387.67
Medicaid Reimbursement Exchange	Bank of America, N.A.	76,212.47
NYS OCFS Advance Acct (Travel & Misc P.C.)	Bank of America, N.A.	15,175.00
NYS OCFS Salary Advance Account	Bank of America, N.A.	15,400.00
Queens-Long Island Aftercare	JPMorgan Chase Bank, N.A.	700.00
Red Hook Res Ctr Resident Cash	Key Bank	12.25
Red Hook Resid Ctr Cash Advance	Key Bank	475.25
SCR Credit Card Revenue Account	Bank of America, N.A.	113,175.00
State Central Register	Bank of America, N.A.	32,289.60
Taberg Cash Advance	NBT Bank	758.85
Taberg Residents Account	NBT Bank	692.94
27000 - OFFICE OF TEMPORARY & DISABILITY ASSISTANCE		
Exchange Account	Key Bank	779.38
Title IV D Of Social Security	Key Bank	3,476,089.58
Travel Advance	Key Bank	10,001.14
28010 - SUNY ALBANY		
Fee Account	Key Bank	705,651.49
Loan Services Center Account	Key Bank	50,870.26
Petty Cash/Travel Advance	Key Bank	No report received
28020 - SUNY BINGHAMTON		
SUNY Binghamton	M&T Bank	578,554.06
SUNY Binghamton - Controlled Disb	M&T Bank	No report received
28030 - SUNY BUFFALO		
Controlled Disbursement Account	Bank of America, N.A.	No report received
General Revenue Account	Bank of America, N.A.	No report received
General Revenue Account	Key Bank	945,362.73
Imprest Account	Key Bank	No report received
28050 - SUNY STONY BROOK		
Central Funding	JPMorgan Chase Bank, N.A.	3,697,449.83
Controlled Disbursement	JPMorgan Chase Bank, N.A.	No report received
Fees Depository	JPMorgan Chase Bank, N.A.	1,870,884.89
LISVH Fees Depository	JPMorgan Chase Bank, N.A.	223,036.80
LISVH Fees Depository	Sterling Bank	496,854.86
LISVH Residence Fund	Sterling Bank	434,194.61
Payroll Advance	JPMorgan Chase Bank, N.A.	980.42
SBU Student Refunds Cont Disb Acct	JPMorgan Chase Bank, N.A.	No report received
Student ACH Refunds Account	JPMorgan Chase Bank, N.A.	No report received
SUNY Eastern Long Island Hospital Depository	JPMorgan Chase Bank, N.A.	345,418.38
SUNY Southampton Depository	JPMorgan Chase Bank, N.A.	776,453.99
University Hosp Fees Depository	JPMorgan Chase Bank, N.A.	23,110,400.52
University Hospital Petty Cash	JPMorgan Chase Bank, N.A.	1,531.27
28100 - SUNY HEALTH SCIENCE CENTER AT BROOKLYN		
Center Revenue	JPMorgan Chase Bank, N.A.	528,387.03
EFT Federal Deposits Acct	JPMorgan Chase Bank, N.A.	No report received
Hospital Controlled Disbursement	JPMorgan Chase Bank, N.A.	No report received
Hospital Revenue	JPMorgan Chase Bank, N.A.	1,478,260.80

LICH Controlled Disbursement	JPMorgan Chase Bank, N.A.	No report received
LICH Depository	JPMorgan Chase Bank, N.A.	43,466.79
Student Refunds	JPMorgan Chase Bank, N.A.	No report received
28110 - SUNY HEALTH SCIENCE CENTER AT SYRACUSE		
College Revenue	Key Bank	178,473.45
Controlled Disbursement	Key Bank	No report received
Hospital Revenue	Key Bank	2,341,524.21
Parking	Key Bank	355,742.44
28150 - SUNY BROCKPORT		
Brockport-REOC Account	Key Bank	4,194.22
Concentration Acct	M&T Bank	354,876.17
Controlled Disb	M&T Bank	No report received
Special Account	M&T Bank	1,000.00
28160 - SUNY BUFFALO STATE COLLEGE		
Controlled Disb	M&T Bank	No report received
Dept Public Safety	M&T Bank	No report received
Special Grant Account	M&T Bank	3,098.14
Students Acct Office	M&T Bank	379,525.95
28170 - SUNY CORTLAND		
General Checking Account	Key Bank	147,814.69
28180 - SUNY FREDONIA		
Controlled Disb	M&T Bank	No report received
Depository Account	M&T Bank	44,267.68
28190 - SUNY GENESEO		
Controlled Disbursement Account	Key Bank	No report received
State Fees	Key Bank	211,774.51
28200 - SUNY OLD WESTBURY		
Local Depository	JPMorgan Chase Bank, N.A.	87,567.11
28210 - SUNY NEW PALTZ		
Disbursement Account	Key Bank	No report received
State Revenue	Key Bank	298,145.29
28220 - SUNY ONEONTA		
Petty Cash Advance Account	NBT Bank	No report received
Revenue Account	NBT Bank	2,838,299.16
28230 - SUNY OSWEGO		
Controlled Disbursement	Key Bank	No report received
General Revenue	Key Bank	203,076.13
Imprest Account	Key Bank	No report received
28240 - SUNY PLATTSBURGH		
General Revenue	TD Bank	1,307,820.60
28250 - SUNY POTSDAM		
Control Disbursement Account	Key Bank	39,317.47
State Fee Reconciliation Account	Key Bank	No report received
28260 - SUNY PURCHASE		
General Income Fund	Key Bank	65,643.69
28270 - SUNY INSTITUTE OF TECHNOLOGY UTICA/ROME		
Advance Account	Bank of America, N.A.	No report received
Controlled Disbursement Account	Bank of America, N.A.	No report received
Revenue	Bank of America, N.A.	68,437.36
28280 - SUNY EMPIRE STATE COLLEGE		
Concentration Account	Key Bank	175,647.10
Distribution Center Account	Key Bank	123,936.72
International Wire Account	Key Bank	No report received
Zero Balance Controlled Disbursement Account	Key Bank	No report received
28350 - SUNY COLLEGE OF TECHNOLOGY AT ALFRED		
Fees Account	Community Bank	1,550,830.46
28360 - SUNY COLLEGE OF TECHNOLOGY AT CANTON		
Community Cash Deposits	NBT Bank	156,798.63
Income Fund	Key Bank	166,543.36
International Program Account	Key Bank	37,521.36
28370 - SUNY AGRICULTURAL & TECHNICAL COLLEGE AT COBLESKILL		
Income Fund	Key Bank	84,532.62
28380 - SUNY COLLEGE OF TECHNOLOGY AT DELHI		
General Revenue	Delaware National Bank	96,308.06
Petty Cash Fund	Delaware National Bank	No report received
28390 - SUNY COLLEGE OF TECHNOLOGY AT FARMINGDALE		
Income Fund	Citibank	992,442.83
28400 - SUNY AGRICULTURAL & TECHNICAL COLLEGE AT MORRISVILLE		
Income Fund	Key Bank	2,622,749.82
Revenue Account	NBT Bank	11,007.67
28550 - SUNY COLLEGE OF ENVIRONMENTAL SCIENCE & FORESTRY		
Agency Advance	Key Bank	No report received
Controlled Disb	Key Bank	No report received
ESF/GSA	Key Bank	No report received

Forestry	Community Bank	492.28
Regular Account	Key Bank	75,000.38
Student Government	Key Bank	No report received
28570 - SUNY MARITIME COLLEGE		
Controlled Disbursement Account	JPMorgan Chase Bank, N.A.	No report received
Cruise Account	JPMorgan Chase Bank, N.A.	45,763.26
Revenue Deposit Account	JPMorgan Chase Bank, N.A.	62,601.28
Revenue EFT Account	JPMorgan Chase Bank, N.A.	33,168.00
28580 - SUNY COLLEGE OF OPTOMETRY		
General Revenue	JPMorgan Chase Bank, N.A.	176,136.24
Medical Transportation	JPMorgan Chase Bank, N.A.	133.38
28650 - SUNY CENTRAL SYSTEM ADMINISTRATION		
ASC	Key Bank	10,000.00
NYS Iso	Key Bank	4,700,000.00
Revenue	Key Bank	53,756.07
37000 - DEPARTMENT OF FINANCIAL SERVICES		
Confidential Investigations	JPMorgan Chase Bank, N.A.	11,202.85
Confidential Investigations	JPMorgan Chase Bank, N.A.	579.16
Fire Tax Account (Main)	Key Bank	11,861.38
Fire Tax Payment	Key Bank	0.00
General Assessment Account	JPMorgan Chase Bank, N.A.	29,167.01
General Fund	Key Bank	74,408.80
Market Stabilization Pool Account	JPMorgan Chase Bank, N.A.	577,629.84
Miscellaneous Account	JPMorgan Chase Bank, N.A.	267,567.11
Paid Family Leave	JPMorgan Chase Bank, N.A.	0.00
Petty Cash	Key Bank	5,955.00
Workers Comp Insurance Sec Fund Pymnt	JPMorgan Chase Bank, N.A.	3,807,044.80
49010 - SARATOGA-CAPITAL DISTRICT STATE PARK COMMISSION		
Revenue (SA)	Glens Falls National	51,527.83
SARATOGA REGION CONTRACTORS BID ACCOUNT	Key Bank	79,141.42
49020 - LONG ISLAND STATE PARK COMMISSION		
Contractors Bid (LI)	JPMorgan Chase Bank, N.A.	76,813.93
Regional Account 2 (LI)	JPMorgan Chase Bank, N.A.	329,833.22
Revenue (LI)	People's United Bank	94,147.35
49030 - GENESEE STATE PARK COMMISSION		
Contractors Bid (GE)	Bank of Castile	56,279.78
Revenue (GE)	Bank of Castile	348,308.47
49040 - NIAGARA FRONTIER STATE PARK COMMISSION		
Contractors Bid (NIA)	Key Bank	68.40
Revenue (NIA)	Evans National Bank	103,276.14
49050 - PALISADES INTERSTATE STATE PARK COMMISSION		
Contractors Bid (PA)	JPMorgan Chase Bank, N.A.	5,524.32
49070 - OFFICE OF PARKS & RECREATION		
Main Office - Change Fund	Key Bank	11,510.00
Main Office Account (ALB)	Key Bank	1,500.00
OPRHP Concentration Account	Key Bank	461,959.05
Petty Cash (ALB)	Key Bank	29,963.20
Revenue (NI, GE, AL, CE, TA)	M&T Bank	203,573.48
Revenue (NYC, CE, LI, PA, TA)	JPMorgan Chase Bank, N.A.	74,516.55
Revenue (SA, LI, GE, NI, CE, TA)	Bank of America, N.A.	97,796.48
Revenue (SA, NI, PA, CE, TA, TI)	Key Bank	19,002.70
Revenue (various)	Wells Fargo Bank	103,986.14
Statewide Campsite/Cabin Revenue	JPMorgan Chase Bank, N.A.	1,238.08
Statewide Credit Card Revenue, Revenue (ALB, FL, LI, PA, TI)	Key Bank	340,156.41
Statewide Housing Security Deposits	Key Bank	152,221.09
49090 - FINGER LAKES STATE PARK COMMISSION		
Revenue (FL)	Savannah Bank	150,487.63
Revenue (FL-Multi)	Community Bank	36,425.85
Revenue (FL-Multi-Facilities)	Tompkins County Trust	432,852.18
49100 - ALLEGANY STATE PARK COMMISSION		
Contractors Bid (AL)	Five Star Bank	2,015.00
Regional Account (AL)	Five Star Bank	144,666.76
Revenue (AL)	Five Star Bank	143,462.40
49120 - CENTRAL NEW YORK STATE PARK COMMISSION		
Revenue (CE, SA, TI)	NBT Bank	210,579.50
49130 - TACONIC STATE PARK COMMISSION		
Contractors Bid (TA)	M&T Bank	800.70
49140 - THOUSAND ISLANDS STATE PARK COMMISSION		
Revenue (TI)	Citizens Bank	48,115.29
Revenue (TI-Multi)	Community Bank	18,635.79
50000 - OFFICE OF MENTAL HEALTH		
Consolidated Advance	Bank of America, N.A.	42,106.99
Iterim Assistance Agreement	Bank of America, N.A.	No report received
OMH Medication Grant Program Acct	Bank of America, N.A.	No report received

Reimbursement Account	Bank of America, N.A.	No report received
50010 - GREATER BINGHAMTON HEALTH CENTER		
Agency Advance Account	JPMorgan Chase Bank, N.A.	9,461.88
Facility Holding Account	JPMorgan Chase Bank, N.A.	9,997.42
Patient Cash Funds	JPMorgan Chase Bank, N.A.	450,989.42
Patients Cash Account	JPMorgan Chase Bank, N.A.	499,742.65
Security Deposit	JPMorgan Chase Bank, N.A.	4,589.77
50020 - KINGSBORO PSYCHIATRIC CENTER		
Advance Account	Banco Popular	11,765.17
Family Care	Banco Popular	14,290.87
Holding Account	Banco Popular	257,646.66
Medicaid Outpatient Travel	Banco Popular	1,711.03
Patient Cash Acct (MM)	Banco Popular	480,448.65
Patient Checking Account	Citibank	16,318.02
Patient Savings Account	Banco Popular	335,106.18
Security Deposit	Banco Popular	2,489.47
Urban Oasis/EBT	Banco Popular	59,665.32
50030 - BUFFALO PSYCHIATRIC CENTER		
Advance Account	Key Bank	No report received
Faciity Holding	Key Bank	No report received
Patient Cash Checking	Key Bank	No report received
50080 - MANHATTAN PSYCHIATRIC CENTER		
Advance Account	Sterling Bank	15,608.45
CD	Hudson Valley National Bank	425,038.94
General Fund Checking	Hudson Valley National Bank	2,674.99
Patient Cash Checking	Hudson Valley National Bank	1,074,078.92
Patients Money Market	Hudson Valley National Bank	72,920.59
Social Service Tokens	Hudson Valley National Bank	33,972.66
50110 - ROCHESTER PSYCHIATRIC CENTER		
Agency Advance	Key Bank	22,511.61
Facility Holding	Key Bank	5,814.05
Patients Cash Account	Key Bank	295,874.31
Patients Fund Savings	Key Bank	218,782.27
50120 - ST LAWRENCE PSYCHIATRIC CENTER		
Facility Advance Account	Community Bank	13,159.79
Facility Holding Account	Community Bank	20,146.73
Patients Cash Account	Community Bank	69,373.41
Patients Cash Savings	Community Bank	251,839.13
50150 - CREEDMOOR PSYCHIATRIC CENTER		
Advance Account	HSBC	68,492.85
Certificate Of Deposit	HSBC	150,000.00
Certificate Of Deposit	HSBC	250,000.00
Holding Account	HSBC	24,241.31
Medicaid Travel Account	HSBC	0.00
Money Management Account	HSBC	808,102.11
Patient Cash Account	HSBC	47,833.81
Rent Holding Account	HSBC	0.00
50170 - ROCKLAND PSYCHIATRIC CENTER		
Exchange	JPMorgan Chase Bank, N.A.	121,382.09
Holding Account	JPMorgan Chase Bank, N.A.	544,133.52
Investment CD A	Sterling Bank	100,000.00
Investment CD B	Sterling Bank	No report received
Investment CD B	Sterling Bank	100,000.00
Investment CD C	Sterling Bank	100,000.00
Investment CD D	Sterling Bank	100,000.00
Investment CD G	Sterling Bank	100,000.00
Investment CD I	Sterling Bank	100,000.00
Patient Cash Account	JPMorgan Chase Bank, N.A.	91,328.49
Patient Cash Checking Account	JPMorgan Chase Bank, N.A.	1,603,051.31
Patient Cash Savings Account	JPMorgan Chase Bank, N.A.	452,575.20
50180 - NYS PSYCHIATRIC INSTITUTE		
Donation & Gift Acct/Patient Fund Acct	JPMorgan Chase Bank, N.A.	3,914.21
General	JPMorgan Chase Bank, N.A.	72,968.76
Petty Cash	JPMorgan Chase Bank, N.A.	544.50
50190 - RICHARD H HUTCHINGS PSYCHIATRIC CENTER		
Advance Account	Key Bank	16,624.98
Clients Count	Key Bank	188,895.95
Holding Account	Key Bank	23,657.34
50200 - PILGRIM PSYCHIATRIC CENTER		
Facility Advance Account	JPMorgan Chase Bank, N.A.	37,341.48
Facility Holding Acct	JPMorgan Chase Bank, N.A.	165,411.04
Patient Cash	JPMorgan Chase Bank, N.A.	1,093,626.31
50210 - MOHAWK VALLEY PSYCHIATRIC CENTER		
Advance Fund	Key Bank	13,027.29

Facility Holding	Key Bank	2,989.87
Patient Cash Checking	Key Bank	56,586.64
Patient Cash Savings	Key Bank	28,933.22
Security Deposit	Key Bank	7,773.73
50310 - BRONX PSYCHIATRIC CENTER		
CD	JPMorgan Chase Bank, N.A.	250,000.00
Consolidated Advance	JPMorgan Chase Bank, N.A.	21,172.08
Misc. Receipts	JPMorgan Chase Bank, N.A.	27,344.73
Patients Cash MM	JPMorgan Chase Bank, N.A.	88,273.39
Patients Checking Acct	JPMorgan Chase Bank, N.A.	431,085.53
50340 - NATHAN KLINE INSTITUTE		
Petty Cash Account	JPMorgan Chase Bank, N.A.	No report received
50350 - KIRBY FORENSIC PSYCHIATRIC CENTER		
Consolidated Advance Account	Hudson Valley National Bank	5,614.58
Holding Account	Hudson Valley National Bank	28,141.57
Patient Cash Account	Hudson Valley National Bank	153,805.47
50390 - CENTRAL NY PSYCHIATRIC CENTER		
Agency Advance Account	Key Bank	7,698.40
General Fund	Key Bank	0.02
Patient Checking	Key Bank	64,878.70
Patient Savings	Key Bank	336,532.15
Security Deposit	Key Bank	2,743.41
50440 - MID-HUDSON FORENSIC PSYCHIATRIC CENTER		
Facility Advance Account	Key Bank	15,825.00
Facility Holding Account	Key Bank	3,898.88
Patients Account	Key Bank	189,748.02
50790 - SOUTH BEACH PSYCHIATRIC CENTER		
Agency Advance Checking	JPMorgan Chase Bank, N.A.	15,667.12
Facility Holding Checking	JPMorgan Chase Bank, N.A.	17,235.89
Patients Cash Checking	JPMorgan Chase Bank, N.A.	702,657.91
50800 - BRONX CHILDRENS PSYCHIATRIC CENTER		
General Fund	JPMorgan Chase Bank, N.A.	11,609.55
50810 - WESTERN NY CHILDRENS PSYCHIATRIC CENTER		
Agency Advance	Key Bank	No report received
Exchange Account	Key Bank	No report received
Patient Cash	Key Bank	No report received
50850 - SAGAMORE CHILDRENS PSYCHIATRIC CENTER		
Sagamore Patient Personal Acct	JPMorgan Chase Bank, N.A.	23,270.95
Sagamore Petty Cash Account	JPMorgan Chase Bank, N.A.	5,318.13
50860 - ROCKLAND CHILDRENS PSYCHIATRIC CENTER		
Advance Account	JPMorgan Chase Bank, N.A.	No report received
50870 - QUEENS CHILDRENS PSYCHIATRIC CENTER		
Queens Adv Acct	HSBC	10,691.83
Queens Childrens Account	HSBC	4,348.58
50920 - ELMIRA PSYCHIATRIC CENTER		
Certificate of Deposit	Chemung Canal Trust	100,000.00
Certificate of Deposit	Chemung Canal Trust	100,000.00
Facility Advance Account	Chemung Canal Trust	9,824.20
General Fund Account	Chemung Canal Trust	2,613.55
IMMA	Chemung Canal Trust	47,041.52
Patients Fund Account	Chemung Canal Trust	318,991.73
50980 - CAPITAL DISTRICT PSYCHIATRIC CENTER		
Facility Advance Account	Key Bank	No report received
Facility Holding Account	Key Bank	No report received
Parking Garage Account	Key Bank	No report received
Patients Cash Checking Account	Key Bank	No report received
Patients Cash Savings Account	Key Bank	No report received
51000 - NYS OFFICE FOR PEOPLE WITH DEVELOPMENTAL DISABILITIES		
Petty Cash Acct	Bank of America, N.A.	No report received
Revenue Account	Bank of America, N.A.	9,175,443.82
51210 - HUDSON VALLEY DDSO		
EBT Checking	JPMorgan Chase Bank, N.A.	No report received
Exchange Account	JPMorgan Chase Bank, N.A.	No report received
General Fund	JPMorgan Chase Bank, N.A.	No report received
Investor's Choice Savings	JPMorgan Chase Bank, N.A.	No report received
Petty Cash	JPMorgan Chase Bank, N.A.	No report received
PTS Cash Checking	JPMorgan Chase Bank, N.A.	No report received
51240 - CENTRAL NY DDSO		
Advance Accounts	Key Bank	35,321.22
Clients Account	Key Bank	110,569.66
Consumer Cash - Savings	Adirondack Bank	2,934,098.94
Consumer Cash - Savings	Key Bank	3,418,591.06
51250 - TACONIC DDSO		
Agency Advance Account	M&T Bank	55,056.50

General Fund	M&T Bank	14,537.91
Patients Cash Checking	M&T Bank	2,035,900.32
500 Balltown Rd Schenectady, NY		
TDDSO Representative Payee Savings Acct	The Adirondack Trust Company	1,929,160.86
51270 - STATEN ISLAND DDSO		
Clients Cash Account	JPMorgan Chase Bank, N.A.	No report received
General Fund Account	JPMorgan Chase Bank, N.A.	No report received
Money Market Account	JPMorgan Chase Bank, N.A.	No report received
Petty Cash Account	JPMorgan Chase Bank, N.A.	No report received
51290 - CAPITAL DISTRICT DDSO		
Agency Advance Account	Key Bank	No report received
Agency Advance Account	The Adirondack Trust Company	No report received
Consumer EBT Fund / Fiduciary Account	Key Bank	No report received
Consumers Fund / Fiduciary Account	Key Bank	No report received
Patients Account Direct Deposit / Fiduciary Acct	The Adirondack Trust Company	No report received
Patients Fund Operating Acct / Fiduciary Acct	The Adirondack Trust Company	No report received
Summer Camp - Fiduciary Acct	The Adirondack Trust Company	No report received
51330 - WESTERN NY DDSO		
Agency Advance Account	M&T Bank	No report received
CD-Patient Property Funds	Key Bank	No report received
Exchange Account	M&T Bank	No report received
General Account	Community Bank	No report received
Patient Property Funds	Adirondack Bank	No report received
Patient Property Funds	M&T Bank	No report received
51350 - LONG ISLAND DDSO		
Consolidated Advance	JPMorgan Chase Bank, N.A.	No report received
EBT Checking Account	JPMorgan Chase Bank, N.A.	No report received
General Fund	JPMorgan Chase Bank, N.A.	No report received
Patient Cash	JPMorgan Chase Bank, N.A.	No report received
51380 - BROOKLYN DDSO		
CD	Banco Popular	No report received
Consumers Fund	JPMorgan Chase Bank, N.A.	344,434.58
Consumers Money Management	JPMorgan Chase Bank, N.A.	687,351.24
Miscellaneous Receipts	JPMorgan Chase Bank, N.A.	167,784.64
Thomas Shirtz Community Service	JPMorgan Chase Bank, N.A.	8,523.16
51420 - SUNMOUNT DDSO		
Certificate of Deposit	Community Bank	No report received
Residents Fund	Community Bank	No report received
Sunmount Advance Account	Community Bank	No report received
51430 - INSTITUTE FOR BASIC RESEARCH IN DEVELOPMENTAL DISABILITIES		
Petty Cash	JPMorgan Chase Bank, N.A.	No report received
51450 - METRO NY DDSO		
Consolidated Acct	JPMorgan Chase Bank, N.A.	42,377.71
Manhattan DDSO Client Cash	JPMorgan Chase Bank, N.A.	26,944.50
Metro NY DDSOO REP PAYEE ACCOUNT	JPMorgan Chase Bank, N.A.	277,787.06
Patients Cash Account	JPMorgan Chase Bank, N.A.	18,798.32
Patients Money Market Account	JPMorgan Chase Bank, N.A.	0.10
51470 - BERNARD M FINESON DDSO		
Money Market Account	JPMorgan Chase Bank, N.A.	307,127.27
Patient Fund Account	JPMorgan Chase Bank, N.A.	282,701.29
Petty Cash Fund	JPMorgan Chase Bank, N.A.	11,670.98
51780 - FINGER LAKES DDSO		
Advance Account	JPMorgan Chase Bank, N.A.	No report received
F.L. Newark Resident Checking	Community Bank	No report received
Finger Lakes Resident Checking	JPMorgan Chase Bank, N.A.	No report received
FL Vending Machine Account	Community Bank	No report received
General Account	JPMorgan Chase Bank, N.A.	No report received
Geneseo Client Cash	Bank of America, N.A.	No report received
Kelsey Trust Fund	Bank of America, N.A.	No report received
Mary Moore Trust Fund	Bank of America, N.A.	No report received
Monroe Resident Checking	JPMorgan Chase Bank, N.A.	No report received
Monroe Resident Savings	JPMorgan Chase Bank, N.A.	No report received
Patient Food Stamp Account	JPMorgan Chase Bank, N.A.	No report received
51940 - BROOME DDSO		
Broome DDSO	M&T Bank	No report received
Broome DDSO - Advance Account	M&T Bank	No report received
Broome DDSO - General Fund	M&T Bank	No report received
Disabled Individuals Savings	Key Bank	No report received
Disabled Individuals Savings	M&T Bank	No report received
OMRDD Broome DDSO EBT Checking	M&T Bank	No report received
53000 - OFFICE OF ALCOHOLISM & SUBSTANCE ABUSE SERVICES		
Agency Advance Acct	Key Bank	2,637.81
Creedmoor PNA Account	JPMorgan Chase Bank, N.A.	0.00
Patient Fees	Bank of America, N.A.	940,053.75

Revenue Account	Bank of America, N.A.	25,346.06
53020 - KINGSBORO ALCOHOLISM TREATMENT CENTER		
Petty Cash Advance Account	Bank of America, N.A.	1,033.74
70000 - CUNY UNIVERSITY MANAGEMENT & PROGRAM BOARD OF HIGHER EDUCATION		
CUNY Admin Imprest Cash Account	Citibank	11,103.68
70030 - CUNY HUNTER COLLEGE		
Travel Petty Cash Account	Citibank	50,274.05
70060 - CUNY JOHN JAY COLLEGE		
CUNY JOHN JAY COLLEGE IMPREST FUND	Citibank	16,250.00
70070 - CUNY LEHMAN COLLEGE		
Lehman College	Citibank	4,345.50
70080 - CUNY YORK COLLEGE		
York College Imprest Funds	Citibank	11,288.64
York College Travel Advance Fund	Citibank	817.00
70100 - CUNY COLLEGE OF STATEN ISLAND		
CSI Imprest Cash	TD Bank	4,916.48
70120 - CUNY NYC COLLEGE OF TECHNOLOGY		
NY City College Of Technology Technical College Imprest Fund	Popular Community Bank	5,000.00
70150 - CUNY SCHOOL OF LAW		
CUNY School Of Law	TD Bank	21,110.11

The above balances represent funds deposited in various banking institutions as reported by the State department and agencies, and published in accordance with Section 107 of the State Finance Law.

Division of the Treasury, Department of Taxation and Finance
Christopher Curtis *Deputy Commissioner and State Treasurer*

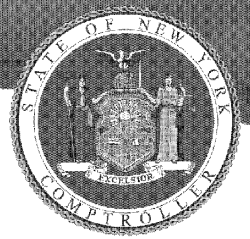
FUNDS OF THE DIVISION OF THE TREASURY OF WHICH THE COMMISSIONER OF TAXATION AND FINANCE IS THE SOLE CUSTODIAN WITH BALANCES AS OF 09/30/2021

ACCOUNT	DESCRIPTION	DEPOSITORY	BALANCE AS OF 09/30/2021
COMMUNITY COLLEGE TUITION AND INSTRUCTIONAL INCOME FUND			
0232	Upstate Community Colleges, Series 2005B	Key Bank	11,006,200.75
DEPARTMENT OF FINANCIAL SERVICES			
0001	Property/Casualty Insurance Security Fund	Key Bank	181,383.99
0002	Public Motor Vehicle Security Fund	JPMorgan Chase Bank, N.A.	561,983.38
0003	Workers' Compensation Security Fund	JPMorgan Chase Bank, N.A.	543,420.94
DORMITORY AUTHORITY OF THE STATE OF NEW YORK			
0039	Mental Hygiene Facilities Improvement Fund Income Account	Bank of America, N.A.	0.00
0104	Lincoln Medical and Mental Health Center Project Construction Account	Key Bank	3,919.30
0105	Greenpoint Medical and Mental Health Center Project Construction Account	Key Bank	299,145.14
0149	State Advances Repayment Account	Bank of America, N.A.	(1,761.84)
HOMELESS HOUSING ASSISTANCE CORPORATION			
0320	Social Services Homeless Housing and Assistance Corporation Operating Account	Key Bank	3,826,610.90
NELSON A. ROCKEFELLER EMPIRE STATE PLAZA PERFORMING ARTS CENTER CORPORATION			
0315	The Egg	Key Bank	93,890.47
NEW YORK CONVENTION CENTER			
0300	Operating Fund	JPMorgan Chase Bank, N.A.	18,631,688.70
NEW YORK JOB DEVELOPMENT AUTHORITY			
0036	Special Purpose Fund	Bank of America, N.A.	2,184,940.34
0371	Series H Commercial Paper	Bank of America, N.A.	1,429,490.18
0389	Daily Demand Special Purpose Bonds Series 1992A-B	JPMorgan Chase Bank, N.A.	340,167.67
0423	Escrow Account for USA Industries Inc.	Key Bank	37,274.67
0424	Escrow Account for Pluritec USA Inc.	Key Bank	19,782.38
0426	Agriculture Loan Program	Key Bank	401,629.14
NYS AFFORDABLE HOUSING CORPORATION			
0491	Disbursement Account	JPMorgan Chase Bank, N.A.	227,432.96
0520	Development Account	Key Bank	1,330,606.32
0522	Repayment Account	Key Bank	1,032,147.15
0523	Recapture Account	Key Bank	17,542.43
0880	Payroll Account	JPMorgan Chase Bank, N.A.	0.00
NYS DEPARTMENT OF HEALTH			
0004	Medical Indemnity Fund	JPMorgan Chase Bank, N.A.	(3,217,176.23)
NYS DEPARTMENT OF TAXATION AND FINANCE			
0510	Excelsior Linked Deposit Fund	Key Bank	0.00
0600	World Trade Center Memorial Foundation Fund Account	Bank of America, N.A.	144,163.33
0625	Advance Acct/Imprest Confidential Fund	Bank of America, N.A.	29,347.15
0626	Criminal Investigation Division	Key Bank	242,861.97
0778	PIT/STAR Rebate Exchange Account	JPMorgan Chase Bank, N.A.	0.00
0800	NYS IRS PIT offset account	Key Bank	2,598,851.69
0827	Stock Transfer Incentive Fund	Key Bank	1,231,933.68
0847	Pari-Mutuel Revenue Transfer Account	Key Bank	0.00
0848	Off-Track Bet Tax Revenue Transfer Account	Key Bank	0.00
NYS HOUSING FINANCE AGENCY			
0252	Energy Conservation/Tenant Health & Safety Improvement Account	JPMorgan Chase Bank, N.A.	206,163.64
0254	Agency Assisted Housing Operation Fund	JPMorgan Chase Bank, N.A.	9,811,984.81
0267	Neighborhood Stabilization Program - Round 1	JPMorgan Chase Bank, N.A.	87,646.12
0274	NYSHFA Special Reserve Fund	JPMorgan Chase Bank, N.A.	893,941.02
0283	Small Owner's Assistance Program Account	Key Bank	75,887.92
0285	Public Purpose Account	Key Bank	21,436,800.66
0286	Disbursement Account	Key Bank	3,387,346.83
0287	Infrastructure Development Fund	Key Bank	197,817.52
0288	Mobile Home Cooperative Fund	Key Bank	24,033.82
0292	Homeless Housing Initiatives	Key Bank	200,389.04
0294	Housing Plan Fund	Key Bank	17,235,411.98
0301	HFA - Subsidy Repayment Account	Key Bank	4,225,395.13
0305	HPD Disbursement Fund	Key Bank	1,227,149.59
0879	Payroll Account	JPMorgan Chase Bank, N.A.	98,987.65
NYS HOUSING TRUST FUND CORPORATION			
0458	Section 8 Housing Assistance Payment Account	JPMorgan Chase Bank, N.A.	1,143,095.60
0460	Escrow Account	M&T Bank	1,125,999.45
0461	Housing Modernization Account	M&T Bank	770,401.95

0462	General Custodial Account	M&T Bank	68,375,030.86
0465	Home Program Account	M&T Bank	10,345,035.21
0466	Homes for Working Families Account	M&T Bank	8,905,367.34
0467	Section 8 Administrative Account	M&T Bank	9,087,527.85
0469	OCR Community Miscellaneous Programs Account	M&T Bank	8,131,144.83
0470	HCV Main Account	Bank of America, N.A.	71,611,604.57
0471	Empire State Relief Fund	M&T Bank	472,816.46
0472	Master Escrow Account	Bank of America, N.A.	8,281.02
0473	Family Self-Sufficiency Account	Bank of America, N.A.	4,222,868.15
0475	Reserve Account	Bank of America, N.A.	107,444.90
0480	OHP Miscellaneous Programs Account	Bank of America, N.A.	9,924,437.75
0891	Small Cities Community Development Block Grant Program	M&T Bank	8,365.10
0892	Disaster Recovery Initiative Account	M&T Bank	326,858.18
0893	Payroll Account for Small Cities CDBG Program	M&T Bank	158.69
0895	HTFC Storm Recovery Payment	M&T Bank	2,385,893.08
0899	HTFC Storm Recovery Lockbox	US Bank	40,968.71
NYS TEACHERS RETIREMENT SYSTEM			
0052	Master Funding Account	State Street Bank & Trust Co.	0.00
0052	Main Account	JPMorgan Chase Bank, N.A.	1,387,637.65
0853	Excess Benefit Fund	JPMorgan Chase Bank, N.A.	2,794,095.26
STATE INSURANCE FUND			
0053	State Insurance Fund	Bank of America, N.A.	63,608,707.57
0054	State Insurance Fund	Bank of America, N.A.	15,725,828.78
0055	State Insurance Fund	Bank of America, N.A.	16,013,175.04
0861	Disability Benefits Fund Tax Escrow Account	Bank of America, N.A.	27,844.61
STATE UNIVERSITY CONSTRUCTION FUND			
0034	Income Fund	Key Bank	1,194,551.86
0075	Educational Facilities Revenue Bonds Debt Service Account	Key Bank	31,806.05
0870	Deductions Account	Key Bank	320,344.77

The above balances represent funds deposited in various banking institutions per the records of the Department of Taxation and Finance, Division of Treasury, and published in accordance with Section 107 of the State Finance Law.

Division of the Treasury, Department of Taxation and Finance
Christopher Curtis *Deputy Commissioner and State Treasurer*



Office of the NEW YORK STATE
COMPTROLLER

Comptroller's Monthly Report on State Funds Cash Basis of Accounting

SEPTEMBER 2021

Office of Operations

Division of Payroll, Accounting and Revenue Services

Bureau of Financial Reporting and Oil Spill Remediation

NYS Comptroller
THOMAS P. DiNAPOLI

STATE OF NEW YORK
OFFICE OF OPERATIONS
DIVISION OF PAYROLL, ACCOUNTING AND REVENUE SERVICES
BUREAU OF FINANCIAL REPORTING AND OIL SPILL REMEDIATION

THOMAS P. DiNAPOLI
STATE COMPTROLLER

COMPTROLLER'S MONTHLY REPORT TO THE LEGISLATURE ON STATE FUNDS - CASH BASIS OF ACCOUNTING

September 30, 2021

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STATE OF NEW YORK
GOVERNMENTAL FUNDS
COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES
(amounts in millions)

EXHIBIT A

	GENERAL		SPECIAL REVENUE		DEBT SERVICE		CAPITAL PROJECTS		TOTAL GOVERNMENTAL FUNDS			YEAR OVER YEAR		
	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2020	6 MOS. ENDED SEP. 30, 2020	$ Increase/ (Decrease)	% Increase/ Decrease
RECEIPTS:														
Personal Income Tax	$ 3,224.9	$ 17,897.6	$ -	$ -	$ 3,224.9	$ 17,897.6	$ -	$ -	$ 6,449.8	$ 35,795.2	$ 5,271.4	$ 26,859.0	$ 8,936.2	33.3%
Consumption/Use Taxes	460.0	2,353.2	191.9	1,024.6	1,222.7	6,120.1	74.5	322.8	1,949.1	9,820.7	1,744.1	7,725.2	2,095.5	27.1%
Business Taxes	1,707.9	4,424.2	358.9	1,163.3	-	-	44.9	297.3	2,111.7	5,884.8	1,612.4	4,025.3	1,859.5	46.2%
Other Taxes	110.8	667.6	-	-	133.4	728.6	12.0	47.7	256.2	1,443.9	174.4	943.3	500.6	53.1%
Miscellaneous Receipts	256.5	976.6	1,881.9	9,033.4	43.1	222.1	436.7	1,262.6	2,618.2	11,494.7	2,444.4	16,608.5	(5,113.8)	-30.8%
Federal Receipts	(0.3)	-	7,398.1	51,678.7	-	30.2	139.9	591.5	7,537.7	52,300.4	10,136.1	42,740.8	9,559.6	22.4%
Total Receipts	**5,759.8**	**26,319.2**	**9,830.8**	**62,900.0**	**4,624.1**	**24,998.6**	**708.0**	**2,521.9**	**20,922.7**	**116,739.7**	**21,382.8**	**98,902.1**	**17,837.6**	**18.0%**
DISBURSEMENTS:														
Local Assistance Grants:														
Education	1,656.9	11,143.6	2,704.5	5,720.4	-	-	8.3	115.7	4,369.7	16,979.7	4,157.3	15,273.8	1,705.9	11.2%
Environment and Recreation	-	5.9	0.2	2.4	-	-	15.6	115.0	15.8	123.3	15.6	71.3	52.0	72.9%
General Government	109.4	608.9	26.0	593.9	-	-	59.9	205.2	195.3	1,408.0	3,937.2	4,723.5	(3,315.5)	-70.2%
Public Health:														
Medicaid	1,322.6	9,783.7	4,182.8	25,041.1	-	-	-	-	5,505.4	34,824.8	7,004.6	34,247.4	577.4	1.7%
Other Public Health	317.5	1,138.3	864.3	4,359.9	-	-	36.8	269.2	1,218.6	5,767.4	1,078.5	5,030.3	737.1	14.7%
Public Safety	19.4	79.7	205.2	889.0	-	-	0.7	38.8	225.3	1,007.5	151.0	809.6	197.9	24.4%
Public Welfare	943.2	2,032.6	1,389.6	3,568.6	-	-	39.4	315.1	2,372.2	5,916.3	1,487.5	3,520.6	2,395.7	68.0%
Support and Regulate Business	13.1	272.5	14.9	28.3	-	-	104.8	400.2	132.8	701.0	22.3	232.6	468.4	201.4%
Transportation	0.1	72.4	277.5	1,896.2	-	-	346.2	1,315.2	623.8	3,283.8	618.1	2,206.7	1,077.1	48.8%
Total Local Assistance Grants	**4,382.2**	**25,137.6**	**9,665.0**	**42,099.8**	**-**	**-**	**611.7**	**2,774.4**	**14,658.9**	**70,011.8**	**18,472.1**	**66,115.8**	**3,896.0**	**5.9%**
Departmental Operations:														
Personal Service	820.2	4,172.0	666.1	3,272.3	-	-	-	-	1,486.3	7,444.3	1,527.0	7,681.5	(237.2)	-3.1%
Non-Personal Service	248.1	1,161.8	440.3	2,705.4	2.2	0.8	-	-	690.6	3,868.0	756.7	3,445.2	422.8	12.3%
General State Charges	611.9	4,912.7	120.0	861.3	-	-	-	-	731.9	5,774.0	616.1	5,053.7	720.3	14.3%
Debt Service, Including Payments on Financing Agreements	-	-	-	42.3	742.2	1,198.2	-	-	742.2	1,240.5	841.8	1,279.0	(38.5)	-3.0%
Capital Projects (1)	-	-	-	-	-	-	710.1	3,507.6	710.1	3,507.6	706.7	3,613.4	(105.8)	-2.9%
Total Disbursements	**6,062.4**	**35,384.1**	**10,891.4**	**48,981.1**	**744.4**	**1,199.0**	**1,321.8**	**6,282.0**	**19,020.0**	**91,846.2**	**22,920.4**	**87,188.6**	**4,657.6**	**5.3%**
Excess (Deficiency) of Receipts over Disbursements	**(302.6)**	**(9,064.9)**	**(1,060.6)**	**13,918.9**	**3,879.7**	**23,799.6**	**(613.8)**	**(3,760.1)**	**1,902.7**	**24,893.5**	**(1,537.6)**	**11,713.5**	**13,180.0**	**112.5%**
OTHER FINANCING SOURCES (USES):														
Bond and Note Proceeds (net)	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Transfers from Other Funds (2)	5,073.4	24,799.4	168.2	1,788.5	94.6	767.4	434.1	2,983.7	5,770.3	30,339.0	3,319.7	18,167.0	12,172.0	67.0%
Transfers to Other Funds (2)	(606.4)	(4,941.6)	(185.0)	(754.1)	(4,772.2)	(24,447.8)	(211.4)	(269.3)	(5,775.0)	(30,412.8)	(3,438.8)	(18,364.8)	12,048.0	65.6%
Total Other Financing Sources (Uses)	**4,467.0**	**19,857.8**	**(16.8)**	**1,034.4**	**(4,677.6)**	**(23,680.4)**	**222.7**	**2,714.4**	**(4.7)**	**(73.8)**	**(119.1)**	**(197.8)**	**124.0**	**62.7%**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**4,164.4**	**10,792.9**	**(1,077.4)**	**14,953.3**	**(797.9)**	**119.2**	**(391.1)**	**(1,045.7)**	**1,898.0**	**24,819.7**	**(1,656.7)**	**11,515.7**	**13,304.0**	**115.5%**
Beginning Fund Balances (Deficits) (3)	**15,789.3**	**9,160.8**	**26,700.0**	**10,669.3**	**982.1**	**65.0**	**(1,798.6)**	**(1,144.0)**	**41,672.8**	**18,751.1**	**27,457.2**	**14,284.8**	**4,466.3**	**31.3%**
Ending Fund Balances (Deficits)	**$ 19,953.7**	**$ 19,953.7**	**$ 25,622.6**	**$ 25,622.6**	**$ 184.2**	**$ 184.2**	**$ (2,189.7)**	**$ (2,189.7)**	**$ 43,570.8**	**$ 43,570.8**	**$ 25,800.5**	**$ 25,800.5**	**$ 17,770.3**	**68.9%**

STATE OF NEW YORK
GOVERNMENTAL FUNDS-STATE OPERATING (*)
COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES
(amounts in millions)

EXHIBIT A
SUPPLEMENTAL

		GENERAL		STATE SPECIAL REVENUE (**)		DEBT SERVICE		TOTAL STATE OPERATING FUNDS					
		MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2020	6 MOS. ENDED SEP. 30, 2020	$ Increase/ (Decrease)	% Increase/ Decrease
RECEIPTS:													
Personal Income Tax		$ 3,224.9	$ 17,897.6	$ -	$ -	$ 3,224.9	$ 17,897.6	$ 6,449.8	$ 35,795.2	$ 5,271.4	$ 26,859.0	$ 8,936.2	33.3%
Consumption/Use Taxes		460.0	2,353.2	191.9	1,024.6	1,222.7	6,120.1	1,874.6	9,497.9	1,683.1	7,468.0	2,029.9	27.2%
Business Taxes		1,707.9	4,424.2	358.9	1,163.3	-	-	2,066.8	5,587.5	1,555.0	3,759.4	1,828.1	48.6%
Other Taxes		110.8	667.6	-	-	133.4	728.6	244.2	1,396.2	162.5	895.7	500.5	55.9%
Miscellaneous Receipts		256.5	976.6	1,873.5	8,925.4	43.1	222.1	2,173.1	10,124.1	1,955.2	13,842.9	(3,718.8)	-26.9%
Federal Receipts		(0.3)	-	-	0.1	-	30.2	(0.3)	30.3	49.9	52.4	(22.1)	-42.2%
Total Receipts		**5,759.8**	**26,319.2**	**2,424.3**	**11,113.4**	**4,624.1**	**24,998.6**	**12,808.2**	**62,431.2**	**10,677.1**	**52,877.4**	**9,553.8**	**18.1%**
DISBURSEMENTS:													
Local Assistance Grants:													
Education		1,656.9	11,143.6	2,353.3	2,679.5	-	-	4,010.2	13,823.1	3,861.8	13,510.1	313.0	2.3%
Environment and Recreation		-	5.9	0.2	1.8	-	-	0.2	7.7	0.4	0.9	6.8	755.6%
General Government		109.4	608.9	9.9	85.5	-	-	119.3	694.4	62.5	637.2	57.2	9.0%
Public Health:													
Medicaid		1,322.6	9,783.7	472.2	2,647.0	-	-	1,794.8	12,430.7	2,135.5	11,048.8	1,381.9	12.5%
Other Public Health		317.5	1,138.3	118.0	576.0	-	-	435.5	1,714.3	438.1	1,515.7	198.6	13.1%
Public Safety		19.4	79.7	21.2	125.1	-	-	40.6	204.8	34.6	117.4	87.4	74.4%
Public Welfare		943.2	2,032.6	0.2	1.3	-	-	943.4	2,033.9	426.8	1,358.6	675.3	49.7%
Support and Regulate Business		13.1	272.5	14.8	22.2	-	-	27.9	294.7	10.9	48.0	246.7	514.0%
Transportation		0.1	72.4	271.8	1,871.4	-	-	271.9	1,943.8	243.1	1,449.2	494.6	34.1%
Total Local Assistance Grants		**4,382.2**	**25,137.6**	**3,261.6**	**8,009.8**	**-**	**-**	**7,643.8**	**33,147.4**	**7,213.7**	**29,685.9**	**3,461.5**	**11.7%**
Departmental Operations:													
Personal Service		820.2	4,172.0	595.4	2,525.4	-	-	1,415.6	6,697.4	1,443.0	7,082.3	(384.9)	-5.4%
Non-Personal Service		248.1	1,161.8	235.3	1,406.5	2.2	0.8	485.6	2,569.1	528.7	1,857.0	712.1	38.3%
General State Charges		611.9	4,912.7	88.9	472.7	-	-	700.8	5,385.4	592.6	4,789.5	595.9	12.4%
Debt Service, Including Payments on Financing Agreements		-	-	-	-	742.2	1,198.2	742.2	1,198.2	841.8	1,279.0	(80.8)	-6.3%
Capital Projects		-	-	-	-	-	-	-	-	-	-	-	0.0%
Total Disbursements		**6,062.4**	**35,384.1**	**4,181.2**	**12,414.4**	**744.4**	**1,199.0**	**10,988.0**	**48,997.5**	**10,619.8**	**44,693.7**	**4,303.8**	**9.6%**
Excess (Deficiency) of Receipts over Disbursements		**(302.6)**	**(9,064.9)**	**(1,756.9)**	**(1,301.0)**	**3,879.7**	**23,799.6**	**1,820.2**	**13,433.7**	**57.3**	**8,183.7**	**5,250.0**	**64.2%**
OTHER FINANCING SOURCES (USES):													
Transfers from Other Funds	(2)	5,073.4	24,799.4	183.0	2,208.4	94.6	767.4	5,351.0	27,775.2	3,217.1	17,321.5	10,453.7	60.4%
Transfers to Other Funds	(2)	(606.4)	(4,941.6)	(36.0)	(117.6)	(4,772.2)	(24,447.8)	(5,414.6)	(29,507.0)	(3,107.4)	(17,330.5)	12,176.5	70.3%
Total Other Financing Sources (Uses)		**4,467.0**	**19,857.8**	**147.0**	**2,090.8**	**(4,677.6)**	**(23,680.4)**	**(63.6)**	**(1,731.8)**	**109.7**	**(9.0)**	**(1,722.8)**	**-19,142.2%**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses		**4,164.4**	**10,792.9**	**(1,609.9)**	**789.8**	**(797.9)**	**119.2**	**1,756.6**	**11,701.9**	**167.0**	**8,174.7**	**3,527.2**	**43.1%**
Beginning Fund Balances (Deficits)	(3)	**15,789.3**	**9,160.8**	**8,108.3**	**5,708.6**	**982.1**	**65.0**	**24,879.7**	**14,934.4**	**22,416.0**	**14,408.3**	**526.1**	**3.7%**
Ending Fund Balances (Deficits)		**$ 19,953.7**	**$ 19,953.7**	**$ 6,498.4**	**$ 6,498.4**	**$ 184.2**	**$ 184.2**	**$ 26,636.3**	**$ 26,636.3**	**$ 22,583.0**	**$ 22,583.0**	**$ 4,053.3**	**17.9%**

(*) State Operating Funds are comprised of the General Fund, State Special Revenue Funds supported by activities from dedicated revenue sources (including operating transfers from Federal Funds) and Debt Service Funds.
(**) Eliminations between Special Revenue - State and Federal Funds are not included.

GOVERNMENTAL FUNDS FOOTNOTES

EXHIBIT A NOTES
SEPTEMBER 2021

1. Certain disbursements from Capital Projects funds are financed by operating transfers from other funds, proceeds of State bonds and notes, and reimbursements received from Public Authorities and the Federal Government. The amounts shown below represent disbursements to be reimbursed in future months from the sources indicated:

Urban Development Corporation (Correctional Facilities)	$337.0	million
Urban Development Corporation (Youth Facilities)	18.9	
Housing Finance Agency (HFA)	682.0	
Housing Assistance Fund	12.9	
Dormitory Authority (Mental Hygiene)	448.3	
Dormitory Authority and State University Income Fund	570.6	
Federal Capital Projects	1,005.2	
State bond and note proceeds	119.8	

2. Operating Transfers constitute legally authorized transfers from a fund receiving revenues to a fund through which disbursements will ultimately be made. The more significant transfers include

General Fund "Transfers to Other Funds" are as follows:

State Capital Projects Fund	$2,826.2	million
General Debt Service Fund	179.9	
Banking Services Account	20.5	
Building Administration Account	8.0	
Business Services Center	30.0	
Centralized Tech Services	11.5	
Charter School Stimulus	4.8	
Court Facilities Incentive Aid Fund	38.4	
Dedicated Highway & Bridge Trust Fund	33.0	
Dedicated Infrastructure Investment Fund	70.0	
Dedicated Mass Transportation (Non MTA)	2.5	
Dedicated Mass Transportation - Railroad Account	4.4	
Dedicated Mass Transportation - Transit Authority Account	24.4	
Environmental Protection Fund	14.0	
Health Insurance Revolving Fund	12.0	
Mass Transportation Financial Assistance	146.6	
Mass Transportation Operating Assistance Fund	29.7	
New York Central Business District Trust Fund	75.8	
New York City County Clerks' Operations Offset	2.1	
Recruitment Incentive	2.6	
Spinal Cord Injury Account	5.7	
State Fair Receipts	7.0	
State University Income Fund	1,185.4	

Also included in the General Fund are transfers representing payments for patients residing in State-operated health, mental hygiene and State University facilities to Debt Service funds ($3.4m), and the State University Income Fund ($202.9m).

§72(4)(b) was added to the State Finance Law in 2010 to permit the State's General Debt Service Fund to maintain a cash reserve for the payment of debt service, and related expenses, during the current fiscal quarter. As of September 30, 2021 - pursuant to a certification of the Budget Director - payment obligations were met out of these reserves and future payment amounts were scheduled for transfer at the commencement of the succeeding month.

Special Revenue Funds "Transfers To Other Funds" includes transfers to Mental Health Services Fund and Department of Health Income Fund ($544.4m) representing the federal share of Medicaid payments for patients residing in State-operated Health and Mental Hygiene facilities, SUNY Captial Projects Fund ($1.7m) and All Other Capital Projects ($27.6m).

Also included in Special Revenue funds are transfers to the General Fund from the following:

Administration Adjudication Account	$1.4	million
Clean Air	3.1	
Encon Special Revenue	1.7	
Federal Health and Human Services Fund	58.7	
Federal USDA/Food and Nutrition	18.3	
Fingerprint Identification Technology Account	9.4	
Health Care Reform Act Resources Fund	6.8	
HESC Insurance Premium Account	5.0	
Miscellaneous State Special Revenue Fund	5.0	
Nursing Home Receivership Account	1.0	
Professional Medical Conduct Account	1.1	
Public Service Account	2.1	
Statewide Public Safety Communications	8.8	
System and Technology Account	1.9	
SUNY Income Fund	20.9	
Unemployment Insurance Administration	13.9	
Unemployment Insurance, Interest & Penalty	11.3	
Workers' Compensation Board	6.4	

Debt Service Funds "Transfers To Other Funds" includes transfers to the General Fund from the following:

Revenue Bond Tax Fund	$17,005.7	million
Local Government Assistance Tax Fund	2,038.3	
Sales Tax Revenue Bond Tax Fund	3,935.8	
Clean Water/Clean Air Fund	707.0	
Mental Health Services Fund	699.2	

Also included in Debt Service funds are transfers to Special Revenue funds representing receipts in excess of lease-purchase obligations that are used to finance a portion of the operating expenses for the Department of Health ($61.8m).

Capital Projects Funds "Transfers To Other Funds" includes transfers to the General Fund ($228.6m) and the General Debt Service Fund - Lease Purchase ($40.7m).

3. Pursuant to FY 2022 Enacted Budget Legislation (Chapter 50), IFR/CUTRA (City University Tuition Reimbursement Account) Fund and CUNY Senior College Operating Fund have both been reclassified from Special Revenue State Funds and Agency Funds, respectively, to Enterprise Funds. As a result of this change, the beginning cash balances in the Special Revenue State Funds and the Agency Funds have been reduced by $171.8m and $10.6m, respectively, and the Enterprise Funds have been increased by $182.4m

Additionally, the College Savings Account within the Miscellaneous State Special Revenue Funds was reclassified to the Private Purpose Trust Funds. As a result of this change, the beginning balance of the Special Revenue State Funds has been reduced by an additional $25.7m and Private Purpose Trust Funds increased by $25.7m.

STATE OF NEW YORK
PROPRIETARY FUNDS
COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES
(amounts in millions)

EXHIBIT B

	ENTERPRISE		INTERNAL SERVICE		TOTAL PROPRIETARY FUNDS				YEAR OVER YEAR	
	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2020	6 MOS. ENDED SEP. 30, 2020	$ Increase/ (Decrease)	% Increase/ Decrease
RECEIPTS:										
Miscellaneous Receipts	$ 307.7	$ 1,435.1	$ 50.1	$ 245.0	$ 357.8	$ 1,680.1	$ 41.1	$ 205.7	$ 1,474.4	716.8%
Federal Receipts	1,186.4	23,694.1	-	-	1,186.4	23,694.1	2,491.7	33,873.9	(10,179.8)	-30.1%
Unemployment Taxes	239.4	1,827.8	-	-	239.4	1,827.8	1,396.4	11,925.9	(10,098.1)	-84.7%
Total Receipts	**1,733.5**	**26,957.0**	**50.1**	**245.0**	**1,783.6**	**27,202.0**	**3,929.2**	**46,005.5**	**(18,803.5)**	**-40.9%**
DISBURSEMENTS:										
Departmental Operations:										
Personal Service	131.0	798.4	14.3	61.3	145.3	859.7	16.3	80.9	778.8	962.7%
Non-Personal Service	91.7	243.6	47.3	216.2	139.0	459.8	39.6	236.9	222.9	94.1%
General State Charges	51.0	355.3	4.4	29.0	55.4	384.3	5.0	34.7	349.6	1,007.5%
Unemployment Benefits	1,421.4	25,625.6	-	-	1,421.4	25,625.6	3,888.9	45,791.2	(20,165.6)	-44.0%
Total Disbursements	**1,695.1**	**27,022.9**	**66.0**	**306.5**	**1,761.1**	**27,329.4**	**3,949.8**	**46,143.7**	**(18,814.3)**	**-40.8%**
Excess (Deficiency) of Receipts Over Disbursements	**38.4**	**(65.9)**	**(15.9)**	**(61.5)**	**22.5**	**(127.4)**	**(20.6)**	**(138.2)**	**10.8**	**7.8%**
OTHER FINANCING SOURCES (USES):										
Transfers from Other Funds	-	7.0	4.7	82.0	4.7	89.0	3.1	75.7	13.3	17.6%
Transfers to Other Funds	-	-	-	(4.5)	-	(4.5)	(0.1)	(0.3)	4.2	1,400.0%
Total Other Financing Sources (Uses)	**-**	**7.0**	**4.7**	**77.5**	**4.7**	**84.5**	**3.0**	**75.4**	**9.1**	**12.1%**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**38.4**	**(58.9)**	**(11.2)**	**16.0**	**27.2**	**(42.9)**	**(17.6)**	**(62.8)**	**19.9**	**31.7%**
Beginning Fund Balances (Deficits)	**230.7**	**328.0**	**(336.3)**	**(363.5)**	**(105.6)**	**(35.5)**	**(313.0)**	**(267.8)**	**232.3**	**86.7%**
Ending Fund Balances (Deficits)	**$ 269.1**	**$ 269.1**	**$ (347.5)**	**$ (347.5)**	**$ (78.4)**	**$ (78.4)**	**$ (330.6)**	**$ (330.6)**	**$ 252.2**	**76.3%**

STATE OF NEW YORK
TRUST FUNDS
COMBINED STATEMENT OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES
(amounts in millions)

EXHIBIT C

	PENSION		PRIVATE PURPOSE		TOTAL TRUST FUNDS				YEAR OVER YEAR	
	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2020	6 MOS. ENDED SEP. 30, 2020	$ Increase/ (Decrease)	% Increase/ Decrease
RECEIPTS:										
Miscellaneous Receipts	$ 14.4	$ 66.9	$ 0.6	$ 2.7	$ 15.0	$ 69.6	$ 14.3	$ 62.6	$ 7.0	11.2%
Total Receipts	**14.4**	**66.9**	**0.6**	**2.7**	**15.0**	**69.6**	**14.3**	**62.6**	**7.0**	**11.2%**
DISBURSEMENTS:										
Departmental Operations:										
Personal Service	8.3	37.2	0.1	0.2	8.4	37.4	8.3	38.8	(1.4)	-3.6%
Non-Personal Service	0.9	6.4	-	-	0.9	6.4	0.8	4.6	1.8	39.1%
General State Charges	3.5	23.3	-	0.1	3.5	23.4	3.5	22.5	0.9	4.0%
Total Disbursements	**12.7**	**66.9**	**0.1**	**0.3**	**12.8**	**67.2**	**12.6**	**65.9**	**1.3**	**2.0%**
Excess (Deficiency) of Receipts Over Disbursements	**1.7**	**-**	**0.5**	**2.4**	**2.2**	**2.4**	**1.7**	**(3.3)**	**5.7**	**172.7%**
OTHER FINANCING SOURCES (USES):										
Transfers from Other Funds	-	-	-	-	-	-	-	-	-	0.0%
Transfers to Other Funds	-	-	-	-	-	-	-	-	-	0.0%
Total Other Financing Sources (Uses)	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**0.0%**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**1.7**	**-**	**0.5**	**2.4**	**2.2**	**2.4**	**1.7**	**(3.3)**	**5.7**	**172.7%**
Beginning Fund Balances (Deficits)	**(1.7)**	**-**	**42.1**	**40.2**	**40.4**	**40.2**	**8.2**	**13.2**	**27.0**	**204.5%**
Ending Fund Balances (Deficits)	**$ -**	**$ -**	**$ 42.6**	**$ 42.6**	**$ 42.6**	**$ 42.6**	**$ 9.9**	**$ 9.9**	**$ 32.7**	**330.3%**

STATE OF NEW YORK **EXHIBIT D**
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL
FISCAL YEAR 2021-2022
FOR SIX MONTHS ENDED SEPTEMBER 30, 2021
(amounts in millions)

	ALL GOVERNMENTAL FUNDS				
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan
RECEIPTS:					
Taxes:					
Personal Income	$ 31,006.0	$ 35,212.0	$ 35,795.2	$ 4,789.2	$ 583.2
Consumption/Use	8,972.0	9,564.0	9,820.7	848.7	256.7
Business	4,547.0	4,980.0	5,884.8	1,337.8	904.8
Other	1,202.0	1,358.0	1,443.9	241.9	85.9
Miscellaneous Receipts	10,864.0	11,670.0	11,494.7	630.7	(175.3)
Federal Receipts	55,679.0	53,470.0	52,300.4	(3,378.6)	(1,169.6)
Total Receipts	**112,270.0**	**116,254.0**	**116,739.7**	**4,469.7**	**485.7**
DISBURSEMENTS:					
Local Assistance Grants	73,771.0	71,148.0	70,011.8	(3,759.2)	(1,136.2)
Departmental Operations	11,957.0	11,388.0	11,312.3	(644.7)	(75.7)
General State Charges	5,751.0	5,730.0	5,774.0	23.0	44.0
Debt Service	1,310.0	1,257.0	1,240.5	(69.5)	(16.5)
Capital Projects	4,148.0	3,796.0	3,507.6	(640.4)	(288.4)
Total Disbursements	**96,937.0**	**93,319.0**	**91,846.2**	**(5,090.8)**	**(1,472.8)**
Excess (Deficiency) of Receipts over Disbursements	**15,333.0**	**22,935.0**	**24,893.5**	**9,560.5**	**1,958.5**
OTHER FINANCING SOURCES (USES):					
Bond and Note Proceeds, net	-	-	-	-	-
Transfers from Other Funds	26,611.0	29,912.0	30,339.0	3,728.0	427.0
Transfers to Other Funds	(26,687.0)	(29,987.0)	(30,412.8)	3,725.8	425.8
Total Other Financing Sources (Uses)	**(76.0)**	**(75.0)**	**(73.8)**	**2.2**	**1.2**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**15,257.0**	**22,860.0**	**24,819.7**	**9,562.7**	**1,959.7**
Fund Balances (Deficits) at April 1	**18,751.0**	**18,751.0**	**18,751.1**	**0.1**	**0.1**
Fund Balances (Deficits) at September 30, 2021	**$ 34,008.0**	**$ 41,611.0**	**$ 43,570.8**	**$ 9,562.8**	**$ 1,959.8**

(*) Source: 2021-22 Enacted Financial Plan dated May 25, 2021.
(**) Source: 2021-22 First Quarter Update dated September 15, 2021.

STATE OF NEW YORK
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL
FISCAL YEAR 2021-2022
FOR SIX MONTHS ENDED SEPTEMBER 30, 2021
(amounts in millions)

EXHIBIT D

	STATE OPERATING FUNDS (***)				
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan
RECEIPTS:					
Taxes:					
Personal Income	$ 31,006.0	$ 35,212.0	$ 35,795.2	$ 4,789.2	$ 583.2
Consumption/Use	8,666.0	9,249.0	9,497.9	831.9	248.9
Business	4,244.0	4,667.0	5,587.5	1,343.5	920.5
Other	1,154.0	1,310.0	1,396.2	242.2	86.2
Miscellaneous Receipts	9,104.0	9,909.0	10,124.1	1,020.1	215.1
Federal Receipts	206.0	88.0	30.3	(175.7)	(57.7)
Total Receipts	**54,380.0**	**60,435.0**	**62,431.2**	**8,051.2**	**1,996.2**
DISBURSEMENTS:					
Local Assistance Grants	35,279.0	33,758.0	33,147.4	(2,131.6)	(610.6)
Departmental Operations	9,608.0	9,309.0	9,266.5	(341.5)	(42.5)
General State Charges	5,495.0	5,335.0	5,385.4	(109.6)	50.4
Debt Service	1,268.0	1,215.0	1,198.2	(69.8)	(16.8)
Capital Projects	-	-	-	-	-
Total Disbursements	**51,650.0**	**49,617.0**	**48,997.5**	**(2,652.5)**	**(619.5)**
Excess (Deficiency) of Receipts over Disbursements	**2,730.0**	**10,818.0**	**13,433.7**	**10,703.7**	**2,615.7**
OTHER FINANCING SOURCES (USES):					
Transfers from Other Funds	24,330.0	27,208.0	27,775.2 (****)	3,445.2	567.2
Transfers to Other Funds	(25,409.0)	(28,632.0)	(29,507.0) (****)	4,098.0	875.0
Total Other Financing Sources (Uses)	**(1,079.0)**	**(1,424.0)**	**(1,731.8)**	**(652.8)**	**(307.8)**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**1,651.0**	**9,394.0**	**11,701.9**	**10,050.9**	**2,307.9**
Fund Balances (Deficits) at April 1	**14,934.0**	**14,934.0**	**14,934.4**	**0.4**	**0.4**
Fund Balances (Deficits) at September 30, 2021	**$ 16,585.0**	**$ 24,328.0**	**$ 26,636.3**	**$ 10,051.3**	**$ 2,308.3**

(*) Source: 2021-22 Enacted Financial Plan dated May 25, 2021.
(**) Source: 2021-22 First Quarter Update dated September 15, 2021.
(***) State Operating Funds are comprised of the General Fund, State Special Revenue Funds supported by activities from dedicated revenue sources (including operating transfers from Federal Funds) and Debt Service Funds.
(****) Eliminations between Special Revenue - State and Federal Funds are not included.

STATE OF NEW YORK
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL
FISCAL YEAR 2021-2022
FOR SIX MONTHS ENDED SEPTEMBER 30, 2021
(amounts in millions)

EXHIBIT D

	GENERAL FUND				
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan
RECEIPTS:					
Taxes:					
Personal Income	$ 15,503.0	$ 17,606.0	$ 17,897.6	$ 2,394.6	$ 291.6
Consumption/Use	2,169.0	2,303.0	2,353.2	184.2	50.2
Business	3,268.0	3,629.0	4,424.2	1,156.2	795.2
Other	636.0	658.0	667.6	31.6	9.6
Miscellaneous Receipts	766.0	827.0	976.6	210.6	149.6
Federal Receipts	-	-	-	-	-
Transfers From:					
PIT / ECET in excess of Revenue Bond Debt Service	14,535.0	16,668.0	17,005.7	2,470.7	337.7
Sales Tax in excess of LGAC / STRBF Debt Service	5,402.0	5,843.0	5,974.1	572.1	131.1
Real Estate Taxes in excess of CW/CA Debt Service	488.0	631.0	707.0	219.0	76.0
All Other	1,279.0	1,184.0	1,112.6	(166.4)	(71.4)
Total Receipts and Other Financing Sources	**44,046.0**	**49,349.0**	**51,118.6**	**7,072.6**	**1,769.6**
DISBURSEMENTS:					
Local Assistance Grants	27,026.0	25,627.0	25,137.6	(1,888.4)	(489.4)
Departmental Operations	5,780.0	5,422.0	5,333.8	(446.2)	(88.2)
General State Charges	5,037.0	4,849.0	4,912.7	(124.3)	63.7
Transfers To:					
Debt Service	199.0	174.0	179.9	(19.1)	5.9
Capital Projects	2,250.0	2,649.0	2,943.2	693.2	294.2
State Share Medicaid	-	-	206.3 (***)	206.3	206.3
SUNY Operations	959.0	1,070.0	1,185.4	226.4	115.4
Other Purposes	518.0	632.0	426.8	(91.2)	(205.2)
Total Disbursements and Other Financing Uses	**41,769.0**	**40,423.0**	**40,325.7**	**(1,443.3)**	**(97.3)**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**2,277.0**	**8,926.0**	**10,792.9**	**8,515.9**	**1,866.9**
Fund Balances (Deficits) at April 1	**9,161.0**	**9,161.0**	**9,160.8**	**(0.2)**	**(0.2)**
Fund Balances (Deficits) at September 30, 2021	**$ 11,438.0**	**$ 18,087.0**	**$ 19,953.7**	**$ 8,515.7**	**$ 1,866.7**

(*) Source: 2021-22 Enacted Financial Plan dated May 25, 2021.
(**) Source: 2021-22 First Quarter Update dated September 15, 2021.
(***) Includes transfers to the Department of Health Income Fund and the State University Income Fund representing payments for patients residing in State-Operated Health and State University facilities.

STATE OF NEW YORK
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL
FISCAL YEAR 2021-2022
FOR SIX MONTHS ENDED SEPTEMBER 30, 2021
(amounts in millions)

EXHIBIT D

	SPECIAL REVENUE FUNDS						
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Eliminations	Total	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan
RECEIPTS:							
Taxes:							
Personal Income	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Consumption/Use	950.0	1,003.0	1,024.6	-	1,024.6	74.6	21.6
Business	976.0	1,038.0	1,163.3	-	1,163.3	187.3	125.3
Miscellaneous Receipts	8,247.0	8,993.0	9,033.4	-	9,033.4	786.4	40.4
Federal Receipts	54,618.0	52,729.0	51,678.7	-	51,678.7	(2,939.3)	(1,050.3)
Transfers from Other Funds (***)	1,682.0	2,087.0	2,208.4	(419.9)	1,788.5	106.5	(298.5)
Total Receipts and Other Financing Sources	**66,473.0**	**65,850.0**	**65,108.4**	**(419.9)**	**64,688.5**	**(1,784.5)**	**(1,161.5)**
DISBURSEMENTS:							
Local Assistance Grants	44,419.0	42,912.0	42,099.8	-	42,099.8	(2,319.2)	(812.2)
Departmental Operations	6,169.0	5,966.0	5,977.7	-	5,977.7	(191.3)	11.7
General State Charges	714.0	881.0	861.3	-	861.3	147.3	(19.7)
Debt Service	42.0	42.0	42.3	-	42.3	0.3	0.3
Capital Projects	-	-	-	-	-	-	-
Transfers to Other Funds (***)	1,170.0	1,251.0	1,174.0	(419.9)	754.1	(415.9)	(496.9)
Total Disbursements and Other Financing Uses	**52,514.0**	**51,052.0**	**50,155.1**	**(419.9)**	**49,735.2**	**(2,778.8)**	**(1,316.8)**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**13,959.0**	**14,798.0**	**14,953.3**	**-**	**14,953.3**	**994.3**	**155.3**
Fund Balances (Deficits) at April 1	**10,669.0**	**10,669.0**	**10,669.3**	**-**	**10,669.3**	**0.3**	**0.3**
Fund Balances (Deficits) at September 30, 2021	**$ 24,628.0**	**$ 25,467.0**	**$ 25,622.6**	**$ -**	**$ 25,622.6**	**$ 994.6**	**$ 155.6**

(*) Source: 2021-22 Enacted Financial Plan dated May 25, 2021.
(**) Source: 2021-22 First Quarter Update dated September 15, 2021.
(***) Actual reported transfer amounts include eliminations between Special Revenue - State and Federal Funds.

STATE OF NEW YORK
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL
FISCAL YEAR 2021-2022
FOR SIX MONTHS ENDED SEPTEMBER 30, 2021
(amounts in millions)

EXHIBIT D

	STATE SPECIAL REVENUE FUNDS					FEDERAL SPECIAL REVENUE FUNDS				
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan
RECEIPTS:										
Taxes:										
Personal Income	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Consumption/Use	950.0	1,003.0	1,024.6	74.6	21.6	-	-	-	-	-
Business	976.0	1,038.0	1,163.3	187.3	125.3	-	-	-	-	-
Miscellaneous Receipts	8,107.0	8,877.0	8,925.4	818.4	48.4	140.0	116.0	108.0	(32.0)	(8.0)
Federal Receipts	170.0	52.0	0.1	(169.9)	(51.9)	54,448.0	52,677.0	51,678.6	(2,769.4)	(998.4)
Transfers from Other Funds	1,682.0	2,087.0	2,208.4	526.4	121.4	-	-	-	-	-
Total Receipts and Other Financing Sources	**11,885.0**	**13,057.0**	**13,321.8**	**1,436.8**	**264.8**	**54,588.0**	**52,793.0**	**51,786.6**	**(2,801.4)**	**(1,006.4)**
DISBURSEMENTS:										
Local Assistance Grants	8,253.0	8,131.0	8,009.8	(243.2)	(121.2)	36,166.0	34,781.0	34,090.0	(2,076.0)	(691.0)
Departmental Operations	3,820.0	3,887.0	3,931.9	111.9	44.9	2,349.0	2,079.0	2,045.8	(303.2)	(33.2)
General State Charges	458.0	486.0	472.7	14.7	(13.3)	256.0	395.0	388.6	132.6	(6.4)
Debt Service	-	-	-	-	-	42.0	42.0	42.3	0.3	0.3
Capital Projects	-	-	-	-	-	-	-	-	-	-
Transfers to Other Funds	169.0	166.0	117.6	(51.4)	(48.4)	1,001.0	1,085.0	1,056.4	55.4	(28.6)
Total Disbursements and Other Financing Uses	**12,700.0**	**12,670.0**	**12,532.0**	**(168.0)**	**(138.0)**	**39,814.0**	**38,382.0**	**37,623.1**	**(2,190.9)**	**(758.9)**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**(815.0)**	**387.0**	**789.8**	**1,604.8**	**402.8**	**14,774.0**	**14,411.0**	**14,163.5**	**(610.5)**	**(247.5)**
Fund Balances (Deficits) at April 1	**5,708.0**	**5,708.0**	**5,708.6**	**0.6**	**0.6**	**4,961.0**	**4,961.0**	**4,960.7**	**(0.3)**	**(0.3)**
Fund Balances (Deficits) at September 30, 2021	**$ 4,893.0**	**$ 6,095.0**	**$ 6,498.4**	**$ 1,605.4**	**$ 403.4**	**$ 19,735.0**	**$ 19,372.0**	**$ 19,124.2**	**$ (610.8)**	**$ (247.8)**

(*) Source: 2021-22 Enacted Financial Plan dated May 25, 2021.
(**) Source: 2021-22 First Quarter Update dated September 15, 2021.

STATE OF NEW YORK **EXHIBIT D**
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL
FISCAL YEAR 2021-2022
FOR SIX MONTHS ENDED SEPTEMBER 30, 2021
(amounts in millions)

	DEBT SERVICE FUNDS				
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan
RECEIPTS:					
Taxes:					
Personal Income	$ 15,503.0	$ 17,606.0	$ 17,897.6	$ 2,394.6	$ 291.6
Consumption/Use	5,547.0	5,943.0	6,120.1	573.1	177.1
Other	518.0	652.0	728.6	210.6	76.6
Miscellaneous Receipts	231.0	205.0	222.1	(8.9)	17.1
Federal Receipts	36.0	36.0	30.2	(5.8)	(5.8)
Transfers from Other Funds	944.0	795.0	767.4	(176.6)	(27.6)
Total Receipts and Other Financing Sources	**22,779.0**	**25,237.0**	**25,766.0**	**2,987.0**	**529.0**
DISBURSEMENTS:					
Departmental Operations	8.0	-	0.8	(7.2)	0.8
Debt Service	1,268.0	1,215.0	1,198.2	(69.8)	(16.8)
Transfers to Other Funds	21,314.0	23,941.0	24,447.8	3,133.8	506.8
Total Disbursements and Other Financing Uses	**22,590.0**	**25,156.0**	**25,646.8**	**3,056.8**	**490.8**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**189.0**	**81.0**	**119.2**	**(69.8)**	**38.2**
Fund Balances (Deficits) at April 1	**65.0**	**65.0**	**65.0**	-	-
Fund Balances (Deficits) at September 30, 2021	**$ 254.0**	**$ 146.0**	**$ 184.2**	**$ (69.8)**	**$ 38.2**

(*) Source: 2021-22 Enacted Financial Plan dated May 25, 2021.
(**) Source: 2021-22 First Quarter Update dated September 15, 2021.

STATE OF NEW YORK
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL
FISCAL YEAR 2021-2022
FOR SIX MONTHS ENDED SEPTEMBER 30, 2021
(amounts in millions)

EXHIBIT D

	CAPITAL PROJECTS FUNDS						
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Eliminations	Total	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan
RECEIPTS:							
Taxes:							
Consumption/Use	$ 306.0	$ 315.0	$ 322.8	$ -	$ 322.8	$ 16.8	$ 7.8
Business	303.0	313.0	297.3	-	297.3	(5.7)	(15.7)
Other	48.0	48.0	47.7	-	47.7	(0.3)	(0.3)
Miscellaneous Receipts	1,620.0	1,645.0	1,262.6	-	1,262.6	(357.4)	(382.4)
Federal Receipts	1,025.0	705.0	591.5	-	591.5	(433.5)	(113.5)
Bond and Note Proceeds, net	-	-	-	-	-	-	-
Transfers from Other Funds	2,281.0	2,704.0	2,983.7	-	2,983.7	702.7	279.7
Total Receipts and Other Financing Sources	**5,583.0**	**5,730.0**	**5,505.6**	**-**	**5,505.6**	**(77.4)**	**(224.4)**
DISBURSEMENTS:							
Local Assistance Grants	2,326.0	2,609.0	2,774.4	-	2,774.4	448.4	165.4
Capital Projects	4,148.0	3,796.0	3,507.6	-	3,507.6	(640.4)	(288.4)
Transfers to Other Funds	277.0	270.0	269.3	-	269.3	(7.7)	(0.7)
Total Disbursements and Other Financing Uses	**6,751.0**	**6,675.0**	**6,551.3**	**-**	**6,551.3**	**(199.7)**	**(123.7)**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**(1,168.0)**	**(945.0)**	**(1,045.7)**	**-**	**(1,045.7)**	**122.3**	**(100.7)**
Fund Balances (Deficits) at April 1	**(1,144.0)**	**(1,144.0)**	**(1,144.0)**	**-**	**(1,144.0)**	**-**	**-**
Fund Balances (Deficits) at September 30, 2021	**$ (2,312.0)**	**$ (2,089.0)**	**$ (2,189.7)**	**$ -**	**$ (2,189.7)**	**$ 122.3**	**$ (100.7)**

(*) Source: 2021-22 Enacted Financial Plan dated May 25, 2021.
(**) Source: 2021-22 First Quarter Update dated September 15, 2021.

STATE OF NEW YORK
BUDGETARY BASIS - FINANCIAL PLAN AND ACTUAL
FISCAL YEAR 2021-2022
FOR SIX MONTHS ENDED SEPTEMBER 30, 2021
(amounts in millions)

EXHIBIT D

	STATE CAPITAL PROJECTS FUNDS					FEDERAL CAPITAL PROJECTS FUNDS				
	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan	Enacted Financial Plan (*)	Updated Financial Plan (**)	Actual	Actual Over/ (Under) Enacted Financial Plan	Actual Over/ (Under) Updated Financial Plan
RECEIPTS:										
Taxes:										
Consumption/Use	$ 306.0	$ 315.0	$ 322.8	$ 16.8	$ 7.8	$ -	$ -	$ -	$ -	$ -
Business	303.0	313.0	297.3	(5.7)	(15.7)	-	-	-	-	-
Other	48.0	48.0	47.7	(0.3)	(0.3)	-	-	-	-	-
Miscellaneous Receipts	1,620.0	1,645.0	1,262.7	(357.3)	(382.3)	-	-	(0.1)	(0.1)	(0.1)
Federal Receipts	2.0	4.0	19.3	17.3	15.3	1,023.0	701.0	572.2	(450.8)	(128.8)
Bond and Note Proceeds, net	-	-	-	-	-	-	-	-	-	-
Transfers from Other Funds	2,267.0	2,691.0	2,983.7	716.7	292.7	14.0	13.0	-	(14.0)	(13.0)
Total Receipts and Other Financing Sources	**4,546.0**	**5,016.0**	**4,933.5**	**387.5**	**(82.5)**	**1,037.0**	**714.0**	**572.1**	**(464.9)**	**(141.9)**
DISBURSEMENTS:										
Local Assistance Grants	2,039.0	2,387.0	2,539.6	500.6	152.6	287.0	222.0	234.8	(52.2)	12.8
Capital Projects	3,396.0	3,034.0	2,745.7	(650.3)	(288.3)	752.0	762.0	761.9	9.9	(0.1)
Transfers to Other Funds	278.0	270.0	269.0	(9.0)	(1.0)	(1.0)	-	0.3	1.3	0.3
Total Disbursements and Other Financing Uses	**5,713.0**	**5,691.0**	**5,554.3**	**(158.7)**	**(136.7)**	**1,038.0**	**984.0**	**997.0**	**(41.0)**	**13.0**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**(1,167.0)**	**(675.0)**	**(620.8)**	**546.2**	**54.2**	**(1.0)**	**(270.0)**	**(424.9)**	**(423.9)**	**(154.9)**
Fund Balances (Deficits) at April 1	**(562.0)**	**(562.0)**	**(563.7)**	**(1.7)**	**(1.7)**	**(582.0)**	**(582.0)**	**(580.3)**	**1.7**	**1.7**
Fund Balances (Deficits) at September 30, 2021	**$ (1,729.0)**	**$ (1,237.0)**	**$ (1,184.5)**	**$ 544.5**	**$ 52.5**	**$ (583.0)**	**$ (852.0)**	**$ (1,005.2)**	**$ (422.2)**	**$ (153.2)**

(*) Source: 2021-22 Enacted Financial Plan dated May 25, 2021.
(**) Source: 2021-22 First Quarter Update dated September 15, 2021.

STATE OF NEW YORK
GOVERNMENTAL FUNDS
COMPARATIVE SCHEDULE OF TAX RECEIPTS
(amounts in millions)

EXHIBIT E

	GENERAL		SPECIAL REVENUE		DEBT SERVICE		CAPITAL PROJECTS		TOTAL GOVERNMENTAL FUNDS				YEAR OVER YEAR	
	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2021	6 MOS. ENDED SEP. 30, 2021	MONTH OF SEP. 2020	6 MOS. ENDED SEP. 30, 2020	$ Increase/ (Decrease)	% Increase/ Decrease
PERSONAL INCOME TAX														
Withholding	$ 3,634.8	$ 21,343.5	$ -	$ -	$ -	$ -	$ -	$ -	$ 3,634.8	$ 21,343.5	$ 3,147.2	$ 18,636.0	$ 2,707.5	14.5%
Estimated Payments	3,241.9	15,731.7	-	-	-	-	-	-	3,241.9	15,731.7	2,510.0	10,735.8	4,995.9	46.5%
Returns	77.5	3,439.9	-	-	-	-	-	-	77.5	3,439.9	83.4	2,642.5	797.4	30.2%
State/City Offsets	(28.1)	(568.3)	-	-	-	-	-	-	(28.1)	(568.3)	(71.7)	(454.8)	113.5	25.0%
Other (Assessments/LLC)	104.2	661.1	-	-	-	-	-	-	104.2	661.1	97.9	506.5	154.6	30.5%
Gross Receipts	**7,030.3**	**40,607.9**	**-**	**-**	**-**	**-**	**-**	**-**	**7,030.3**	**40,607.9**	**5,766.8**	**32,066.0**	**8,541.9**	**26.6%**
Transfers to School Tax Relief Fund	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Transfers to Revenue Bond Tax Fund	(3,224.9)	(17,897.6)	-	-	3,224.9	17,897.6	-	-	-	-	-	-	-	0.0%
Less: Refunds Issued	(580.5)	(4,812.7)	-	-	-	-	-	-	(580.5)	(4,812.7)	(495.4)	(5,207.0)	(394.3)	-7.6%
Total	**3,224.9**	**17,897.6**	**-**	**-**	**3,224.9**	**17,897.6**	**-**	**-**	**6,449.8**	**35,795.2**	**5,271.4**	**26,859.0**	**8,936.2**	**33.3%**
CONSUMPTION/USE TAXES														
Sales and Use	408.0	2,037.3	109.0	570.5	1,222.7	6,120.1	-	-	1,739.7	8,727.9	1,540.2	6,689.2	2,038.7	30.5%
Auto Rental	-	-	7.7	12.6	-	-	26.3	45.9	34.0	58.5	14.5	31.3	27.2	86.9%
Cigarette/Tobacco Products	26.7	157.4	56.1	364.6	-	-	-	-	82.8	522.0	103.4	547.1	(25.1)	-4.6%
Medical Marihuana	-	-	1.0	6.7	-	-	-	-	1.0	6.7	0.7	3.9	2.8	71.8%
Motor Fuel	-	-	10.2	55.1	-	-	37.6	204.3	47.8	259.4	41.6	207.0	52.4	25.3%
Alcoholic Beverage	25.3	144.2	-	-	-	-	-	-	25.3	144.2	23.3	143.3	0.9	0.6%
Highway Use	-	-	0.1	0.3	-	-	10.6	72.6	10.7	72.9	12.7	68.3	4.6	6.7%
Vapor Excise	-	-	7.8	14.8	-	-	-	-	7.8	14.8	7.4	18.7	(3.9)	-20.9%
Opioid Excise	-	14.3	-	-	-	-	-	-	-	14.3	0.3	16.4	(2.1)	-12.8%
Total	**460.0**	**2,353.2**	**191.9**	**1,024.6**	**1,222.7**	**6,120.1**	**74.5**	**322.8**	**1,949.1**	**9,820.7**	**1,744.1**	**7,725.2**	**2,095.5**	**27.1%**
BUSINESS TAXES														
Corporation Franchise	1,216.4	3,317.7	260.7	788.4	-	-	-	-	1,477.1	4,106.1	1,000.7	2,270.8	1,835.3	80.8%
Corporation and Utilities	84.1	177.7	18.9	49.0	-	-	1.2	4.1	104.2	230.8	106.3	241.4	(10.6)	-4.4%
Insurance	403.5	921.1	50.1	95.9	-	-	-	-	453.6	1,017.0	391.7	881.7	135.3	15.3%
Bank	3.9	7.7	(4.6)	(0.8)	-	-	-	-	(0.7)	6.9	15.3	164.3	(157.4)	-95.8%
Petroleum Business	-	-	33.8	230.8	-	-	43.7	293.2	77.5	524.0	98.4	467.1	56.9	12.2%
Total	**1,707.9**	**4,424.2**	**358.9**	**1,163.3**	**-**	**-**	**44.9**	**297.3**	**2,111.7**	**5,884.8**	**1,612.4**	**4,025.3**	**1,859.5**	**46.2%**
OTHER TAXES														
Real Property Gains	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Estate and Gift	108.7	658.1	-	-	-	-	-	-	108.7	658.1	91.3	566.8	91.3	16.1%
Pari-Mutuel	1.7	8.4	-	-	-	-	-	-	1.7	8.4	0.7	4.8	3.6	75.0%
Real Estate Transfer	-	-	-	-	133.3	727.8	12.0	47.7	145.3	775.5	82.2	370.8	404.7	109.1%
Racing and Exhibitions	0.2	0.3	-	-	-	-	-	-	0.2	0.3	-	0.1	0.2	200.0%
Employer Compensation Expense Tax	0.2	0.8	-	-	0.1	0.8	-	-	0.3	1.6	0.2	0.8	0.8	100.0%
Total	**110.8**	**667.6**	**-**	**-**	**133.4**	**728.6**	**12.0**	**47.7**	**256.2**	**1,443.9**	**174.4**	**943.3**	**500.6**	**53.1%**
Total Tax Receipts	**$ 5,503.6**	**$ 25,342.6**	**$ 550.8**	**$ 2,187.9**	**$ 4,581.0**	**$ 24,746.3**	**$ 131.4**	**$ 667.8**	**$ 10,766.8**	**$ 52,944.6**	**$ 8,802.3**	**$ 39,552.8**	**$ 13,391.8**	**33.9%**

STATE OF NEW YORK
GOVERNMENTAL FUNDS (*)
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
Beginning Fund Balance	$ 18,751.1	$ 24,932.2	$ 39,815.2	$ 41,256.4	$ 41,722.0	$ 41,672.8							$ 18,751.1	$ 14,284.8	$ 4,466.3	31.3%
RECEIPTS:																
Taxes:																
Personal Income Tax:																
Withholdings	3,601.8	3,217.7	3,702.6	3,408.2	3,778.4	3,634.8							21,343.5	18,636.0	2,707.5	14.5%
Estimated Payments	3,342.2	6,128.7	2,740.7	147.1	131.1	3,241.9							15,731.7	10,735.8	4,995.9	46.5%
Returns	913.6	2,184.3	139.6	65.0	59.9	77.5							3,439.9	2,642.5	797.4	30.2%
State/City Offsets	(203.0)	(264.7)	(21.6)	(31.8)	(19.1)	(28.1)							(568.3)	(454.8)	113.5	25.0%
Other (Assessments/LLC)	154.1	87.2	111.3	91.9	112.4	104.2							661.1	506.5	154.6	30.5%
Gross Receipts	**7,808.7**	**11,353.2**	**6,672.6**	**3,680.4**	**4,062.7**	**7,030.3**	**-**	**-**	**-**	**-**	**-**	**-**	**40,607.9**	**32,066.0**	**8,541.9**	**26.6%**
Transfers to School Tax Relief Fund	-	-	-	-	-	-							-	-	-	0.0%
Transfers to Revenue Bond Tax Fund	-	-	-	-	-	-							-	-	-	0.0%
Refunds Issued	(1,282.9)	(1,520.2)	(852.0)	(315.8)	(261.3)	(580.5)							(4,812.7)	(5,207.0)	(394.3)	-7.6%
Total Personal Income Tax	**6,525.8**	**9,833.0**	**5,820.6**	**3,364.6**	**3,801.4**	**6,449.8**	**-**	**-**	**-**	**-**	**-**	**-**	**35,795.2**	**26,859.0**	**8,936.2**	**33.3%**
Consumption/Use Taxes:																
Sales and Use	1,297.4	1,261.4	1,711.7	1,382.9	1,334.8	1,739.7							8,727.9	6,689.2	2,038.7	30.5%
Auto Rental	1.9	-	22.6	0.1	(0.1)	34.0							58.5	31.3	27.2	86.9%
Cigarette/Tobacco Products	98.3	76.6	90.6	85.4	88.3	82.8							522.0	547.1	(25.1)	-4.6%
Medical Marijuana	1.5	1.1	1.1	0.9	1.1	1.0							6.7	3.9	2.8	71.8%
Motor Fuel	34.1	40.3	46.6	44.5	46.1	47.8							259.4	207.0	52.4	25.3%
Alcoholic Beverage	23.0	21.8	21.7	29.7	22.7	25.3							144.2	143.3	0.9	0.6%
Highway Use	14.6	10.5	11.6	12.2	13.3	10.7							72.9	68.3	4.6	6.7%
Vapor Excise	0.2	-	6.6	0.2	-	7.8							14.8	18.7	(3.9)	-20.9%
Opioid Excise	6.7	0.1	-	7.5	-	-							14.3	16.4	(2.1)	-12.8%
Total Consumption/Use Taxes	**1,477.7**	**1,411.8**	**1,912.5**	**1,563.4**	**1,506.2**	**1,949.1**	**-**	**-**	**-**	**-**	**-**	**-**	**9,820.7**	**7,725.2**	**2,095.5**	**27.1%**
Business Taxes:																
Corporation Franchise	768.4	106.0	1,452.1	274.0	28.5	1,477.1							4,106.1	2,270.8	1,835.3	80.8%
Corporation and Utilities	51.0	1.1	83.2	(7.7)	(1.0)	104.2							230.8	241.4	(10.6)	-4.4%
Insurance	64.2	57.3	373.2	15.9	52.8	453.6							1,017.0	881.7	135.3	15.3%
Bank	17.3	(20.1)	10.2	0.2	-	(0.7)							6.9	164.3	(157.4)	-95.8%
Petroleum Business	68.9	90.2	92.6	99.0	95.8	77.5							524.0	467.1	56.9	12.2%
Total Business Taxes	**969.8**	**234.5**	**2,011.3**	**381.4**	**176.1**	**2,111.7**	**-**	**-**	**-**	**-**	**-**	**-**	**5,884.8**	**4,025.3**	**1,859.5**	**46.2%**
Other Taxes:																
Real Property Gains	-	-	-	-	-	-							-	-	-	0.0%
Estate and Gift	119.8	117.0	108.9	103.1	100.6	108.7							658.1	566.8	91.3	16.1%
Pari-Mutuel	1.3	1.1	1.1	1.1	2.1	1.7							8.4	4.8	3.6	75.0%
Real Estate Transfer	97.4	110.0	127.0	143.9	151.9	145.3							775.5	370.8	404.7	109.1%
Racing and Exhibitions	-	-	-	-	0.1	0.2							0.3	0.1	0.2	200.0%
Employer Compensation Expense Tax	0.2	0.2	0.2	0.4	0.3	0.3							1.6	0.8	0.8	100.0%
Total Other Taxes	**218.7**	**228.3**	**237.2**	**248.5**	**255.0**	**256.2**	**-**	**-**	**-**	**-**	**-**	**-**	**1,443.9**	**943.3**	**500.6**	**53.1%**
Total Taxes	**9,192.0**	**11,707.6**	**9,981.6**	**5,557.9**	**5,738.7**	**10,766.8**	**-**	**-**	**-**	**-**	**-**	**-**	**52,944.6**	**39,552.8**	**13,391.8**	**33.9%**
Miscellaneous Receipts:																
Abandoned Property:																
Abandoned Property	1.3	1.0	0.8	0.9	10.9	101.2							116.1	115.9	0.2	0.2%
Bottle Bill	1.0	0.3	31.1	2.0	0.2	34.9							69.5	83.3	(13.8)	-16.6%
Assessments:																
Business	79.2	48.3	67.4	101.9	37.2	35.8							369.8	408.4	(38.6)	-9.5%
Medical Care	484.5	533.9	544.9	526.3	536.1	530.4							3,156.1	2,970.3	185.8	6.3%
Public Utilities	1.5	-	0.7	-	0.1	44.4							46.7	50.7	(4.0)	-7.9%
Other	-	0.1	-	0.1	0.1	0.1							0.4	0.1	0.3	300.0%
Fees, Licenses and Permits:																
Alcohol Beverage Control Licensing	5.3	5.5	7.0	6.2	6.2	5.0							35.2	23.1	12.1	52.4%
Audit Fees	-	-	-	0.7	1.5	0.1							2.3	1.7	0.6	35.3%
Business/Professional:	53.9	49.1	127.1	52.2	65.4	131.7							479.4	496.4	(17.0)	-3.4%
Civil	25.9	28.2	18.9	19.9	26.0	23.4							142.3	95.2	47.1	49.5%
Criminal	1.0	0.3	0.9	0.3	0.5	0.3							3.3	3.0	0.3	10.0%
Motor Vehicle	129.0	112.5	139.8	103.6	120.6	131.1							736.6	590.9	145.7	24.7%
Recreational/Consumer	68.4	53.3	87.5	58.3	93.0	155.3							515.8	312.1	203.7	65.3%
Fines, Penalties and Forfeitures	50.4	42.6	52.2	11.9	26.4	27.9							211.4	577.4	(366.0)	-63.4%
Gaming:																
Casino	34.2	14.2	17.1	35.7	15.2	19.3							135.7	28.8	106.9	371.2%
Lottery	199.5	213.5	238.9	181.9	186.8	240.9							1,261.5	1,070.3	191.2	17.9%
Video Lottery	75.9	77.9	101.9	82.4	81.5	99.2							518.8	34.0	484.8	1,425.9%
Interest Earnings	5.6	4.4	4.3	4.5	4.7	4.2							27.7	78.4	(50.7)	-64.7%
Receipts from Municipalities	6.7	2.2	4.9	3.3	1.5	6.9							25.5	26.2	(0.7)	-2.7%
Receipts from Public Authorities:																
Bond Proceeds	78.4	0.5	3.0	237.0	27.6	328.1							674.6	6,670.6	(5,996.0)	-89.9%
Cost Recovery Assessments	-	-	-	5.9	-	-							5.9	-	5.9	100.0%
Issuance Fees	2.7	2.3	1.7	22.0	0.6	-							29.3	53.9	(24.6)	-45.6%
Non Bond Related	0.7	2.5	0.8	4.6	0.3	4.3							13.2	16.5	(3.3)	-20.0%
Rentals	45.3	2.8	10.5	3.8	17.7	86.5							166.6	3.4	163.2	4,800.0%

STATE OF NEW YORK
GOVERNMENTAL FUNDS (*)
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
Revenues of State Departments:																
Administrative Recoveries	45.8	9.2	36.0	8.6	9.1	23.5							132.2	102.8	29.4	28.6%
Commissions	0.9	0.8	0.2	0.6	0.4	1.3							4.2	2.0	2.2	110.0%
Commissions - Asset Conversion	-	-	-	-	-	-							-	-	-	0.0%
Gifts, Grants and Donations	2.5	2.1	3.4	0.7	0.5	2.9							12.1	35.4	(23.3)	-65.8%
Indirect Cost Recoveries	4.9	5.7	6.3	5.0	6.0	20.3							48.2	36.0	12.2	33.9%
Patient/Client Care Reimbursement	295.8	223.6	214.5	293.3	205.9	251.4							1,484.5	1,778.2	(293.7)	-16.5%
Rebates	11.3	9.5	13.8	12.0	10.2	14.5							71.3	79.4	(8.1)	-10.2%
Restitution and Settlements	1.5	11.1	9.0	6.5	2.8	8.0							38.9	56.5	(17.6)	-31.2%
Student Loans	2.4	5.6	1.3	1.9	1.4	1.2							13.8	27.6	(13.8)	-50.0%
All Other	87.3	63.6	71.8	71.4	82.9	37.7							414.7	209.1	205.6	98.3%
Sales	2.4	0.5	1.7	1.3	1.0	3.1							10.0	8.0	2.0	25.0%
Tuition	(75.7)	41.6	51.3	56.6	204.0	243.3							521.1	562.9	(41.8)	-7.4%
Total Miscellaneous Receipts	**1,729.5**	**1,568.7**	**1,870.7**	**1,923.3**	**1,784.3**	**2,618.2**	**-**	**-**	**-**	**-**	**-**	**-**	**11,494.7**	**16,608.5**	**(5,113.8)**	**-30.8%**
Federal Receipts	7,164.2	18,246.2	7,485.1	5,880.5	5,986.7	7,537.7							52,300.4	42,740.8	9,559.6	22.4%
Total Receipts	**18,085.7**	**31,522.5**	**19,337.4**	**13,361.7**	**13,509.7**	**20,922.7**	**-**	**-**	**-**	**-**	**-**	**-**	**116,739.7**	**98,902.1**	**17,837.6**	**18.0%**
DISBURSEMENTS:																
Local Assistance Grants:																
Education	810.6	4,402.4	4,076.2	1,902.5	1,418.3	4,369.7							16,979.7	15,273.8	1,705.9	11.2%
Environment and Recreation	29.4	9.6	19.8	16.0	32.7	15.8							123.3	71.3	52.0	72.9%
General Government	36.9	130.2	504.4	440.4	100.8	195.3							1,408.0	4,723.5	(3,315.5)	-70.2%
Public Health:																
Medicaid	6,499.1	5,695.1	6,549.9	4,699.1	5,876.2	5,505.4							34,824.8	34,247.4	577.4	1.7%
Other Public Health	651.9	688.7	1,395.4	906.1	906.7	1,218.6							5,767.4	5,030.3	737.1	14.7%
Public Safety	128.1	139.4	196.1	220.6	98.0	225.3							1,007.5	809.6	197.9	24.4%
Public Welfare	230.2	356.7	905.0	1,005.5	1,046.7	2,372.2							5,916.3	3,520.6	2,395.7	68.0%
Support and Regulate Business	26.7	63.5	359.4	68.4	50.2	132.8							701.0	232.6	468.4	201.4%
Transportation	392.6	471.3	571.7	570.3	654.1	623.8							3,283.8	2,206.7	1,077.1	48.8%
Total Local Assistance Grants	**8,805.5**	**11,956.9**	**14,577.9**	**9,828.9**	**10,183.7**	**14,658.9**	**-**	**-**	**-**	**-**	**-**	**-**	**70,011.8**	**66,115.8**	**3,896.0**	**5.9%**
Departmental Operations:																
Personal Service	1,158.2	1,182.3	1,167.5	1,336.7	1,113.3	1,486.3							7,444.3	7,681.5	(237.2)	-3.1%
Non-Personal Service	519.4	576.0	839.1	516.0	726.9	690.6							3,868.0	3,445.2	422.8	12.3%
General State Charges	895.5	2,367.0	625.3	645.8	508.5	731.9							5,774.0	5,053.7	720.3	14.3%
Debt Service, Including Payments on Financing Agreements	122.4	40.5	20.5	7.2	307.7	742.2							1,240.5	1,279.0	(38.5)	-3.0%
Capital Projects	398.2	514.1	631.4	554.2	699.6	710.1							3,507.6	3,613.4	(105.8)	-2.9%
Total Disbursements	**11,899.2**	**16,636.8**	**17,861.7**	**12,888.8**	**13,539.7**	**19,020.0**	**-**	**-**	**-**	**-**	**-**	**-**	**91,846.2**	**87,188.6**	**4,657.6**	**5.3%**
Excess (Deficiency) of Receipts over Disbursements	**6,186.5**	**14,885.7**	**1,475.7**	**472.9**	**(30.0)**	**1,902.7**	**-**	**-**	**-**	**-**	**-**	**-**	**24,893.5**	**11,713.5**	**13,180.0**	**112.5%**
OTHER FINANCING SOURCES (USES):																
Bond and Note Proceeds (net)	-	-	-	-	-	-							-	-	-	0.0%
Transfers from Other Funds	5,344.8	6,200.6	6,454.2	3,531.7	3,037.4	5,770.3							30,339.0	18,167.0	12,172.0	67.0%
Transfers to Other Funds	(5,350.2)	(6,203.3)	(6,488.7)	(3,539.0)	(3,056.6)	(5,775.0)							(30,412.8)	(18,364.8)	12,048.0	65.6%
Total Other Financing Sources (Uses)	**(5.4)**	**(2.7)**	**(34.5)**	**(7.3)**	**(19.2)**	**(4.7)**	**-**	**-**	**-**	**-**	**-**	**-**	**(73.8)**	**(197.8)**	**124.0**	**62.7%**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**6,181.1**	**14,883.0**	**1,441.2**	**465.6**	**(49.2)**	**1,898.0**	**-**	**-**	**-**	**-**	**-**	**-**	**24,819.7**	**11,515.7**	**13,304.0**	**115.5%**
Ending Fund Balance	**$ 24,932.2**	**$ 39,815.2**	**$ 41,256.4**	**$ 41,722.0**	**$ 41,672.8**	**$ 43,570.8**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 43,570.8**	**$ 25,800.5**	**$ 17,770.3**	**68.9%**

(*) Governmental Funds includes General, Special Revenue, Debt Service and Capital Projects Funds combined.

STATE OF NEW YORK
GOVERNMENTAL FUNDS
STATEMENT OF CASH FLOW - STATE OPERATING (*)
FISCAL YEAR 2021-2022
(amounts in millions)

	2021						2022						6 Months Ended September 30			
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
Beginning Fund Balance	$ 14,934.4	$ 18,753.4	$ 20,954.3	$ 23,094.9	$ 24,196.6	$ 24,879.7							$ 14,934.4	$ 14,408.3	$ 526.1	3.7%
RECEIPTS:																
Taxes:																
Personal Income Tax:																
Withholdings	3,601.8	3,217.7	3,702.6	3,408.2	3,778.4	3,634.8							21,343.5	18,636.0	2,707.5	14.5%
Estimated Payments	3,342.2	6,128.7	2,740.7	147.1	131.1	3,241.9							15,731.7	10,735.8	4,995.9	46.5%
Returns	913.6	2,184.3	139.6	65.0	59.9	77.5							3,439.9	2,642.5	797.4	30.2%
State/City Offsets	(203.0)	(264.7)	(21.6)	(31.8)	(19.1)	(28.1)							(568.3)	(454.8)	113.5	25.0%
Other (Assessments/LLC)	154.1	87.2	111.3	91.9	112.4	104.2							661.1	506.5	154.6	30.5%
Gross Receipts	7,808.7	11,353.2	6,672.6	3,680.4	4,062.7	7,030.3	-	-	-	-	-	-	40,607.9	32,066.0	8,541.9	26.6%
Transfers to School Tax Relief Fund	-	-	-	-	-	-							-	-	-	0.0%
Transfers to Revenue Bond Tax Fund	-	-	-	-	-	-							-	-	-	0.0%
Refunds Issued	(1,282.9)	(1,520.2)	(852.0)	(315.8)	(261.3)	(580.5)							(4,812.7)	(5,207.0)	(394.3)	-7.6%
Total Personal Income Tax	6,525.8	9,833.0	5,820.6	3,364.6	3,801.4	6,449.8	-	-	-	-	-	-	35,795.2	26,859.0	8,936.2	33.3%
Consumption/Use Taxes:																
Sales and Use	1,297.4	1,261.4	1,711.7	1,382.9	1,334.8	1,739.7							8,727.9	6,689.2	2,038.7	30.5%
Auto Rental	(0.2)	-	5.1	-	-	7.7							12.6	4.9	7.7	157.1%
Cigarette/Tobacco Products	98.3	76.6	90.6	85.4	88.3	82.8							522.0	547.1	(25.1)	-4.6%
Medical Marijuana	1.5	1.1	1.1	0.9	1.1	1.0							6.7	3.9	2.8	71.8%
Motor Fuel	7.2	8.6	9.9	9.5	9.7	10.2							55.1	44.3	10.8	24.4%
Alcoholic Beverage	23.0	21.8	21.7	29.7	22.7	25.3							144.2	143.3	0.9	0.6%
Highway Use	0.1	-	-	0.1	-	0.1							0.3	0.2	0.1	50.0%
Vapor Excise	0.2	-	6.6	0.2	-	7.8							14.8	18.7	(3.9)	-20.9%
Opioid Excise	6.7	0.1	-	7.5	-	-							14.3	16.4	(2.1)	-12.8%
Total Consumption/Use Taxes	1,434.2	1,369.6	1,846.7	1,516.2	1,456.6	1,874.6	-	-	-	-	-	-	9,497.9	7,468.0	2,029.9	27.2%
Business Taxes:																
Corporation Franchise	768.4	106.0	1,452.1	274.0	28.5	1,477.1							4,106.1	2,270.8	1,835.3	80.8%
Corporation and Utilities	47.9	1.1	81.8	(6.2)	(0.9)	103.0							226.7	236.3	(9.6)	-4.1%
Insurance	64.2	57.3	373.2	15.9	52.8	453.6							1,017.0	881.7	135.3	15.3%
Bank	17.3	(20.1)	10.2	0.2	-	(0.7)							6.9	164.3	(157.4)	-95.8%
Petroleum Business	30.7	39.8	40.6	43.7	42.2	33.8							230.8	206.3	24.5	11.9%
Total Business Taxes	928.5	184.1	1,957.9	327.6	122.6	2,066.8	-	-	-	-	-	-	5,587.5	3,759.4	1,828.1	48.6%
Other Taxes:																
Real Property Gains	-	-	-	-	-	-							-	-	-	0.0%
Estate and Gift	119.8	117.0	108.9	103.1	100.6	108.7							658.1	566.8	91.3	16.1%
Pari-Mutuel	1.3	1.1	1.1	1.1	2.1	1.7							8.4	4.8	3.6	75.0%
Real Estate Transfer	97.4	110.0	115.1	132.0	140.0	133.3							727.8	323.2	404.6	125.2%
Racing and Exhibitions	-	-	-	-	0.1	0.2							0.3	0.1	0.2	200.0%
Employer Compensation Expense Tax	0.2	0.2	0.2	0.4	0.3	0.3							1.6	0.8	0.8	100.0%
Total Other Taxes	218.7	228.3	225.3	236.6	243.1	244.2	-	-	-	-	-	-	1,396.2	895.7	500.5	55.9%
Total Taxes	9,107.2	11,615.0	9,850.5	5,445.0	5,623.7	10,635.4	-	-	-	-	-	-	52,276.8	38,982.1	13,294.7	34.1%
Miscellaneous Receipts:																
Abandoned Property:																
Abandoned Property	1.3	1.0	0.8	0.9	10.9	101.2							116.1	115.9	0.2	0.2%
Bottle Bill	1.0	0.3	8.1	2.0	0.2	34.9							46.5	60.3	(13.8)	-22.9%
Assessments:																
Business	63.7	5.1	61.3	93.5	20.1	29.7							273.4	315.6	(42.2)	-13.4%
Medical Care	484.5	533.9	544.9	526.3	536.1	530.4							3,156.1	2,970.3	185.8	6.3%
Public Utilities	1.5	-	0.7	-	0.1	44.4							46.7	50.7	(4.0)	-7.9%
Other	-	0.1	-	0.1	0.1	0.1							0.4	0.1	0.3	300.0%
Fees, Licenses and Permits:																
Alcohol Beverage Control Licensing	5.3	5.5	7.0	6.2	6.2	5.0							35.2	23.1	12.1	52.4%
Audit Fees	-	-	-	0.7	1.5	0.1							2.3	1.7	0.6	35.3%
Business/Professional	52.6	47.4	125.0	50.8	56.9	124.2							456.9	477.2	(20.3)	-4.3%
Civil	25.9	28.2	18.9	19.9	26.0	23.4							142.3	95.2	47.1	49.5%
Criminal	1.0	0.3	0.9	0.3	0.5	0.3							3.3	3.0	0.3	10.0%
Motor Vehicle	49.8	43.4	79.2	37.6	61.6	71.6							343.2	281.0	62.2	22.1%
Recreational/Consumer	66.9	50.4	86.0	57.9	92.6	145.1							498.9	292.9	206.0	70.3%
Fines, Penalties and Forfeitures	47.5	41.4	49.1	9.6	23.0	26.1							196.7	563.5	(366.8)	-65.1%
Gaming:																
Casino	34.2	14.2	17.1	35.7	15.2	19.3							135.7	28.8	106.9	371.2%
Lottery	199.5	213.5	238.9	181.9	186.8	240.9							1,261.5	1,070.3	191.2	17.9%
Video Lottery	75.9	77.9	101.9	82.4	81.5	99.2							518.8	34.0	484.8	1,425.9%
Interest Earnings	5.0	3.8	3.6	3.7	3.7	3.4							23.2	65.7	(42.5)	-64.7%
Receipts from Municipalities	6.7	2.2	4.9	3.3	1.4	6.9							25.4	25.8	(0.4)	-1.6%
Receipts from Public Authorities:																
Bond Proceeds	-	-	-	-	-	-							-	4,500.0	(4,500.0)	-100.0%
Cost Recovery Assessments	-	-	-	5.9	-	-							5.9	-	5.9	100.0%

STATE OF NEW YORK
GOVERNMENTAL FUNDS
STATEMENT OF CASH FLOW - STATE OPERATING (*)
FISCAL YEAR 2021-2022
(amounts in millions)

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
Issuance Fees	2.7	2.3	1.7	22.0	0.6	-							29.3	53.9	(24.6)	-45.6%
Non Bond Related	0.2	-	-	4.6	0.3	4.3							9.4	15.2	(5.8)	-38.2%
Rentals	42.0	2.0	9.1	2.2	16.5	85.0							156.8	(7.5)	164.3	2,190.7%
Revenues of State Departments:																
Administrative Recoveries	45.8	9.2	36.0	8.6	9.1	23.5							132.2	102.8	29.4	28.6%
Commissions	0.9	0.8	0.2	0.6	0.4	1.3							4.2	2.0	2.2	110.0%
Commissions - Asset Conversion	-	-	-	-	-	-							-	-	-	0.0%
Gifts, Grants and Donations	0.7	0.8	0.5	0.3	0.5	1.7							4.5	26.0	(21.5)	-82.7%
Indirect Cost Recoveries	4.9	5.7	6.3	5.0	6.0	7.6							35.5	36.0	(0.5)	-1.4%
Patient/Client Care Reimbursement	295.8	223.6	214.5	293.3	205.9	251.4							1,484.5	1,778.2	(293.7)	-16.5%
Rebates	4.7	2.1	6.8	4.8	3.5	7.5							29.4	32.9	(3.5)	-10.6%
Restitution and Settlements	1.2	9.8	7.4	0.6	0.9	3.9							23.8	50.8	(27.0)	-53.1%
Student Loans	2.4	5.6	1.3	1.9	1.4	1.2							13.8	27.6	(13.8)	-50.0%
All Other	84.7	60.2	59.0	69.9	74.4	33.2							381.4	179.2	202.2	112.8%
Sales	2.3	0.5	1.7	1.3	0.9	3.0							9.7	7.8	1.9	24.4%
Tuition	(75.7)	41.6	51.3	56.6	204.0	243.3							521.1	562.9	(41.8)	-7.4%
Total Miscellaneous Receipts	**1,534.9**	**1,432.8**	**1,744.1**	**1,590.4**	**1,648.8**	**2,173.1**	**-**	**-**	**-**	**-**	**-**	**-**	**10,124.1**	**13,842.9**	**(3,718.8)**	**-26.9%**
Federal Receipts	0.2	-	-	1.6	28.8	(0.3)							30.3	52.4	(22.1)	-42.2%
Total Receipts	**10,642.3**	**13,047.8**	**11,594.6**	**7,037.0**	**7,301.3**	**12,808.2**	**-**	**-**	**-**	**-**	**-**	**-**	**62,431.2**	**52,877.4**	**9,553.8**	**18.1%**
DISBURSEMENTS:																
Local Assistance Grants:																
Education	524.3	3,896.3	3,163.3	1,505.5	723.5	4,010.2							13,823.1	13,510.1	313.0	2.3%
Environment and Recreation	0.1	1.9	4.1	0.6	0.8	0.2							7.7	0.9	6.8	755.6%
General Government	13.0	66.6	456.5	(20.3)	59.3	119.3							694.4	637.2	57.2	9.0%
Public Health:																
Medicaid	3,127.9	1,954.6	2,221.1	1,436.8	1,895.5	1,794.8							12,430.7	11,048.8	1,381.9	12.5%
Other Public Health	85.2	149.3	587.8	212.2	244.3	435.5							1,714.3	1,515.7	198.6	13.1%
Public Safety	23.8	49.6	39.4	18.0	33.4	40.6							204.8	117.4	87.4	74.4%
Public Welfare	43.5	100.5	284.3	318.8	343.4	943.4							2,033.9	1,358.6	675.3	49.7%
Support and Regulate Business	5.3	9.2	211.8	26.7	13.8	27.9							294.7	48.0	246.7	514.0%
Transportation	208.5	430.1	288.6	299.8	434.9	271.9							1,943.8	1,449.2	494.6	34.1%
Total Local Assistance Grants	**4,031.6**	**6,658.1**	**7,266.9**	**3,798.1**	**3,748.9**	**7,643.8**	**-**	**-**	**-**	**-**	**-**	**-**	**33,147.4**	**29,685.9**	**3,461.5**	**11.7%**
Departmental Operations:																
Personal Service	1,107.2	1,131.4	709.8	1,272.6	1,060.8	1,415.6							6,697.4	7,082.3	(384.9)	-5.4%
Non-Personal Service	362.5	470.3	374.0	364.9	511.8	485.6							2,569.1	1,857.0	712.1	38.3%
General State Charges	870.1	2,340.0	468.9	537.2	468.4	700.8							5,385.4	4,789.5	595.9	12.4%
Debt Service, Including Payments on Financing Agreements	122.4	40.5	(21.8)	7.2	307.7	742.2							1,198.2	1,279.0	(80.8)	-6.3%
Capital Projects	-	-	-	-	-	-							-	-	-	0.0%
Total Disbursements	**6,493.8**	**10,640.3**	**8,797.8**	**5,980.0**	**6,097.6**	**10,988.0**	**-**	**-**	**-**	**-**	**-**	**-**	**48,997.5**	**44,693.7**	**4,303.8**	**9.6%**
Excess (Deficiency) of Receipts over Disbursements	**4,148.5**	**2,407.5**	**2,796.8**	**1,057.0**	**1,203.7**	**1,820.2**	**-**	**-**	**-**	**-**	**-**	**-**	**13,433.7**	**8,183.7**	**5,250.0**	**64.2%**
OTHER FINANCING SOURCES (USES):																
Transfers from Other Funds (**)	4,886.9	5,968.8	5,640.2	3,452.7	2,475.6	5,351.0							27,775.2	17,321.5	10,453.7	60.4%
Transfers to Other Funds (**)	(5,216.4)	(6,175.4)	(6,296.4)	(3,408.0)	(2,996.2)	(5,414.6)							(29,507.0)	(17,330.5)	12,176.5	70.3%
Total Other Financing Sources (Uses)	**(329.5)**	**(206.6)**	**(656.2)**	**44.7**	**(520.6)**	**(63.6)**	**-**	**-**	**-**	**-**	**-**	**-**	**(1,731.8)**	**(9.0)**	**(1,722.8)**	**-19,142.2%**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**3,819.0**	**2,200.9**	**2,140.6**	**1,101.7**	**683.1**	**1,756.6**	**-**	**-**	**-**	**-**	**-**	**-**	**11,701.9**	**8,174.7**	**3,527.2**	**43.1%**
Ending Fund Balance	**$ 18,753.4**	**$ 20,954.3**	**$ 23,094.9**	**$ 24,196.6**	**$ 24,879.7**	**$ 26,636.3**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 26,636.3**	**$ 22,583.0**	**$ 4,053.3**	**17.9%**

(*) State Operating Funds are comprised of the General Fund, State Special Revenue Funds supported by activities from dedicated revenue sources (including operating transfers from Federal funds) and Debt Service Funds.
(**) Eliminations between State and Federal Special Revenue Funds are not included.

STATE OF NEW YORK
GENERAL FUND
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT F

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
Beginning Fund Balance	$ 9,160.8	$ 12,217.6	$ 14,356.5	$ 15,464.4	$ 15,601.1	$ 15,789.3							$ 9,160.8	$ 8,944.2	$ 216.6	2.4%
RECEIPTS:																
Taxes:																
Personal Income Tax:																
Withholdings	3,601.8	3,217.7	3,702.6	3,408.2	3,778.4	3,634.8							21,343.5	18,636.0	2,707.5	14.5%
Estimated Payments	3,342.2	6,128.7	2,740.7	147.1	131.1	3,241.9							15,731.7	10,735.8	4,995.9	46.5%
Returns	913.6	2,184.3	139.6	65.0	59.9	77.5							3,439.9	2,642.5	797.4	30.2%
State/City Offsets	(203.0)	(264.7)	(21.6)	(31.8)	(19.1)	(28.1)							(568.3)	(454.8)	113.5	25.0%
Other (Assessments/LLC)	154.1	87.2	111.3	91.9	112.4	104.2							661.1	506.5	154.6	30.5%
Gross Receipts	7,808.7	11,353.2	6,672.6	3,680.4	4,062.7	7,030.3	-	-	-	-	-	-	40,607.9	32,066.0	8,541.9	26.6%
Transfers to School Tax Relief Fund	-	-	-	-	-	-							-	(0.1)	(0.1)	-100.0%
Transfers to Revenue Bond Tax Fund	(3,262.9)	(4,916.5)	(2,910.3)	(1,682.3)	(1,900.7)	(3,224.9)							(17,897.6)	(13,429.5)	4,468.1	33.3%
Refunds Issued	(1,282.9)	(1,520.2)	(852.0)	(315.8)	(261.3)	(580.5)							(4,812.7)	(5,207.0)	(394.3)	-7.6%
Total Personal Income Tax	3,262.9	4,916.5	2,910.3	1,682.3	1,900.7	3,224.9	-	-	-	-	-	-	17,897.6	13,429.4	4,468.2	33.3%
Consumption/Use Taxes:																
Sales and Use	292.8	295.6	403.0	324.5	313.4	408.0							2,037.3	3,151.7	(1,114.4)	-35.4%
Auto Rental	-	-	-	-	-	-							-	-	-	0.0%
Cigarette/Tobacco Products	28.6	24.8	25.7	25.6	26.0	26.7							157.4	166.6	(9.2)	-5.5%
Motor Fuel	-	-	-	-	-	-							-	-	-	0.0%
Alcoholic Beverage	23.0	21.8	21.7	29.7	22.7	25.3							144.2	143.3	0.9	0.6%
Highway Use	-	-	-	-	-	-							-	-	-	0.0%
Vapor Excise	-	-	-	-	-	-							-	-	-	0.0%
Opioid Excise	6.7	0.1	-	7.5	-	-							14.3	16.4	(2.1)	-12.8%
Total Consumption/Use Taxes	351.1	342.3	450.4	387.3	362.1	460.0	-	-	-	-	-	-	2,353.2	3,478.0	(1,124.8)	-32.3%
Business Taxes:																
Corporation Franchise	613.8	66.2	1,187.8	213.6	19.9	1,216.4							3,317.7	1,815.5	1,502.2	82.7%
Corporation and Utilities	28.6	0.6	63.7	1.5	(0.8)	84.1							177.7	180.5	(2.8)	-1.6%
Insurance	73.0	54.8	328.4	13.4	48.0	403.5							921.1	788.2	132.9	16.9%
Bank	14.2	(17.1)	6.5	0.2	-	3.9							7.7	146.5	(138.8)	-94.7%
Petroleum Business	-	-	-	-	-	-							-	-	-	0.0%
Total Business Taxes	729.6	104.5	1,586.4	228.7	67.1	1,707.9	-	-	-	-	-	-	4,424.2	2,930.7	1,493.5	51.0%
Other Taxes:																
Real Property Gains	-	-	-	-	-	-							-	-	-	0.0%
Estate and Gift	119.8	117.0	108.9	103.1	100.6	108.7							658.1	566.8	91.3	16.1%
Pari-Mutuel	1.3	1.1	1.1	1.1	2.1	1.7							8.4	4.8	3.6	75.0%
Real Estate Transfer	-	-	-	-	-	-							-	-	-	0.0%
Racing and Exhibitions	-	-	-	-	0.1	0.2							0.3	0.1	0.2	200.0%
Employer Compensation Expense Tax	0.1	0.1	0.1	0.2	0.1	0.2							0.8	0.4	0.4	100.0%
Total Other Taxes	121.2	118.2	110.1	104.4	102.9	110.8	-	-	-	-	-	-	667.6	572.1	95.5	16.7%
Total Taxes	4,464.8	5,481.5	5,057.2	2,402.7	2,432.8	5,503.6	-	-	-	-	-	-	25,342.6	20,410.2	4,932.4	24.2%
Miscellaneous Receipts:																
Abandoned Property:																
Abandoned Property	0.4	-	-	-	10.0	100.0							110.4	110.3	0.1	0.1%
Bottle Bill	1.0	0.3	8.1	2.0	0.2	34.9							46.5	60.3	(13.8)	-22.9%
Assessments:																
Business	-	-	-	-	-	-							-	-	-	0.0%
Medical Care	1.8	3.8	4.2	-	6.1	2.7							18.6	12.3	6.3	51.2%
Public Utilities	-	-	-	-	-	-							-	-	-	0.0%
Other	-	0.1	-	0.1	0.1	-							0.3	0.1	0.2	200.0%
Fees, Licenses and Permits:																
Alcohol Beverage Control Licensing	5.3	5.5	7.0	6.2	6.2	5.0							35.2	23.1	12.1	52.4%
Audit Fees	-	-	-	-	-	-							-	-	-	0.0%
Business/Professional	14.0	20.7	33.9	12.2	4.4	28.6							113.8	100.2	13.6	13.6%
Civil	20.8	22.8	13.9	15.9	19.5	17.7							110.6	74.8	35.8	47.9%
Criminal	0.1	0.1	0.1	0.1	0.1	0.2							0.7	0.6	0.1	16.7%
Motor Vehicle	20.2	15.6	54.9	20.7	32.0	29.7							173.1	143.9	29.2	20.3%
Recreational/Consumer	1.2	0.8	3.0	1.4	2.7	2.0							11.1	3.5	7.6	217.1%
Fines, Penalties and Forfeitures	41.4	32.7	37.2	3.8	12.0	20.1							147.2	527.2	(380.0)	-72.1%
Interest Earnings	1.5	0.6	0.5	0.5	0.5	0.6							4.2	27.3	(23.1)	-84.6%
Receipts from Municipalities	-	-	-	-	-	0.1							0.1	0.1	-	0.0%
Receipts from Public Authorities:																
Bond Proceeds	-	-	-	-	-	-							-	4,500.0	(4,500.0)	-100.0%
Cost Recovery Assessments	-	-	-	-	-	-							-	-	-	0.0%
Issuance Fees	-	-	-	21.5	0.6	-							22.1	46.7	(24.6)	-52.7%
Non Bond Related	-	-	-	-	-	-							-	-	-	0.0%
Rentals	0.2	0.1	0.1	0.1	0.1	0.1							0.7	0.8	(0.1)	-12.5%
Revenues of State Departments:																
Administrative Recoveries	0.8	0.3	15.2	0.2	0.5	15.2							32.2	33.4	(1.2)	-3.6%
Commissions	0.4	0.2	(0.4)	-	-	0.9							1.1	0.3	0.8	266.7%
Gifts, Grants and Donations	-	-	-	-	0.3	-							0.3	-	0.3	100.0%
Indirect Cost Recoveries	4.9	5.7	6.3	5.0	6.0	7.5							35.4	36.0	(0.6)	-1.7%
Patient/Client Care Reimbursement	38.3	6.1	(54.4)	54.6	(4.0)	5.8							46.4	(64.5)	110.9	171.9%
Rebates	-	1.6	(0.4)	(0.4)	2.3	(0.2)							2.9	4.0	(1.1)	-27.5%
Restitution and Settlements	-	-	0.2	-	-	-							0.2	0.3	(0.1)	-33.3%

STATE OF NEW YORK
GENERAL FUND
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT F

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
Student Loans	-	-	-	-	-	-							-	-	-	0.0%
All Other	20.1	23.1	1.6	10.0	22.9	(14.4)							63.3	35.4	27.9	78.8%
Sales	0.1	-	-	0.1	-	-							0.2	4.1	(3.9)	-95.1%
Total Miscellaneous Receipts	172.5	140.1	131.0	154.0	122.5	256.5	-	-	-	-	-	-	976.6	5,680.2	(4,703.6)	-82.8%
Federal Receipts	0.2	-	-	0.1	-	(0.3)							-	0.1	(0.1)	-100.0%
Total Receipts	4,637.5	5,621.6	5,188.2	2,556.8	2,555.3	5,759.8	-	-	-	-	-	-	26,319.2	26,090.5	228.7	0.9%
DISBURSEMENTS:																
Local Assistance Grants:																
Education	523.4	3,899.2	2,835.3	1,505.5	723.3	1,656.9							11,143.6	10,887.5	256.1	2.4%
Environment and Recreation	-	1.7	4.0	0.1	0.1	-							5.9	-	5.9	100.0%
General Government	2.9	48.6	450.8	(37.0)	34.2	109.4							608.9	565.9	43.0	7.6%
Public Health:																
Medicaid	2,741.0	1,493.2	1,799.2	995.7	1,432.0	1,322.6							9,783.7	8,247.0	1,536.7	18.6%
Other Public Health	47.9	102.1	400.8	156.4	113.6	317.5							1,138.3	1,104.9	33.4	3.0%
Public Safety	4.5	29.6	9.2	6.5	10.5	19.4							79.7	29.3	50.4	172.0%
Public Welfare	43.3	100.3	283.8	318.8	343.2	943.2							2,032.6	1,357.6	675.0	49.7%
Support and Regulate Business	5.0	7.0	210.4	25.3	11.7	13.1							272.5	30.6	241.9	790.5%
Transportation	9.5	22.4	15.3	-	25.1	0.1							72.4	39.3	33.1	84.2%
Total Local Assistance Grants	3,377.5	5,704.1	6,008.8	2,971.3	2,693.7	4,382.2	-	-	-	-	-	-	25,137.6	22,262.1	2,875.5	12.9%
Departmental Operations:																
Personal Service	707.6	725.4	382.2	863.2	673.4	820.2							4,172.0	4,387.4	(215.4)	-4.9%
Non-Personal Service	136.7	234.2	183.0	118.9	240.9	248.1							1,161.8	649.8	512.0	78.8%
General State Charges	810.3	2,276.6	392.3	419.2	402.4	611.9							4,912.7	4,385.9	526.8	12.0%
Total Disbursements	5,032.1	8,940.3	6,966.3	4,372.6	4,010.4	6,062.4	-	-	-	-	-	-	35,384.1	31,685.2	3,698.9	11.7%
Excess (Deficiency) of Receipts over Disbursements	(394.6)	(3,318.7)	(1,778.1)	(1,815.8)	(1,455.1)	(302.6)	-	-	-	-	-	-	(9,064.9)	(5,594.7)	(3,470.2)	-62.0%
OTHER FINANCING SOURCES (USES):																
Transfers from Revenue Bond Tax Fund	3,262.7	4,916.9	2,958.2	1,411.3	1,149.9	3,306.7							17,005.7	11,010.4	5,995.3	54.5%
Transfers from LGAC / STRBTF	870.0	690.1	1,351.7	946.3	912.8	1,203.2							5,974.1	2,510.4	3,463.7	138.0%
Transfers from CW/CA Fund	86.8	110.0	115.1	128.7	136.6	129.8							707.0	298.6	408.4	136.8%
Transfers from Other Funds	108.0	94.8	173.1	187.7	115.3	433.7							1,112.6	825.3	287.3	34.8%
Transfers to State Capital Projects	(485.7)	(341.4)	(715.6)	(296.3)	(573.0)	(414.2)							(2,826.2)	(816.6)	2,009.6	246.1%
Transfers to All Other Capital Projects	-	-	(100.5)	-	-	(16.5)							(117.0)	(251.0)	(134.0)	-53.4%
Transfers to General Debt Service	(162.6)	21.3	21.2	(55.7)	7.7	(11.8)							(179.9)	(91.1)	88.8	97.5%
Transfers to All Other State Funds	(227.8)	(34.1)	(917.2)	(369.5)	(106.0)	(163.9)							(1,818.5)	(1,393.7)	424.8	30.5%
Total Other Financing Sources (Uses)	3,451.4	5,457.6	2,886.0	1,952.5	1,643.3	4,467.0	-	-	-	-	-	-	19,857.8	12,092.3	7,765.5	64.2%
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	3,056.8	2,138.9	1,107.9	136.7	188.2	4,164.4	-	-	-	-	-	-	10,792.9	6,497.6	4,295.3	66.1%
Ending Fund Balance	$ 12,217.6	$ 14,356.5	$ 15,464.4	$ 15,601.1	$ 15,789.3	$ 19,953.7	$ -	$ -	$ -	$ -	$ -	$ -	$ 19,953.7	$ 15,441.8	$ 4,511.9	29.2%

STATE OF NEW YORK
SPECIAL REVENUE FUNDS - COMBINED
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT G

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	Intra-Fund Transfer Eliminations (*)	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
Beginning Fund Balance	$ 10,669.3	$ 13,629.9	$ 26,502.7	$ 27,116.0	$ 27,281.0	$ 26,700.0							$ -	$ 10,669.3	$ 6,312.1	$ 4,357.2	69.0%
RECEIPTS:																	
Taxes:																	
Personal Income Tax	-	-	-	-	-	-							-	-	0.1	(0.1)	-100.0%
Consumption/Use Taxes																	
Sales and Use	109.2	80.5	101.6	86.9	83.3	109.0							-	570.5	426.7	143.8	33.7%
Auto Rental	(0.2)	-	5.1	-	-	7.7							-	12.6	4.9	7.7	157.1%
Cigarette/Tobacco Products	69.7	51.8	64.9	59.8	62.3	56.1							-	364.6	380.5	(15.9)	-4.2%
Medical Marijuana	1.5	1.1	1.1	0.9	1.1	1.0							-	6.7	3.9	2.8	71.8%
Motor Fuel	7.2	8.6	9.9	9.5	9.7	10.2							-	55.1	44.3	10.8	24.4%
Alcoholic Beverage	-	-	-	-	-	-							-	-	-	-	0.0%
Highway Use	0.1	-	-	0.1	-	0.1							-	0.3	0.2	0.1	50.0%
Vapor Excise	0.2	-	6.6	0.2	-	7.8							-	14.8	18.7	(3.9)	-20.9%
Total Consumption/Use Taxes	187.7	142.0	189.2	157.4	156.4	191.9	-	-	-	-	-	-	-	1,024.6	879.2	145.4	16.5%
Business Taxes:																	
Corporation Franchise	154.6	39.8	264.3	60.4	8.6	260.7							-	788.4	455.3	333.1	73.2%
Corporation and Utilities	19.3	0.5	18.1	(7.7)	(0.1)	18.9							-	49.0	55.8	(6.8)	-12.2%
Insurance	(8.8)	2.5	44.8	2.5	4.8	50.1							-	95.9	93.5	2.4	2.6%
Bank	3.1	(3.0)	3.7	-	-	(4.6)							-	(0.8)	17.8	(18.6)	-104.5%
Petroleum Business	30.7	39.8	40.6	43.7	42.2	33.8							-	230.8	206.3	24.5	11.9%
Total Business Taxes	198.9	79.6	371.5	98.9	55.5	358.9	-	-	-	-	-	-	-	1,163.3	828.7	334.6	40.4%
Total Taxes	386.6	221.6	560.7	256.3	211.9	550.8	-	-	-	-	-	-	-	2,187.9	1,708.0	479.9	28.1%
Miscellaneous Receipts																	
Abandoned Property:																	
Abandoned Property	0.9	1.0	0.8	0.9	0.9	1.2							-	5.7	5.6	0.1	1.8%
Assessments:																	
Business	69.2	40.7	61.4	95.5	31.1	29.8							-	327.7	369.8	(42.1)	-11.4%
Medical Care	482.7	530.1	540.7	526.3	530.0	527.7							-	3,137.5	2,958.0	179.5	6.1%
Public Utilities	1.5	-	0.7	-	0.1	44.4							-	46.7	50.7	(4.0)	-7.9%
Other	-	-	-	-	-	0.1							-	0.1	-	0.1	100.0%
Fees, Licenses and Permits:																	
Audit Fees	-	-	-	0.7	1.5	0.1							-	2.3	1.7	0.6	35.3%
Business/Professional	38.6	26.7	91.1	38.6	52.5	95.6							-	343.1	377.0	(33.9)	-9.0%
Civil	5.1	5.4	5.0	4.0	6.5	5.7							-	31.7	20.4	11.3	55.4%
Criminal	0.9	0.2	0.8	0.2	0.4	0.1							-	2.6	2.4	0.2	8.3%
Motor Vehicle	29.6	27.8	24.3	16.9	29.6	41.9							-	170.1	137.1	33.0	24.1%
Recreational/Consumer	65.7	49.6	83.0	56.5	89.9	143.1							-	487.8	289.4	198.4	68.6%
Fines, Penalties and Forfeitures	6.5	9.1	12.2	6.1	11.3	6.4							-	51.6	37.7	13.9	36.9%
Gaming:																	
Casino	34.2	14.2	17.1	35.7	15.2	19.3							-	135.7	28.8	106.9	371.2%
Lottery	199.5	213.5	238.9	181.9	186.8	240.9							-	1,261.5	1,070.3	191.2	17.9%
Video Lottery	75.9	77.9	101.9	82.4	81.5	99.2							-	518.8	34.0	484.8	1,425.9%
Interest Earnings	4.1	3.7	3.8	4.0	4.1	3.6							-	23.3	49.4	(26.1)	-52.8%
Receipts from Municipalities	6.7	1.9	4.9	3.2	1.4	5.1							-	23.2	25.2	(2.0)	-7.9%
Receipts from Public Authorities:																	
Bond Proceeds	-	-	-	-	-	-							-	-	-	-	0.0%
Cost Recovery Assessments	-	-	-	5.9	-	-							-	5.9	-	5.9	100.0%
Issuance Fees	2.7	2.3	1.7	0.5	-	-							-	7.2	7.2	-	0.0%
Non Bond Related	0.2	-	-	4.6	0.3	4.3							-	9.4	15.2	(5.8)	-38.2%
Rentals	41.8	1.9	9.0	2.1	16.4	84.9							-	156.1	(8.3)	164.4	1,980.7%
Revenues of State Departments:																	
Administrative Recoveries	45.0	8.9	20.8	8.4	8.6	8.3							-	100.0	69.4	30.6	44.1%
Commissions	0.5	0.6	0.6	0.6	0.4	0.4							-	3.1	1.7	1.4	82.4%
Commissions - Asset Conversion	-	-	-	-	-	-							-	-	-	-	0.0%
Gifts, Grants and Donations	0.7	0.8	0.5	0.3	0.2	1.7							-	4.2	26.0	(21.8)	-83.8%
Indirect Cost Recoveries	-	-	-	-	-	0.1							-	0.1	-	0.1	100.0%
Patient/Client Care Reimbursement	214.3	178.7	221.1	204.1	195.8	204.2							-	1,218.2	1,611.3	(393.1)	-24.4%
Rebates	11.3	7.9	14.2	12.3	8.0	14.7							-	68.4	75.4	(7.0)	-9.3%
Restitution and Settlements	1.2	9.8	7.2	0.6	0.9	3.9							-	23.6	50.5	(26.9)	-53.3%
Student Loans	2.4	5.6	1.3	1.9	1.4	1.2							-	13.8	27.6	(13.8)	-50.0%
All Other	64.8	38.6	58.5	60.4	53.4	47.7							-	323.4	145.0	178.4	123.0%
Sales	2.2	0.5	1.7	1.2	0.9	3.0							-	9.5	3.7	5.8	156.8%
Tuition	(75.7)	41.6	51.3	56.6	204.0	243.3							-	521.1	562.9	(41.8)	-7.4%
Total Miscellaneous Receipts	1,332.5	1,299.0	1,574.5	1,412.4	1,533.1	1,881.9	-	-	-	-	-	-	-	9,033.4	8,045.1	988.3	12.3%
Federal Receipts	7,158.4	18,222.9	7,375.0	5,735.7	5,788.6	7,398.1							-	51,678.7	41,787.0	9,891.7	23.7%
Total Receipts	8,877.5	19,743.5	9,510.2	7,404.4	7,533.6	9,830.8	-	-	-	-	-	-	-	62,900.0	51,540.1	11,359.9	22.0%

STATE OF NEW YORK
SPECIAL REVENUE FUNDS - COMBINED
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT G

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	Intra-Fund Transfer Eliminations (*)	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
DISBURSEMENTS:																	
Local Assistance Grants:																	
Education	273.7	478.2	1,195.4	384.0	684.6	2,704.5							-	5,720.4	4,366.0	1,354.4	31.0%
Environment and Recreation	0.4	0.3	0.1	0.6	0.8	0.2							-	2.4	1.2	1.2	100.0%
General Government	21.3	39.9	15.7	455.2	35.8	26.0							-	593.9	3,951.1	(3,357.2)	-85.0%
Public Health:																	
Medicaid	3,758.1	4,201.9	4,750.7	3,703.4	4,444.2	4,182.8							-	25,041.1	26,000.4	(959.3)	-3.7%
Other Public Health	558.9	556.9	913.7	708.0	758.1	864.3							-	4,359.9	3,666.8	693.1	18.9%
Public Safety	123.2	108.0	158.6	208.7	85.3	205.2							-	889.0	773.8	115.2	14.9%
Public Welfare	158.7	200.6	496.6	632.1	691.0	1,389.6							-	3,568.6	1,820.3	1,748.3	96.0%
Support and Regulate Business	0.5	2.2	1.8	3.6	5.3	14.9							-	28.3	22.4	5.9	26.3%
Transportation	201.4	411.2	287.4	303.2	415.5	277.5							-	1,896.2	1,438.9	457.3	31.8%
Total Local Assistance Grants	**5,096.2**	**5,999.2**	**7,820.0**	**6,398.8**	**7,120.6**	**9,665.0**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**42,099.8**	**42,040.9**	**58.9**	**0.1%**
Departmental Operations:																	
Personal Service	450.6	456.9	785.3	473.5	439.9	666.1							-	3,272.3	3,294.1	(21.8)	-0.7%
Non-Personal Service	382.5	339.6	681.9	382.4	478.7	440.3							-	2,705.4	2,765.8	(60.4)	-2.2%
General State Charges	85.2	90.4	233.0	226.6	106.1	120.0							-	861.3	667.8	193.5	29.0%
Debt Service, Including Payments on																	
Financing Agreements	-	-	42.3	-	-	-							-	42.3	-	42.3	100.0%
Capital Projects	-	-	-	-	-	-							-	-	2.3	(2.3)	-100.0%
Total Disbursements	**6,014.5**	**6,886.1**	**9,562.5**	**7,481.3**	**8,145.3**	**10,891.4**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**48,981.1**	**48,770.9**	**210.2**	**0.4%**
Excess (Deficiency) of Receipts over Disbursements	**2,863.0**	**12,857.4**	**(52.3)**	**(76.9)**	**(611.7)**	**(1,060.6)**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**13,918.9**	**2,769.2**	**11,149.7**	**402.6%**
OTHER FINANCING SOURCES (USES):																	
Transfers from Other Funds	263.5	151.0	908.3	593.2	109.4	183.0							(419.9)	1,788.5	1,371.6	416.9	30.4%
Transfers to Other Funds	(165.9)	(135.6)	(242.7)	(351.3)	(78.7)	(199.8)							419.9	(754.1)	(942.6)	(188.5)	-20.0%
Total Other Financing Sources (Uses)	**97.6**	**15.4**	**665.6**	**241.9**	**30.7**	**(16.8)**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**1,034.4**	**429.0**	**605.4**	**141.1%**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**2,960.6**	**12,872.8**	**613.3**	**165.0**	**(581.0)**	**(1,077.4)**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**14,953.3**	**3,198.2**	**11,755.1**	**367.6%**
Ending Fund Balance	**$ 13,629.9**	**$ 26,502.7**	**$ 27,116.0**	**$ 27,281.0**	**$ 26,700.0**	**$ 25,622.6**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 25,622.6**	**$ 9,510.3**	**$ 16,112.3**	**169.4%**

(*) Intra-Fund transfer eliminations represent transfers between Special Revenue-State and Federal Funds.

STATE OF NEW YORK
SPECIAL REVENUE FUNDS - STATE
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT G

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
Beginning Fund Balance	$ 5,708.6	$ 6,329.3	$ 6,294.9	$ 7,392.8	$ 8,049.4	$ 8,108.3							$ 5,708.6	$ 5,400.7	$ 307.9	5.7%
RECEIPTS:																
Taxes:																
Personal Income Tax	-	-	-	-	-	-							-	0.1	(0.1)	-100.0%
Consumption/Use Taxes:																
Sales and Use	109.2	80.5	101.6	86.9	83.3	109.0							570.5	426.7	143.8	33.7%
Auto Rental	(0.2)	-	5.1	-	-	7.7							12.6	4.9	7.7	157.1%
Cigarette/Tobacco Products	69.7	51.8	64.9	59.8	62.3	56.1							364.6	380.5	(15.9)	-4.2%
Medical Marijuana	1.5	1.1	1.1	0.9	1.1	1.0							6.7	3.9	2.8	71.8%
Motor Fuel	7.2	8.6	9.9	9.5	9.7	10.2							55.1	44.3	10.8	24.4%
Alcoholic Beverage	-	-	-	-	-	-							-	-	-	0.0%
Highway Use	0.1	-	-	0.1	-	0.1							0.3	0.2	0.1	50.0%
Vapor Excise	0.2	-	6.6	0.2	-	7.8							14.8	18.7	(3.9)	-20.9%
Total Consumption/Use Taxes	187.7	142.0	189.2	157.4	156.4	191.9	-	-	-	-	-	-	1,024.6	879.2	145.4	16.5%
Business Taxes																
Corporation Franchise	154.6	39.8	264.3	60.4	8.6	260.7							788.4	455.3	333.1	73.2%
Corporation and Utilities	19.3	0.5	18.1	(7.7)	(0.1)	18.9							49.0	55.8	(6.8)	-12.2%
Insurance	(8.8)	2.5	44.8	2.5	4.8	50.1							95.9	93.5	2.4	2.6%
Bank	3.1	(3.0)	3.7	-	-	(4.6)							(0.8)	17.8	(18.6)	-104.5%
Petroleum Business	30.7	39.8	40.6	43.7	42.2	33.8							230.8	206.3	24.5	11.9%
Total Business Taxes	198.9	79.6	371.5	98.9	55.5	358.9	-	-	-	-	-	-	1,163.3	828.7	334.6	40.4%
Total Taxes	386.6	221.6	560.7	256.3	211.9	550.8	-	-	-	-	-	-	2,187.9	1,708.0	479.9	28.1%
Miscellaneous Receipts:																
Abandoned Property:																
Abandoned Property	0.9	1.0	0.8	0.9	0.9	1.2							5.7	5.6	0.1	1.8%
Assessments:																
Business	63.7	5.1	61.3	93.5	20.1	29.7							273.4	315.6	(42.2)	-13.4%
Medical Care	482.7	530.1	540.7	526.3	530.0	527.7							3,137.5	2,958.0	179.5	6.1%
Public Utilities	1.5	-	0.7	-	0.1	44.4							46.7	50.7	(4.0)	-7.9%
Other	-	-	-	-	-	0.1							0.1	-	0.1	100.0%
Fees, Licenses and Permits:																
Audit Fees	-	-	-	0.7	1.5	0.1							2.3	1.7	0.6	35.3%
Business/Professional	38.6	26.7	91.1	38.6	52.5	95.6							343.1	377.0	(33.9)	-9.0%
Civil	5.1	5.4	5.0	4.0	6.5	5.7							31.7	20.4	11.3	55.4%
Criminal	0.9	0.2	0.8	0.2	0.4	0.1							2.6	2.4	0.2	8.3%
Motor Vehicle	29.6	27.8	24.3	16.9	29.6	41.9							170.1	137.1	33.0	24.1%
Recreational/Consumer	65.7	49.6	83.0	56.5	89.9	143.1							487.8	289.4	198.4	68.6%
Fines, Penalties and Forfeitures	6.1	8.7	11.9	5.8	11.0	6.0							49.5	36.3	13.2	36.4%
Gaming:																
Casino	34.2	14.2	17.1	35.7	15.2	19.3							135.7	28.8	106.9	371.2%
Lottery	199.5	213.5	238.9	181.9	186.8	240.9							1,261.5	1,070.3	191.2	17.9%
Video Lottery	75.9	77.9	101.9	82.4	81.5	99.2							518.8	34.0	484.8	1,425.9%
Interest Earnings	3.5	3.2	3.1	3.2	3.2	2.8							19.0	38.2	(19.2)	-50.3%
Receipts from Municipalities	6.7	1.9	4.9	3.2	1.4	5.1							23.2	25.2	(2.0)	-7.9%
Receipts from Public Authorities:																
Bond Proceeds	-	-	-	-	-	-							-	-	-	0.0%
Cost Recovery Assessments	-	-	-	5.9	-	-							5.9	-	5.9	100.0%
Issuance Fees	2.7	2.3	1.7	0.5	-	-							7.2	7.2	-	0.0%
Non Bond Related	0.2	-	-	4.6	0.3	4.3							9.4	15.2	(5.8)	-38.2%
Rentals	41.8	1.9	9.0	2.1	16.4	84.9							156.1	(8.3)	164.4	1,980.7%
Revenues of State Departments:																
Administrative Recoveries	45.0	8.9	20.8	8.4	8.6	8.3							100.0	69.4	30.6	44.1%
Commissions	0.5	0.6	0.6	0.6	0.4	0.4							3.1	1.7	1.4	82.4%
Commissions - Asset Conversion	-	-	-	-	-	-							-	-	-	0.0%
Gifts, Grants and Donations	0.7	0.8	0.5	0.3	0.2	1.7							4.2	26.0	(21.8)	-83.8%
Indirect Cost Recoveries	-	-	-	-	-	0.1							0.1	-	0.1	100.0%
Patient/Client Care Reimbursement	214.3	178.7	221.1	204.1	195.8	204.2							1,218.2	1,611.3	(393.1)	-24.4%
Rebates	4.7	0.5	7.2	5.2	1.2	7.7							26.5	28.9	(2.4)	-8.3%
Restitution and Settlements	1.2	9.8	7.2	0.6	0.9	3.9							23.6	50.5	(26.9)	-53.3%
Student Loans	2.4	5.6	1.3	1.9	1.4	1.2							13.8	27.6	(13.8)	-50.0%
All Other	64.6	37.1	57.4	59.9	51.4	47.6							318.0	143.8	174.2	121.1%
Sales	2.2	0.5	1.7	1.2	0.9	3.0							9.5	3.7	5.8	156.8%
Tuition	(75.7)	41.6	51.3	56.6	204.0	243.3							521.1	562.9	(41.8)	-7.4%
Total Miscellaneous Receipts	1,319.2	1,253.6	1,565.3	1,401.7	1,512.1	1,873.5	-	-	-	-	-	-	8,925.4	7,930.6	994.8	12.5%
Federal Receipts	-	-	-	-	0.1	-							0.1	27.9	(27.8)	-99.6%
Total Receipts	1,705.8	1,475.2	2,126.0	1,658.0	1,724.1	2,424.3	-	-	-	-	-	-	11,113.4	9,666.5	1,446.9	15.0%

STATE OF NEW YORK
SPECIAL REVENUE FUNDS - STATE
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT G

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
DISBURSEMENTS:																
Local Assistance Grants																
Education	0.9	(2.9)	328.0	-	0.2	2,353.3							2,679.5	2,622.6	56.9	2.2%
Environment and Recreation	0.1	0.2	0.1	0.5	0.7	0.2							1.8	0.9	0.9	100.0%
General Government	10.1	18.0	5.7	16.7	25.1	9.9							85.5	71.3	14.2	19.9%
Public Health:																
Medicaid	386.9	461.4	421.9	441.1	463.5	472.2							2,647.0	2,801.8	(154.8)	-5.5%
Other Public Health	37.3	47.2	187.0	55.8	130.7	118.0							576.0	410.8	165.2	40.2%
Public Safety	19.3	20.0	30.2	11.5	22.9	21.2							125.1	88.1	37.0	42.0%
Public Welfare	0.2	0.2	0.5	-	0.2	0.2							1.3	1.0	0.3	30.0%
Support and Regulate Business	0.3	2.2	1.4	1.4	2.1	14.8							22.2	17.4	4.8	27.6%
Transportation	199.0	407.7	283.3	299.8	409.8	271.8							1,871.4	1,409.9	461.5	32.7%
Total Local Assistance Grants	**654.1**	**954.0**	**1,258.1**	**826.8**	**1,055.2**	**3,261.6**	**-**	**-**	**-**	**-**	**-**	**-**	**8,009.8**	**7,423.8**	**586.0**	**7.9%**
Departmental Operations:																
Personal Service	399.6	406.0	327.6	409.4	387.4	595.4							2,525.4	2,694.9	(169.5)	-6.3%
Non-Personal Service	225.6	233.9	216.8	231.3	263.6	235.3							1,406.5	1,177.6	228.9	19.4%
General State Charges	59.8	63.4	76.6	118.0	66.0	88.9							472.7	403.6	69.1	17.1%
Capital Projects	-	-	-	-	-	-							-	-	-	0.0%
Total Disbursements	**1,339.1**	**1,657.3**	**1,879.1**	**1,585.5**	**1,772.2**	**4,181.2**	**-**	**-**	**-**	**-**	**-**	**-**	**12,414.4**	**11,699.9**	**714.5**	**6.1%**
Excess (Deficiency) of Receipts over Disbursements	**366.7**	**(182.1)**	**246.9**	**72.5**	**(48.1)**	**(1,756.9)**	**-**	**-**	**-**	**-**	**-**	**-**	**(1,301.0)**	**(2,033.4)**	**732.4**	**36.0%**
OTHER FINANCING SOURCES (USES):																
Transfers from Other Funds	263.5	151.0	908.3	593.2	109.4	183.0							2,208.4	1,619.3	589.1	36.4%
Transfers to Other Funds	(9.5)	(3.3)	(57.3)	(9.1)	(2.4)	(36.0)							(117.6)	(182.7)	(65.1)	-35.6%
Total Other Financing Sources (Uses)	**254.0**	**147.7**	**851.0**	**584.1**	**107.0**	**147.0**	**-**	**-**	**-**	**-**	**-**	**-**	**2,090.8**	**1,436.6**	**654.2**	**45.5%**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**620.7**	**(34.4)**	**1,097.9**	**656.6**	**58.9**	**(1,609.9)**	**-**	**-**	**-**	**-**	**-**	**-**	**789.8**	**(596.8)**	**1,386.6**	**232.3%**
Ending Fund Balance	**$ 6,329.3**	**$ 6,294.9**	**$ 7,392.8**	**$ 8,049.4**	**$ 8,108.3**	**$ 6,498.4**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 6,498.4**	**$ 4,803.9**	**$ 1,694.5**	**35.3%**

STATE OF NEW YORK
SPECIAL REVENUE FUNDS - FEDERAL
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT G

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
Beginning Fund Balance	$ 4,960.7	$ 7,300.6	$ 20,207.8	$ 19,723.2	$ 19,231.6	$ 18,591.7							$ 4,960.7	$ 911.4	$ 4,049.3	-444.3%
RECEIPTS:																
Miscellaneous Receipts:																
Abandoned Property:																
Abandoned Property	-	-	-	-	-	-							-	-	-	0.0%
Assessments:																
Business	5.5	35.6	0.1	2.0	11.0	0.1							54.3	54.2	0.1	0.2%
Medical Care	-	-	-	-	-	-							-	-	-	0.0%
Public Utilities	-	-	-	-	-	-							-	-	-	0.0%
Other	-	-	-	-	-	-							-	-	-	0.0%
Fees, Licenses and Permits:																
Business/Professional	-	-	-	-	-	-							-	-	-	0.0%
Civil	-	-	-	-	-	-							-	-	-	0.0%
Criminal	-	-	-	-	-	-							-	-	-	0.0%
Motor Vehicle	-	-	-	-	-	-							-	-	-	0.0%
Recreational/Consumer	-	-	-	-	-	-							-	-	-	0.0%
Fines, Penalties and Forfeitures	0.4	0.4	0.3	0.3	0.3	0.4							2.1	1.4	0.7	50.0%
Interest Earnings	0.6	0.5	0.7	0.8	0.9	0.8							4.3	11.2	(6.9)	-61.6%
Receipts from Municipalities	-	-	-	-	-	-							-	-	-	0.0%
Receipts from Public Authorities:																
Bond Proceeds	-	-	-	-	-	-							-	-	-	0.0%
Cost Recovery Assessments	-	-	-	-	-	-							-	-	-	0.0%
Issuance Fees	-	-	-	-	-	-							-	-	-	0.0%
Non Bond Related	-	-	-	-	-	-							-	-	-	0.0%
Rentals	-	-	-	-	-	-							-	-	-	0.0%
Revenues of State Departments:																
Administrative Recoveries	-	-	-	-	-	-							-	-	-	0.0%
Commissions	-	-	-	-	-	-							-	-	-	0.0%
Gifts, Grants and Donations	-	-	-	-	-	-							-	-	-	0.0%
Indirect Cost Recoveries	-	-	-	-	-	-							-	-	-	0.0%
Patient/Client Care Reimbursement	-	-	-	-	-	-							-	-	-	0.0%
Rebates	6.6	7.4	7.0	7.1	6.8	7.0							41.9	46.5	(4.6)	-9.9%
Restitution and Settlements	-	-	-	-	-	-							-	-	-	0.0%
Student Loans	-	-	-	-	-	-							-	-	-	0.0%
All Other	0.2	1.5	1.1	0.5	2.0	0.1							5.4	1.2	4.2	350.0%
Sales	-	-	-	-	-	-							-	-	-	0.0%
Tuition	-	-	-	-	-	-							-	-	-	0.0%
Total Miscellaneous Receipts	13.3	45.4	9.2	10.7	21.0	8.4	-	-	-	-	-	-	108.0	114.5	(6.5)	-5.7%
Federal Receipts	7,158.4	18,222.9	7,375.0	5,735.7	5,788.5	7,398.1							51,678.6	41,759.1	9,919.5	23.8%
Total Receipts	7,171.7	18,268.3	7,384.2	5,746.4	5,809.5	7,406.5	-	-	-	-	-	-	51,786.6	41,873.6	9,913.0	23.7%

STATE OF NEW YORK
SPECIAL REVENUE FUNDS - FEDERAL
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT G

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
DISBURSEMENTS:																
Local Assistance Grants:																
Education	272.8	481.1	867.4	384.0	684.4	351.2							3,040.9	1,743.4	1,297.5	74.4%
Environment and Recreation	0.3	0.1	-	0.1	0.1	-							0.6	0.3	0.3	100.0%
General Government	11.2	21.9	10.0	438.5	10.7	16.1							508.4	3,879.8	(3,371.4)	-86.9%
Public Health:																
Medicaid	3,371.2	3,740.5	4,328.8	3,262.3	3,980.7	3,710.6							22,394.1	23,198.6	(804.5)	-3.5%
Other Public Health	521.6	509.7	726.7	652.2	627.4	746.3							3,783.9	3,256.0	527.9	16.2%
Public Safety	103.9	88.0	128.4	197.2	62.4	184.0							763.9	685.7	78.2	11.4%
Public Welfare	158.5	200.4	496.1	632.1	690.8	1,389.4							3,567.3	1,819.3	1,748.0	96.1%
Support and Regulate Business	0.2	-	0.4	2.2	3.2	0.1							6.1	5.0	1.1	22.0%
Transportation	2.4	3.5	4.1	3.4	5.7	5.7							24.8	29.0	(4.2)	-14.5%
Total Local Assistance Grants	**4,442.1**	**5,045.2**	**6,561.9**	**5,572.0**	**6,065.4**	**6,403.4**	**-**	**-**	**-**	**-**	**-**	**-**	**34,090.0**	**34,617.1**	**(527.1)**	**-1.5%**
Departmental Operations:																
Personal Service	51.0	50.9	457.7	64.1	52.5	70.7							746.9	599.2	147.7	24.6%
Non-Personal Service	156.9	105.7	465.1	151.1	215.1	205.0							1,298.9	1,588.2	(289.3)	-18.2%
General State Charges	25.4	27.0	156.4	108.6	40.1	31.1							388.6	264.2	124.4	47.1%
Debt Service, Including Payments on		-	-	-	-	-										
Financing Agreements	-	-	42.3	-	-	-							42.3	-	42.3	100.0%
Capital Projects	-	-	-	-	-	-							-	2.3	(2.3)	-100.0%
Total Disbursements	**4,675.4**	**5,228.8**	**7,683.4**	**5,895.8**	**6,373.1**	**6,710.2**	**-**	**-**	**-**	**-**	**-**	**-**	**36,566.7**	**37,071.0**	**(504.3)**	**-1.4%**
Excess (Deficiency) of Receipts over Disbursements	**2,496.3**	**13,039.5**	**(299.2)**	**(149.4)**	**(563.6)**	**696.3**							**15,219.9**	**4,802.6**	**10,417.3**	**216.9%**
OTHER FINANCING SOURCES (USES):																
Transfers from Other Funds	-	-	-	-	-	-							-	-	-	0.0%
Transfers to Other Funds	(156.4)	(132.3)	(185.4)	(342.2)	(76.3)	(163.8)							(1,056.4)	(1,007.6)	48.8	4.8%
Total Other Financing Sources (Uses)	**(156.4)**	**(132.3)**	**(185.4)**	**(342.2)**	**(76.3)**	**(163.8)**	**-**	**-**	**-**	**-**	**-**	**-**	**(1,056.4)**	**(1,007.6)**	**48.8**	**4.8%**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**2,339.9**	**12,907.2**	**(484.6)**	**(491.6)**	**(639.9)**	**532.5**	**-**	**-**	**-**	**-**	**-**	**-**	**14,163.5**	**3,795.0**	**10,368.5**	**273.2%**
Ending Fund Balance	**$ 7,300.6**	**$ 20,207.8**	**$ 19,723.2**	**$ 19,231.6**	**$ 18,591.7**	**$ 19,124.2**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 19,124.2**	**$ 4,706.4**	**$ 14,417.8**	**306.3%**

STATE OF NEW YORK
DEBT SERVICE FUNDS
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT H

	2021						2022						6 Months Ended September 30			
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
Beginning Fund Balance	$ 65.0	$ 206.5	$ 302.9	$ 237.7	$ 546.1	$ 982.1							$ 65.0	$ 63.4	$ 1.6	2.5%
RECEIPTS:																
Taxes:																
Personal Income Tax	3,262.9	4,916.5	2,910.3	1,682.3	1,900.7	3,224.9							17,897.6	13,429.5	4,468.1	33.3%
Consumption/Use Taxes:																
Sales and Use	895.4	885.3	1,207.1	971.5	938.1	1,222.7							6,120.1	3,110.8	3,009.3	96.7%
Total Consumption/Use Taxes	**895.4**	**885.3**	**1,207.1**	**971.5**	**938.1**	**1,222.7**	-	-	-	-	-	-	**6,120.1**	**3,110.8**	**3,009.3**	**96.7%**
Other Taxes:																
Real Estate Transfer	97.4	110.0	115.1	132.0	140.0	133.3							727.8	323.2	404.6	125.2%
Employer Compensation Expense Tax	0.1	0.1	0.1	0.2	0.2	0.1							0.8	0.4	0.4	100.0%
Total Other Taxes	**97.5**	**110.1**	**115.2**	**132.2**	**140.2**	**133.4**	-	-	-	-	-	-	**728.6**	**323.6**	**405.0**	**125.2%**
Total Taxes	**4,255.8**	**5,911.9**	**4,232.6**	**2,786.0**	**2,979.0**	**4,581.0**	-	-	-	-	-	-	**24,746.3**	**16,863.9**	**7,882.4**	**46.7%**
Miscellaneous Receipts:																
Assessments:																
Medical Care	-	-	-	-	-	-							-	-	-	0.0%
Fees, Licenses and Permits:																
Alcohol Beverage Control Licensing	-	-	-	-	-	-							-	-	-	0.0%
Business/Professional	-	-	-	-	-	-							-	-	-	0.0%
Civil	-	-	-	-	-	-							-	-	-	0.0%
Criminal	-	-	-	-	-	-							-	-	-	0.0%
Motor Vehicle	-	-	-	-	-	-							-	-	-	0.0%
Recreational/Consumer	-	-	-	-	-	-							-	-	-	0.0%
Interest Earnings	-	-	-	-	-	-							-	0.2	(0.2)	-100.0%
Receipts from Municipalities	-	0.3	-	0.1	-	1.7							2.1	0.5	1.6	320.0%
Receipts from Public Authorities:																
Bond Proceeds	-	-	-	-	-	-							-	-	-	0.0%
Rentals	-	-	-	-	-	-							-	-	-	0.0%
Revenues of State Departments:																
Patient/Client Care Reimbursement	43.2	38.8	47.8	34.6	14.1	41.4							219.9	231.4	(11.5)	-5.0%
All Other	-	-	-	-	0.1	-							0.1	-	0.1	100.0%
Sales	-	-	-	-	-	-							-	-	-	0.0%
Total Miscellaneous Receipts	**43.2**	**39.1**	**47.8**	**34.7**	**14.2**	**43.1**	-	-	-	-	-	-	**222.1**	**232.1**	**(10.0)**	**-4.3%**
Federal Receipts	-	-	-	1.5	28.7	-							30.2	24.4	5.8	23.8%
Total Receipts	**4,299.0**	**5,951.0**	**4,280.4**	**2,822.2**	**3,021.9**	**4,624.1**	-	-	-	-	-	-	**24,998.6**	**17,120.4**	**7,878.2**	**46.0%**
DISBURSEMENTS:																
Departmental Operations:																
Non-Personal Service	0.2	2.2	(25.8)	14.7	7.3	2.2							0.8	29.6	(28.8)	-97.3%
Debt Service, Including Payments on Financing Agreements	122.4	40.5	(21.8)	7.2	307.7	742.2							1,198.2	1,279.0	(80.8)	-6.3%
Total Disbursements	**122.6**	**42.7**	**(47.6)**	**21.9**	**315.0**	**744.4**	-	-	-	-	-	-	**1,199.0**	**1,308.6**	**(109.6)**	**-8.4%**
Excess (Deficiency) of Receipts over Disbursements	**4,176.4**	**5,908.3**	**4,328.0**	**2,800.3**	**2,706.9**	**3,879.7**	-	-	-	-	-	-	**23,799.6**	**15,811.8**	**7,987.8**	**50.5%**
OTHER FINANCING SOURCES (USES):																
Transfers from Other Funds	295.9	6.0	133.8	185.5	51.6	94.6							767.4	1,057.5	(290.1)	-27.4%
Transfers to Other Funds	(4,330.8)	(5,817.9)	(4,527.0)	(2,677.4)	(2,322.5)	(4,772.2)							(24,447.8)	(14,595.4)	9,852.4	67.5%
Total Other Financing Sources (Uses)	**(4,034.9)**	**(5,811.9)**	**(4,393.2)**	**(2,491.9)**	**(2,270.9)**	**(4,677.6)**	-	-	-	-	-	-	**(23,680.4)**	**(13,537.9)**	**(10,142.5)**	**-74.9%**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**141.5**	**96.4**	**(65.2)**	**308.4**	**436.0**	**(797.9)**	-	-	-	-	-	-	**119.2**	**2,273.9**	**(2,154.7)**	**-94.8%**
Ending Fund Balance	$ 206.5	$ 302.9	$ 237.7	$ 546.1	$ 982.1	$ 184.2	$ -	$ -	$ -	$ -	$ -	$ -	$ 184.2	$ 2,337.3	$ (2,153.1)	-92.1%

STATE OF NEW YORK
CAPITAL PROJECTS FUNDS - COMBINED
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT I

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	Intra-Fund Transfer Eliminations (*)	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
Beginning Fund Balance	$ (1,144.0)	$ (1,121.8)	$ (1,346.9)	$ (1,561.7)	$ (1,706.2)	$ (1,798.6)								$ (1,144.0)	$ (1,034.9)	$ (109.1)	-10.5%
RECEIPTS:																	
Taxes:																	
Consumption/Use Taxes:																	
Auto Rental	2.1	-	17.5	0.1	(0.1)	26.3							-	45.9	26.4	19.5	73.9%
Motor Fuel	26.9	31.7	36.7	35.0	36.4	37.6							-	204.3	162.7	41.6	25.6%
Highway Use	14.5	10.5	11.6	12.1	13.3	10.6							-	72.6	68.1	4.5	6.6%
Total Consumption/Use Taxes	43.5	42.2	65.8	47.2	49.6	74.5	-	-	-	-	-	-	-	322.8	257.2	65.6	25.5%
Business Taxes:																	
Corporation Franchise	-	-	-	-	-	-							-	-	-	-	0.0%
Corporation and Utilities	3.1	-	1.4	(1.5)	(0.1)	1.2							-	4.1	5.1	(1.0)	-19.6%
Petroleum Business	38.2	50.4	52.0	55.3	53.6	43.7							-	293.2	260.8	32.4	12.4%
Total Business Taxes	41.3	50.4	53.4	53.8	53.5	44.9	-	-	-	-	-	-	-	297.3	265.9	31.4	11.8%
Other Taxes:																	
Real Estate Transfer	-	-	11.9	11.9	11.9	12.0							-	47.7	47.6	0.1	0.2%
Total Other Taxes	-	-	11.9	11.9	11.9	12.0	-	-	-	-	-	-	-	47.7	47.6	0.1	0.2%
Total Taxes	84.8	92.6	131.1	112.9	115.0	131.4	-	-	-	-	-	-	-	667.8	570.7	97.1	17.0%
Miscellaneous Receipts:																	
Abandoned Property:																	
Bottle Bill	-	-	23.0	-	-	-							-	23.0	23.0	-	0.0%
Assessments:																	
Business	10.0	7.6	6.0	6.4	6.1	6.0							-	42.1	38.6	3.5	9.1%
Fees, Licenses and Permits:																	
Business/Professional	1.3	1.7	2.1	1.4	8.5	7.5							-	22.5	19.2	3.3	17.2%
Civil	-	-	-	-	-	-							-	-	-	-	0.0%
Motor Vehicle	79.2	69.1	60.6	66.0	59.0	59.5							-	393.4	309.9	83.5	26.9%
Recreational/Consumer	1.5	2.9	1.5	0.4	0.4	10.2							-	16.9	19.2	(2.3)	-12.0%
Fines, Penalties and Forfeitures	2.5	0.8	2.8	2.0	3.1	1.4							-	12.6	12.5	0.1	0.8%
Interest Earnings	-	0.1	-	-	0.1	-							-	0.2	1.5	(1.3)	-86.7%
Receipts from Municipalities	-	-	-	-	0.1	-							-	0.1	0.4	(0.3)	-75.0%
Receipts from Public Authorities:																	
Bond Proceeds	78.4	0.5	3.0	237.0	27.6	328.1							-	674.6	2,170.6	(1,496.0)	-68.9%
Issuance Fees	-	-	-	-	-	-							-	-	-	-	0.0%
Non Bond Related	0.5	2.5	0.8	-	-	-							-	3.8	1.3	2.5	192.3%
Rentals	3.3	0.8	1.4	1.6	1.2	1.5							-	9.8	10.9	(1.1)	-10.1%
Revenues of State Departments:																	
Administrative Recoveries	-	-	-	-	-	-							-	-	-	-	0.0%
Gifts, Grants and Donations	1.8	1.3	2.9	0.4	-	1.2							-	7.6	9.4	(1.8)	-19.1%
Indirect Cost Recoveries	-	-	-	-	-	12.7							-	12.7	-	12.7	100.0%
Rebates	-	-	-	0.1	(0.1)	-							-	-	-	-	0.0%
Restitution and Settlements	0.3	1.3	1.6	5.9	1.9	4.1							-	15.1	5.7	9.4	164.9%
All Other	2.4	1.9	11.7	1.0	6.5	4.4							-	27.9	28.7	(0.8)	-2.8%
Sales	0.1	-	-	-	0.1	0.1							-	0.3	0.2	0.1	50.0%
Total Miscellaneous Receipts	181.3	90.5	117.4	322.2	114.5	436.7	-	-	-	-	-	-	-	1,262.6	2,651.1	(1,388.5)	-52.4%
Federal Receipts	5.6	23.3	110.1	143.2	169.4	139.9							-	591.5	929.3	(337.8)	-36.3%
Total Receipts	271.7	206.4	358.6	578.3	398.9	708.0	-	-	-	-	-	-	-	2,521.9	4,151.1	(1,629.2)	-39.2%

STATE OF NEW YORK
CAPITAL PROJECTS FUNDS - COMBINED
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT I

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	Intra-Fund Transfer Eliminations (*)	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
DISBURSEMENTS:																	
Local Assistance Grants:																	
Education	13.5	25.0	45.5	13.0	10.4	8.3							-	115.7	20.3	95.4	470.0%
Environment and Recreation	29.0	7.6	15.7	15.3	31.8	15.6							-	115.0	70.1	44.9	64.1%
General Government	12.7	41.7	37.9	22.2	30.8	59.9							-	205.2	206.5	(1.3)	-0.6%
Public Health:																	
Medicaid	-	-	-	-	-	-							-	-	-	-	0.0%
Other Public Health	45.1	29.7	80.9	41.7	35.0	36.8							-	269.2	258.6	10.6	4.1%
Public Safety	0.4	1.8	28.3	5.4	2.2	0.7							-	38.8	6.5	32.3	496.9%
Public Welfare	28.2	55.8	124.6	54.6	12.5	39.4							-	315.1	342.7	(27.6)	-8.1%
Support and Regulate Business	21.2	54.3	147.2	39.5	33.2	104.8							-	400.2	179.6	220.6	122.8%
Transportation	181.7	37.7	269.0	267.1	213.5	346.2							-	1,315.2	728.5	586.7	80.5%
Total Local Assistance Grants	**331.8**	**253.6**	**749.1**	**458.8**	**369.4**	**611.7**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**2,774.4**	**1,812.8**	**961.6**	**53.0%**
Departmental Operations:																	
Personal Service	-	-	-	-	-	-							-	-	-	-	0.0%
Non-Personal Service	-	-	-	-	-	-							-	-	-	-	0.0%
General State Charges	-	-	-	-	-	-							-	-	-	-	0.0%
Capital Projects	398.2	514.1	631.4	554.2	699.6	710.1							-	3,507.6	3,611.1	(103.5)	-2.9%
Total Disbursements	**730.0**	**767.7**	**1,380.5**	**1,013.0**	**1,069.0**	**1,321.8**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**6,282.0**	**5,423.9**	**858.1**	**15.8%**
Excess (Deficiency) of Receipts over Disbursements	**(458.3)**	**(561.3)**	**(1,021.9)**	**(434.7)**	**(670.1)**	**(613.8)**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**(3,760.1)**	**(1,272.8)**	**(2,487.3)**	**-195.4%**
OTHER FINANCING SOURCES (USES):																	
Bond and Note Proceeds (net)	-	-	-	-	-	-							-	-	-	-	0.0%
Transfers from Other Funds	488.9	344.3	830.9	298.9	586.6	434.1							-	2,983.7	1,093.2	1,890.5	172.9%
Transfers to Other Funds	(8.4)	(8.1)	(23.8)	(8.7)	(8.9)	(211.4)							-	(269.3)	(274.4)	(5.1)	-1.9%
Total Other Financing Sources (Uses)	**480.5**	**336.2**	**807.1**	**290.2**	**577.7**	**222.7**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**2,714.4**	**818.8**	**1,895.6**	**231.5%**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**22.2**	**(225.1)**	**(214.8)**	**(144.5)**	**(92.4)**	**(391.1)**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**(1,045.7)**	**(454.0)**	**(591.7)**	**-130.3%**
Ending Fund Balance	**$ (1,121.8)**	**$ (1,346.9)**	**$ (1,561.7)**	**$ (1,706.2)**	**$ (1,798.6)**	**$ (2,189.7)**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ (2,189.7)**	**$ (1,488.9)**	**$ (700.8)**	**-47.1%**

(*) Intra-Fund transfer eliminations represent transfers from Capital Projects-State and Federal Funds.

STATE OF NEW YORK
CAPITAL PROJECTS FUNDS - STATE
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT I

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
Beginning Fund Balance	$ (563.7)	$ (494.1)	$ (618.8)	$ (705.9)	$ (804.0)	$ (893.1)							$ (563.7)	$ (472.2)	$ (91.5)	-19.4%
RECEIPTS:																
Taxes:																
Consumption/Use Taxes																
Auto Rental	2.1	-	17.5	0.1	(0.1)	26.3							45.9	26.4	19.5	73.9%
Motor Fuel	26.9	31.7	36.7	35.0	36.4	37.6							204.3	162.7	41.6	25.6%
Highway Use	14.5	10.5	11.6	12.1	13.3	10.6							72.6	68.1	4.5	6.6%
Total Consumption/Use Taxes	43.5	42.2	65.8	47.2	49.6	74.5	-	-	-	-	-	-	322.8	257.2	65.6	25.5%
Business Taxes																
Corporation Franchise	-	-	-	-	-	-							-	-	-	0.0%
Corporation and Utilities	3.1	-	1.4	(1.5)	(0.1)	1.2							4.1	5.1	(1.0)	-19.6%
Petroleum Business	38.2	50.4	52.0	55.3	53.6	43.7							293.2	260.8	32.4	12.4%
Total Business Taxes	41.3	50.4	53.4	53.8	53.5	44.9	-	-	-	-	-	-	297.3	265.9	31.4	11.8%
Other Taxes																
Real Estate Transfer	-	-	11.9	11.9	11.9	12.0							47.7	47.6	0.1	0.2%
Total Other Taxes	-	-	11.9	11.9	11.9	12.0	-	-	-	-	-	-	47.7	47.6	0.1	0.2%
Total Taxes	84.8	92.6	131.1	112.9	115.0	131.4	-	-	-	-	-	-	667.8	570.7	97.1	17.0%
Miscellaneous Receipts:																
Abandoned Property:																
Bottle Bill	-	-	23.0	-	-	-							23.0	23.0	-	0.0%
Assessments:																
Business	10.0	7.6	6.0	6.4	6.1	6.0							42.1	38.6	3.5	9.1%
Fees, Licenses and Permits:																
Business/Professional	1.3	1.7	2.1	1.4	8.5	7.5							22.5	19.2	3.3	17.2%
Civil	-	-	-	-	-	-							-	-	-	0.0%
Motor Vehicle	79.2	69.1	60.6	66.0	59.0	59.5							393.4	309.9	83.5	26.9%
Recreational/Consumer	1.5	2.9	1.5	0.4	0.4	10.2							16.9	19.2	(2.3)	-12.0%
Fines, Penalties and Forfeitures	2.5	0.8	2.8	2.0	3.1	1.4							12.6	12.5	0.1	0.8%
Interest Earnings	-	0.1	-	-	0.1	-							0.2	1.5	(1.3)	-86.7%
Receipts from Municipalities	-	-	-	-	0.1	-							0.1	0.4	(0.3)	-75.0%
Receipts from Public Authorities:																
Bond Proceeds	78.4	0.5	3.0	237.0	27.6	328.1							674.6	2,170.6	(1,496.0)	-68.9%
Issuance Fees	-	-	-	-	-	-							-	-	-	0.0%
Non Bond Related	0.5	2.5	0.8	-	-	-							3.8	1.3	2.5	192.3%
Rentals	3.3	0.8	1.4	1.6	1.2	1.5							9.8	10.5	(0.7)	-6.7%
Revenues of State Departments:																
Administrative Recoveries	-	-	-	-	-	-							-	-	-	0.0%
Gifts, Grants and Donations	1.8	1.3	2.9	0.4	-	1.2							7.6	9.4	(1.8)	-19.1%
Indirect Cost Recoveries	-	-	-	-	-	12.8							12.8	-	12.8	100.0%
Rebates	-	-	-	0.1	(0.1)	-							-	-	-	0.0%
Restitution and Settlements	0.3	1.3	1.6	5.9	1.9	4.1							15.1	5.7	9.4	164.9%
All Other	2.4	1.9	11.7	1.0	6.5	4.4							27.9	28.7	(0.8)	-2.8%
Sales	0.1	-	-	-	0.1	0.1							0.3	0.1	0.2	200.0%
Total Miscellaneous Receipts	181.3	90.5	117.4	322.2	114.5	436.8	-	-	-	-	-	-	1,262.7	2,650.6	(1,387.9)	-52.4%
Federal Receipts	-	-	-	2.3	2.2	14.8							19.3	2.1	17.2	819.0%
Total Receipts	266.1	183.1	248.5	437.4	231.7	583.0	-	-	-	-	-	-	1,949.8	3,223.4	(1,273.6)	-39.5%

STATE OF NEW YORK
CAPITAL PROJECTS FUNDS - STATE
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT I

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
DISBURSEMENTS:																
Local Assistance Grants:																
Education	13.5	25.0	45.5	13.0	10.4	8.3							115.7	20.3	95.4	470.0%
Environment and Recreation	29.0	7.6	15.7	15.3	31.8	15.6							115.0	70.1	44.9	64.1%
General Government	12.7	41.7	37.9	22.2	30.8	59.9							205.2	206.5	(1.3)	-0.6%
Public Health:																
Medicaid	-	-	-	-	-	-							-	-	-	0.0%
Other Public Health	45.1	29.7	77.2	41.7	35.0	36.2							264.9	256.8	8.1	3.2%
Public Safety	0.4	1.8	7.1	5.4	2.2	0.7							17.6	3.0	14.6	486.7%
Public Welfare	28.2	55.8	124.6	54.6	12.5	39.4							315.1	342.7	(27.6)	-8.1%
Support and Regulate Business	21.2	54.3	147.2	39.5	33.2	104.8							400.2	179.6	220.6	122.8%
Transportation	175.8	21.0	224.4	215.4	184.2	285.1							1,105.9	492.5	613.4	124.5%
Total Local Assistance Grants	**325.9**	**236.9**	**679.6**	**407.1**	**340.1**	**550.0**	**-**	**-**	**-**	**-**	**-**	**-**	**2,539.6**	**1,571.5**	**968.1**	**61.6%**
Departmental Operations:																
Personal Service	-	-	-	-	-	-							-	-	-	0.0%
Non-Personal Service	-	-	-	-	-	-							-	-	-	0.0%
General State Charges	-	-	-	-	-	-							-	-	-	0.0%
Capital Projects	351.1	407.1	463.4	418.6	558.4	547.1							2,745.7	2,934.1	(188.4)	-6.4%
Total Disbursements	**677.0**	**644.0**	**1,143.0**	**825.7**	**898.5**	**1,097.1**	**-**	**-**	**-**	**-**	**-**	**-**	**5,285.3**	**4,505.6**	**779.7**	**17.3%**
Excess (Deficiency) of Receipts over Disbursements	**(410.9)**	**(460.9)**	**(894.5)**	**(388.3)**	**(666.8)**	**(514.1)**	**-**	**-**	**-**	**-**	**-**	**-**	**(3,335.5)**	**(1,282.2)**	**(2,053.3)**	**-160.1%**
OTHER FINANCING SOURCES (USES):																
Bond and Note Proceeds (net)	-	-	-	-	-	-							-	-	-	0.0%
Transfers from Other Funds	488.9	344.3	830.9	298.9	586.6	434.1							2,983.7	1,093.2	1,890.5	172.9%
Transfers to Other Funds	(8.4)	(8.1)	(23.5)	(8.7)	(8.9)	(211.4)							(269.0)	(274.4)	(5.4)	-2.0%
Total Other Financing Sources (Uses)	**480.5**	**336.2**	**807.4**	**290.2**	**577.7**	**222.7**	**-**	**-**	**-**	**-**	**-**	**-**	**2,714.7**	**818.8**	**1,895.9**	**231.5%**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**69.6**	**(124.7)**	**(87.1)**	**(98.1)**	**(89.1)**	**(291.4)**	**-**	**-**	**-**	**-**	**-**	**-**	**(620.8)**	**(463.4)**	**(157.4)**	**-34.0%**
Ending Fund Balance	**$ (494.1)**	**$ (618.8)**	**$ (705.9)**	**$ (804.0)**	**$ (893.1)**	**$ (1,184.5)**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ (1,184.5)**	**$ (935.6)**	**$ (248.9)**	**-26.6%**

STATE OF NEW YORK
CAPITAL PROJECTS FUNDS - FEDERAL
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT I

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
Beginning Fund Balance	$ (580.3)	$ (627.7)	$ (728.1)	$ (855.8)	$ (902.2)	$ (905.5)							$ (580.3)	$ (562.7)	$ (17.6)	-3.1%
RECEIPTS:																
Miscellaneous Receipts:																
Abandoned Property:																
Bottle Bill	-	-	-	-	-	-							-	-	-	0.0%
Assessments:																
Business	-	-	-	-	-	-							-	-	-	0.0%
Fees, Licenses and Permits:																
Business/Professional	-	-	-	-	-	-							-	-	-	0.0%
Civil	-	-	-	-	-	-							-	-	-	0.0%
Motor Vehicle	-	-	-	-	-	-							-	-	-	0.0%
Recreational/Consumer	-	-	-	-	-	-							-	-	-	0.0%
Fines, Penalties and Forfeitures	-	-	-	-	-	-							-	-	-	0.0%
Interest Earnings	-	-	-	-	-	-							-	-	-	0.0%
Receipts from Municipalities	-	-	-	-	-	-							-	-	-	0.0%
Receipts from Public Authorities:																
Bond Proceeds	-	-	-	-	-	-							-	-	-	0.0%
Issuance Fees	-	-	-	-	-	-							-	-	-	0.0%
Non Bond Related	-	-	-	-	-	-							-	-	-	0.0%
Rentals	-	-	-	-	-	-							-	0.4	(0.4)	-100.0%
Revenues of State Departments:																
Administrative Recoveries	-	-	-	-	-	-							-	-	-	0.0%
Gifts, Grants and Donations	-	-	-	-	-	-							-	-	-	0.0%
Indirect Cost Recoveries	-	-	-	-	-	(0.1)							(0.1)	-	(0.1)	-100.0%
Restitution and Settlements	-	-	-	-	-	-							-	-	-	0.0%
All Other	-	-	-	-	-	-							-	-	-	0.0%
Sales	-	-	-	-	-	-							-	0.1	(0.1)	-100.0%
Total Miscellaneous Receipts	-	-	-	-	-	(0.1)	-	-	-	-	-	-	(0.1)	0.5	(0.6)	-120.0%
Federal Receipts	5.6	23.3	110.1	140.9	167.2	125.1							572.2	927.2	(355.0)	-38.3%
Total Receipts	5.6	23.3	110.1	140.9	167.2	125.0	-	-	-	-	-	-	572.1	927.7	(355.6)	-38.3%
DISBURSEMENTS:																
Local Assistance Grants:																
Education	-	-	-	-	-	-							-	-	-	0.0%
Environment and Recreation	-	-	-	-	-	-							-	-	-	0.0%
General Government	-	-	-	-	-	-							-	-	-	0.0%
Public Health:																
Medicaid	-	-	-	-	-	-							-	-	-	0.0%
Other Public Health	-	-	3.7	-	-	0.6							4.3	1.8	2.5	138.9%
Public Safety	-	-	21.2	-	-	-							21.2	3.5	17.7	505.7%
Public Welfare	-	-	-	-	-	-							-	-	-	0.0%
Support and Regulate Business	-	-	-	-	-	-							-	-	-	0.0%
Transportation	5.9	16.7	44.6	51.7	29.3	61.1							209.3	236.0	(26.7)	-11.3%
Total Local Assistance Grants	5.9	16.7	69.5	51.7	29.3	61.7	-	-	-	-	-	-	234.8	241.3	(6.5)	-2.7%
Departmental Operations:																
Personal Service	-	-	-	-	-	-							-	-	-	0.0%
Non-Personal Service	-	-	-	-	-	-							-	-	-	0.0%
General State Charges	-	-	-	-	-	-							-	-	-	0.0%
Capital Projects	47.1	107.0	168.0	135.6	141.2	163.0							761.9	677.0	84.9	12.5%
Total Disbursements	53.0	123.7	237.5	187.3	170.5	224.7	-	-	-	-	-	-	996.7	918.3	78.4	8.5%
Excess (Deficiency) of Receipts over Disbursements	(47.4)	(100.4)	(127.4)	(46.4)	(3.3)	(99.7)	-	-	-	-	-	-	(424.6)	9.4	(434.0)	-4,617.0%
OTHER FINANCING SOURCES (USES):																
Transfers from Other Funds	-	-	-	-	-	-							-	-	-	0.0%
Transfers to Other Funds	-	-	(0.3)	-	-	-							(0.3)	-	0.3	100.0%
Total Other Financing Sources (Uses)	-	-	(0.3)	-	-	-	-	-	-	-	-	-	(0.3)	-	0.3	100.0%
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	(47.4)	(100.4)	(127.7)	(46.4)	(3.3)	(99.7)	-	-	-	-	-	-	(424.9)	9.4	(434.3)	-4,620.2%
Ending Fund Balance	$ (627.7)	$ (728.1)	$ (855.8)	$ (902.2)	$ (905.5)	$ (1,005.2)	$ -	$ -	$ -	$ -	$ -	$ -	$ (1,005.2)	$ (553.3)	$ (451.9)	-81.7%

STATE OF NEW YORK
ENTERPRISE FUNDS
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT J

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
Beginning Fund Balance	**$ 328.0**	**$ 330.9**	**$ 267.0**	**$ 283.6**	**$ 287.1**	**$ 230.7**							**$ 328.0**	**$ 29.7**	**$ 298.3**	**1,004.4%**
RECEIPTS:																
Miscellaneous Receipts	261.8	200.8	211.8	257.9	195.1	307.7							1,435.1	37.0	1,398.1	3,778.6%
Federal Receipts	4,691.4	4,264.1	5,008.2	3,973.1	4,570.9	1,186.4							23,694.1	33,873.9	(10,179.8)	-30.1%
Unemployment Taxes	218.5	313.6	390.8	315.0	350.5	239.4							1,827.8	11,925.9	(10,098.1)	-84.7%
Total Receipts	**5,171.7**	**4,778.5**	**5,610.8**	**4,546.0**	**5,116.5**	**1,733.5**	**-**	**-**	**-**	**-**	**-**	**-**	**26,957.0**	**45,836.8**	**(18,879.8)**	**-41.2%**
DISBURSEMENTS:																
Departmental Operations:																
Personal Service	128.3	126.8	112.0	187.2	113.1	131.0							798.4	7.5	790.9	10,545.3%
Non-Personal Service	22.1	32.9	35.1	21.1	40.7	91.7							243.6	27.8	215.8	776.3%
General State Charges	54.3	58.7	50.8	47.9	92.6	51.0							355.3	0.9	354.4	39,377.8%
Unemployment Benefits	4,967.1	4,624.0	5,396.3	4,290.3	4,926.5	1,421.4							25,625.6	45,791.2	(20,165.6)	-44.0%
Total Disbursements	**5,171.8**	**4,842.4**	**5,594.2**	**4,546.5**	**5,172.9**	**1,695.1**	**-**	**-**	**-**	**-**	**-**	**-**	**27,022.9**	**45,827.4**	**(18,804.5)**	**-41.0%**
Excess (Deficiency) of Receipts over Disbursements	**(0.1)**	**(63.9)**	**16.6**	**(0.5)**	**(56.4)**	**38.4**	**-**	**-**	**-**	**-**	**-**	**-**	**(65.9)**	**9.4**	**(75.3)**	**-801.1%**
OTHER FINANCING SOURCES (USES):																
Transfers from Other Funds	3.0	-	-	4.0	-	-							7.0	3.0	4.0	133.3%
Transfers to Other Funds	-	-	-	-	-	-							-	-	-	0.0%
Total Other Financing Sources (Uses)	**3.0**	**-**	**-**	**4.0**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**7.0**	**3.0**	**4.0**	**133.3%**
Excess (Deficiency) of Receipts and Other Financing Sources Over Disbursements and Other Financing Uses	**2.9**	**(63.9)**	**16.6**	**3.5**	**(56.4)**	**38.4**	**-**	**-**	**-**	**-**	**-**	**-**	**(58.9)**	**12.4**	**(71.3)**	**-575.0%**
Ending Fund Balance	**$ 330.9**	**$ 267.0**	**$ 283.6**	**$ 287.1**	**$ 230.7**	**$ 269.1**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 269.1**	**$ 42.1**	**$ 227.0**	**539.2%**

STATE OF NEW YORK
INTERNAL SERVICE FUNDS
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT K

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	6 Months Ended September 30 2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
Beginning Fund Balance	$ (363.5)	$ (349.4)	$ (398.2)	$ (339.0)	$ (344.8)	$ (336.3)							$ (363.5)	$ (297.5)	$ (66.0)	-22.2%
RECEIPTS:																
Miscellaneous Receipts	55.2	27.3	41.4	38.6	32.4	50.1							245.0	168.7	76.3	45.2%
Total Receipts	55.2	27.3	41.4	38.6	32.4	50.1	-	-	-	-	-	-	245.0	168.7	76.3	45.2%
DISBURSEMENTS:																
Departmental Operations:																
Personal Service	9.7	11.7	3.9	11.4	10.3	14.3							61.3	73.4	(12.1)	-16.5%
Non-Personal Service	31.1	61.6	5.8	32.1	38.3	47.3							216.2	209.1	7.1	3.4%
General State Charges	2.7	5.5	6.5	4.2	5.7	4.4							29.0	33.8	(4.8)	-14.2%
Total Disbursements	43.5	78.8	16.2	47.7	54.3	66.0	-	-	-	-	-	-	306.5	316.3	(9.8)	-3.1%
Excess (Deficiency) of Receipts over Disbursements	11.7	(51.5)	25.2	(9.1)	(21.9)	(15.9)	-	-	-	-	-	-	(61.5)	(147.6)	86.1	58.3%
OTHER FINANCING SOURCES (USES):																
Transfers from Other Funds	2.5	2.7	38.3	3.4	30.4	4.7							82.0	72.7	9.3	12.8%
Transfers to Other Funds	(0.1)	-	(4.3)	(0.1)	-	-							(4.5)	(0.3)	4.2	1,400.0%
Total Other Financing Sources (Uses)	2.4	2.7	34.0	3.3	30.4	4.7	-	-	-	-	-	-	77.5	72.4	5.1	7.0%
Excess (Deficiency) of Receipts and Other Financing Sources Over Disbursements and Other Financing Uses	14.1	(48.8)	59.2	(5.8)	8.5	(11.2)	-	-	-	-	-	-	16.0	(75.2)	91.2	121.3%
Ending Fund Balance	$ (349.4)	$ (398.2)	$ (339.0)	$ (344.8)	$ (336.3)	$ (347.5)	$ -	$ -	$ -	$ -	$ -	$ -	$ (347.5)	$ (372.7)	$ 25.2	6.8%

STATE OF NEW YORK
PENSION TRUST FUNDS
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT L

	2021						2022						6 Months Ended September 30			
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
Beginning Fund Balance	$ -	$ (2.4)	$ -	$ (2.2)	$ (4.8)	$ (1.7)							$ -	$ (1.1)	$ 1.1	100.0%
RECEIPTS:																
Miscellaneous Receipts	5.9	13.1	11.9	8.6	13.0	14.4							66.9	62.6	4.3	6.9%
Total Receipts	5.9	13.1	11.9	8.6	13.0	14.4	-	-	-	-	-	-	66.9	62.6	4.3	6.9%
DISBURSEMENTS:																
Departmental Operations:																
Personal Service	5.9	5.6	5.8	6.0	5.6	8.3							37.2	38.7	(1.5)	-3.9%
Non-Personal Service	0.6	1.2	1.5	1.4	0.8	0.9							6.4	4.6	1.8	39.1%
General State Charges	1.8	3.9	6.8	3.8	3.5	3.5							23.3	22.4	0.9	4.0%
Total Disbursements	8.3	10.7	14.1	11.2	9.9	12.7	-	-	-	-	-	-	66.9	65.7	1.2	1.8%
Excess (Deficiency) of Receipts over Disbursements	(2.4)	2.4	(2.2)	(2.6)	3.1	1.7	-	-	-	-	-	-	-	(3.1)	3.1	100.0%
OTHER FINANCING SOURCES (USES):																
Transfers from Other Funds	-	-	-	-	-	-							-	-	-	0.0%
Transfers to Other Funds	-	-	-	-	-	-							-	-	-	0.0%
Total Other Financing Sources (Uses)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Excess (Deficiency) of Receipts and Other Financing Sources Over Disbursements and Other Financing Uses	(2.4)	2.4	(2.2)	(2.6)	3.1	1.7	-	-	-	-	-	-	-	(3.1)	3.1	100.0%
Ending Fund Balance	$ (2.4)	$ -	$ (2.2)	$ (4.8)	$ (1.7)	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ (4.2)	$ 4.2	100.0%

STATE OF NEW YORK
PRIVATE PURPOSE TRUST FUNDS
STATEMENT OF CASH FLOW
FISCAL YEAR 2021-2022
(amounts in millions)

EXHIBIT M

	2021						2022						6 Months Ended September 30			
	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	JANUARY	FEBRUARY	MARCH	2021	2020	$ Increase/ (Decrease)	% Increase/ Decrease
Beginning Fund Balance	$ 40.2	$ 40.3	$ 40.5	$ 41.7	$ 42.3	$ 42.1							$ 40.2	$ 14.3	$ 25.9	181.1%
RECEIPTS:																
Miscellaneous Receipts	0.1	0.2	1.3	0.7	(0.2)	0.6							2.7	-	2.7	100.0%
Total Receipts	0.1	0.2	1.3	0.7	(0.2)	0.6	-	-	-	-	-	-	2.7	-	2.7	100.0%
DISBURSEMENTS:																
Departmental Operations:																
Personal Service	-	-	-	0.1	-	0.1							0.2	0.1	0.1	100.0%
Non-Personal Service	-	-	-	-	-	-							-	-	-	0.0%
General State Charges	-	-	0.1	-	-	-							0.1	0.1	-	0.0%
Total Disbursements	-	-	0.1	0.1	-	0.1	-	-	-	-	-	-	0.3	0.2	0.1	50.0%
Excess (Deficiency) of Receipts over Disbursements	0.1	0.2	1.2	0.6	(0.2)	0.5	-	-	-	-	-	-	2.4	(0.2)	2.6	1,300.0%
OTHER FINANCING SOURCES (USES):																
Transfers from Other Funds	-	-	-	-	-	-							-	-	-	0.0%
Transfers to Other Funds	-	-	-	-	-	-							-	-	-	0.0%
Total Other Financing Sources (Uses)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0%
Excess (Deficiency) of Receipts and Other Financing Sources Over Disbursements and Other Financing Uses	0.1	0.2	1.2	0.6	(0.2)	0.5	-	-	-	-	-	-	2.4	(0.2)	2.6	1,300.0%
Ending Fund Balance	$ 40.3	$ 40.5	$ 41.7	$ 42.3	$ 42.1	$ 42.6	$ -	$ -	$ -	$ -	$ -	$ -	$ 42.6	$ 14.1	$ 28.5	202.1%

STATE OF NEW YORK **SCHEDULE 1**
GOVERNMENTAL FUNDS
SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES
FISCAL YEAR 2021-2022
FOR THE MONTH OF SEPTEMBER 2021
(amounts in millions)

	BALANCE SEPTEMBER 1, 2021	RECEIPTS	DISBURSEMENTS	OTHER FINANCING SOURCES (USES)	BALANCE SEPTEMBER 30, 2021
GENERAL FUND					
10000-10049-Local Assistance Account	$ -	$ 0.025	$ 4,382.138	$ 4,382.113	$ -
10050-10099-State Operations Account	15,761.679	5,759.834	1,680.262	84.957	19,926.208
10100-10149-Tax Stabilization Reserve	-	-	-	-	-
10150-10199-Contingency Reserve	-	-	-	-	-
10200-10249-Universal Pre-K Reserve	-	-	-	-	-
10250-10299-Community Projects	27.608	-	0.121	-	27.487
10300-10349-Rainy Day Reserve Fund	-	-	-	-	-
10400-10449-Refund Reserve Account	-	-	-	-	-
10500-10549-Fringe Benefits Escrow	-	-	-	-	-
10550-10599-Tobacco Revenue Guarantee	-	-	-	-	-
TOTAL GENERAL FUND	**15,789.287**	**5,759.859**	**6,062.521**	**4,467.070**	**19,953.695**
SPECIAL REVENUE FUNDS-STATE					
20000-20099-Mental Health Gifts and Donations	0.804	0.008	0.005	-	0.807
20100-20299-Combined Expendable Trust	62.996	0.282	0.549	-	62.729
20300-20349-New York Interest on Lawyer Account	119.108	2.446	0.241	-	121.313
20350-20399-NYS Archives Partnership Trust	0.164	-	0.050	-	0.114
20400-20449-Child Performer's Protection	0.605	0.004	0.050	-	0.559
20450-20499-Tuition Reimbursement	8.196	0.520	0.391	-	8.325
20500-20549-New York State Local Government Records Management Improvement	8.526	0.957	0.463	-	9.020
20550-20599-School Tax Relief	0.002	-	(0.001)	-	0.003
20600-20649-Charter Schools Stimulus	5.415	0.001	-	-	5.416
20650-20699-Not-For-Profit Short Term Revolving Loan	-	-	-	-	-
20800-20849-HCRA Resources	236.162	535.135	522.593	(0.320)	248.384
20850-20899-Dedicated Mass Transportation Trust	64.937	47.419	49.100	15.665	78.921
20900-20949-State Lottery	1,303.859	340.001	2,356.038	-	(712.178)
20950-20999-Combined Student Loan	18.160	1.191	0.102	-	19.249
21000-21049-Sewage Treatment Program Mgmt. & Administration	(3.439)	-	0.062	-	(3.501)
21050-21149-Encon Special Revenue	(2.371)	8.062	9.106	1.835	(1.580)
21150-21199-Conservation	101.290	9.652	4.160	(0.660)	106.122
21200-21249-Environmental Protection and Oil Spill Compensation	11.980	3.680	1.999	(1.754)	11.907
21250-21299-Training and Education Program on OSHA	3.760	13.121	3.503	-	13.378
21300-21349-Lawyers' Fund for Client Protection	9.146	0.985	0.082	-	10.049
21350-21399-Equipment Loan for the Disabled	0.523	0.001	0.014	-	0.510
21400-21449-Mass Transportation Operating Assistance	321.166	454.217	161.594	5.790	619.579
21450-21499-Clean Air	(34.207)	3.301	2.744	-	(33.650)
21500-21549-New York State Infrastructure Trust	0.071	-	-	-	0.071
21550-21599-Legislative Computer Services	12.612	0.064	0.233	-	12.443
21600-21649-Biodiversity Stewardship and Research	-	-	-	-	-
21650-21699-Combined Non-Expendable Trust	0.468	-	-	-	0.468
21700-21749-Winter Sports Education Trust	-	-	-	-	-
21750-21799-Musical Instrument Revolving	-	-	-	-	-
21850-21899-Arts Capital Grants	0.614	0.001	-	-	0.615
21900-22499-Miscellaneous State Special Revenue	1,792.565	248.456	307.872	36.581	1,769.730
22500-22549-Court Facilities Incentive Aid	23.796	0.001	3.037	-	20.760

STATE OF NEW YORK
GOVERNMENTAL FUNDS
SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES
FISCAL YEAR 2021-2022
FOR THE MONTH OF SEPTEMBER 2021
(amounts in millions)

SCHEDULE 1

	BALANCE SEPTEMBER 1, 2021	RECEIPTS	DISBURSEMENTS	OTHER FINANCING SOURCES (USES)	BALANCE SEPTEMBER 30, 2021
SPECIAL REVENUE FUNDS-STATE (CONTINUED)					
22550-22599-Employment Training	0.053	-	-	-	0.053
22650-22699-State University Income	2,531.895	576.130	664.989	111.595	2,554.631
22700-22749-Chemical Dependence Service	6.832	0.371	0.739	-	6.464
22750-22799-Lake George Park Trust	0.731	0.002	0.239	-	0.494
22800-22849-State Police Motor Vehicle Law Enforcement and Motor Vehicle Theft and Insurance Fraud Prevention	56.567	26.257	0.837	-	81.987
22850-22899-New York Great Lakes Protection	0.528	-	0.019	-	0.509
22900-22949-Federal Revenue Maximization	0.024	-	-	-	0.024
22950-22999-Housing Development	10.540	0.001	0.045	-	10.496
23000-23049-NYS/DOT Highway Safety Program	(17.860)	-	0.345	-	(18.205)
23050-23099-Vocational Rehabilitation	0.043	0.014	-	-	0.057
23100-23149-Drinking Water Program Management and Administration	(5.351)	-	-	-	(5.351)
23150-23199-NYC County Clerks' Operations Offset	(42.069)	0.001	4.272	-	(46.340)
23200-23249-Judiciary Data Processing Offset	70.855	9.457	4.639	-	75.673
23500-23549-USOC Lake Placid Training	0.255	0.001	-	-	0.256
23550-23599-Indigent Legal Services	597.720	39.472	17.595	-	619.597
23600-23649-Unemployment Insurance Interest and Penalty	24.996	0.001	0.002	(11.305)	13.690
23650-23699-MTA Financial Assistance Fund	164.209	0.005	61.475	12.625	115.364
23700-23749-New York State Commercial Gaming Fund	67.839	19.471	1.245	-	86.065
23750-23799-Medical Marihuana Trust Fund	21.017	1.014	0.573	0.354	21.812
23800-23899-Dedicated Miscellaneous State Special Revenue	5.543	0.209	0.124	-	5.628
24800-24849-NYS Cannabis Revenue	-	-	-	-	-
24850-24899-Health Care Transformation	254.725	0.011	-	-	254.736
24900-24949-Charitable Gifts Trust Fund	0.005	-	-	-	0.005
24950-24999-Interactive Fantasy Sports	22.348	0.321	-	-	22.669
40350-40399-State University Dormitory Income	269.958	82.035	-	(23.442)	328.551
TOTAL SPECIAL REVENUE FUNDS-STATE	**8,108.311**	**2,424.278**	**4,181.125**	**146.964**	**6,498.428**
SPECIAL REVENUE FUNDS-FEDERAL					
25000-25099-Federal USDA/Food and Consumer Services	(29.285)	122.540	107.637	(16.902)	(31.284)
25100-25199-Federal Health and Human Services	3,435.130	6,560.315	5,415.484	(143.787)	4,436.174
25200-25249-Federal Education	(36.268)	458.949	469.938	(2.015)	(49.272)
25300-25899, 25951-Federal Miscellaneous Operating Grants	15,064.111	160.971	648.238	(1.175)	14,575.669
25900-25949-Unemployment Insurance Administration	164.057	83.898	52.476	-	195.479
25950, 25952-25999-Unemployment Insurance Occupational Training	(0.491)	0.204	0.258	-	(0.545)
26000-26049-Federal Employment and Training Grants	(5.495)	19.658	16.217	-	(2.054)
TOTAL SPECIAL REVENUE FUNDS-FEDERAL	**18,591.759**	**7,406.535**	**6,710.248**	**(163.879)**	**19,124.167**
TOTAL SPECIAL REVENUE FUNDS	**26,700.070**	**9,830.813**	**10,891.373**	**(16.915)**	**25,622.595**
DEBT SERVICE FUNDS					
40000-40049-Debt Reduction Reserve	-	-	-	-	-
40100-40149-Mental Health Services	43.625	20.123	-	(45.927)	17.821
40150-40199-General Debt Service	906.499	4,040.116	743.159	(4,084.571)	118.885
40250-40299-State Housing Debt Service	-	1.732	1.280	(0.452)	-
40300-40349-Department of Health Income	27.112	21.291	-	(7.556)	40.847
40400-40449-Clean Water/Clean Air	4.832	133.289	-	(131.449)	6.672
40450-40499-Local Government Assistance Tax	-	407.541	-	(407.541)	-
TOTAL DEBT SERVICE FUNDS	**982.068**	**4,624.092**	**744.439**	**(4,677.496)**	**184.225**

STATE OF NEW YORK
GOVERNMENTAL FUNDS
SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES
FISCAL YEAR 2021-2022
FOR THE MONTH OF SEPTEMBER 2021
(amounts in millions)

SCHEDULE 1

	BALANCE SEPTEMBER 1, 2021	RECEIPTS	DISBURSEMENTS	OTHER FINANCING SOURCES (USES)	BALANCE SEPTEMBER 30, 2021
CAPITAL PROJECTS FUNDS					
30000-30049-State Capital Projects	-	332.127	746.315	414.188	-
30050-30099-Dedicated Highway and Bridge Trust	173.460	216.680	176.905	(191.974)	21.261
30100-30299-SUNY Residence Halls Rehabilitation and Repair	120.364	0.005	2.190	0.180	118.359
30300-30349-New York State Canal System Development	14.178	4.000	-	-	18.178
30350-30399-Parks Infrastructure	(87.842)	8.988	10.266	-	(89.120)
30400-30449-Passenger Facility Charge	0.015	-	-	-	0.015
30450-30499-Environmental Protection	87.612	14.258	19.882	-	81.988
30500-30549-Clean Water/Clean Air Implementation	-	-	-	-	-
30600-30609-Energy Conservation Thru Improved Transportation Bond	0.164	-	-	-	0.164
30610-30619-Park and Recreation Land Acquisition Bond	-	-	-	-	-
30620-30629-Pure Waters Bond	0.668	-	-	-	0.668
30630-30639-Transportation Capital Facilities Bond	3.328	-	-	-	3.328
30640-30649-Environmental Quality Protection Bond	1.419	-	-	-	1.419
30650-30659-Rebuild and Renew New York Transportation Bond	17.210	-	-	-	17.210
30660-30669-Transportation Infrastructure Renewal Bond	4.255	-	-	-	4.255
30670-30679-1986 Environmental Quality Bond Act	5.550	-	-	-	5.550
30680-30689-Accelerated Capacity and Transportation Improvement Bond	2.778	-	-	-	2.778
30690-30699-Clean Water/Clean Air Bond	1.428	-	-	-	1.428
30700-30709-State Housing Bond	-	-	-	-	-
30710-30719-Smart Schools Bond	-	-	-	-	-
30750-30799-Outdoor Recreation Development Bond	-	-	-	-	-
30900-30949-Rail Preservation and Development Bond	-	-	-	-	-
31350-31449-Federal Capital Projects	(905.530)	125.069	224.770	-	(1,005.231)
31450-31499-Forest Preserve Expansion	1.083	-	-	-	1.083
31500-31549-Hazardous Waste Remedial	(77.724)	2.331	9.221	(2.206)	(86.820)
31650-31699-Suburban Transportation	0.540	-	-	-	0.540
31700-31749-Division for Youth Facilities Improvement	(18.476)	-	0.409	-	(18.885)
31800-31849-Housing Assistance	(12.942)	-	-	-	(12.942)
31850-31899-Housing Program	(644.876)	-	37.150	-	(682.026)
31900-31949-Natural Resource Damage	17.647	0.036	0.056	-	17.627
31950-31999-DOT Engineering Services	(11.952)	-	-	-	(11.952)
32200-32249-Miscellaneous Capital Projects	139.120	1.400	3.632	1.027	137.915
32250-32299-CUNY Capital Projects	0.059	-	-	-	0.059
32300-32349-Mental Hygiene Facilities Capital Improvement	(419.827)	0.248	28.708	-	(448.287)
32350-32399-Correction Facilities Capital Improvement	(300.095)	0.018	36.932	-	(337.009)
32400-32999-State University Capital Projects	92.013	0.670	7.326	1.493	86.850
33000-33049-NYS Storm Recovery Fund	(58.757)	2.254	0.901	-	(57.404)
33050-33099 Dedicated Infrastructure Investment Fund	56.499	-	17.199	-	39.300
TOTAL CAPITAL PROJECTS FUNDS	**(1,798.631)**	**708.084**	**1,321.862**	**222.708**	**(2,189.701)**
TOTAL GOVERNMENTAL FUNDS	**$ 41,672.794**	**$ 20,922.848**	**$ 19,020.195**	**$ (4.633)**	**$ 43,570.814**

STATE OF NEW YORK
PROPRIETARY FUNDS
SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES
FISCAL YEAR 2021-2022
FOR THE MONTH OF SEPTEMBER 2021
(amounts in millions)

SCHEDULE 2

FUND TYPE	BALANCE SEPTEMBER 1, 2021	RECEIPTS	DISBURSEMENTS	OTHER FINANCING SOURCES (USES)	BALANCE SEPTEMBER 30, 2021
ENTERPRISE FUNDS					
23250-23449-CUNY Senior College Program	$ 180.389	$ 15.752	$ 6.513	$ -	$ 189.628
50000-50049-Youth Commissary	0.110	0.001	0.001	-	0.110
50050-50099-State Exposition Special	3.457	3.026	1.819	-	4.664
50100-50299-Correctional Services Commissary	4.251	3.221	4.060	-	3.412
50300-50399-Agencies Enterprise	15.868	3.917	2.511	-	17.274
50400-50449-Sheltered Workshop	2.206	0.001	0.015	-	2.192
50450-50499-Patient Workshop	2.127	0.076	0.079	-	2.124
50500-50599-Mental Hygiene Community Stores	4.857	0.036	0.076	-	4.817
50650-50699-Unemployment Insurance	11.602	1,425.836	1,424.804	-	12.634
60850-60899-CUNY Senior College Operating	5.853	281.626	255.258	-	32.221
TOTAL ENTERPRISE FUNDS	**230.720**	**1,733.492**	**1,695.136**	**-**	**269.076**
INTERNAL SERVICE FUNDS					
55000-55049-Centralized Services	(84.775)	36.761	33.247	1.341	(79.920)
55050-55099-Agency Internal Service	(164.074)	9.721	22.817	3.308	(173.862)
55100-55149-Mental Hygiene Revolving	0.054	0.005	0.073	-	(0.014)
55150-55199-Youth Vocational Education	0.052	-	-	-	0.052
55200-55249-Joint Labor and Management Administration	0.849	-	0.080	-	0.769
55250-55299-Audit and Control Revolving	(55.817)	0.345	4.423	(0.016)	(59.911)
55300-55349-Health Insurance Revolving	(3.833)	-	1.304	-	(5.137)
55350-55399-Correctional Industries Revolving	(28.734)	3.319	4.015	-	(29.430)
TOTAL INTERNAL SERVICE FUNDS	**(336.278)**	**50.151**	**65.959**	**4.633**	**(347.453)**
TOTAL PROPRIETARY FUNDS	**$ (105.558)**	**$ 1,783.643**	**$ 1,761.095**	**$ 4.633**	**$ (78.377)**

STATE OF NEW YORK **SCHEDULE 3**
FIDUCIARY FUNDS
SUMMARY OF CASH RECEIPTS, DISBURSEMENTS AND CHANGES IN FUND BALANCES
FISCAL YEAR 2021-2022
FOR THE MONTH OF SEPTEMBER 2021
(amounts in millions)

FUND TYPE	BALANCE SEPTEMBER 1, 2021	RECEIPTS	DISBURSEMENTS	OTHER FINANCING SOURCES (USES)	BALANCE SEPTEMBER 30, 2021
PENSION TRUST FUNDS					
65000-65049-Common Retirement Administration	$ (1.706)	$ 14.333	$ 12.634	$ -	$ (0.007)
TOTAL PENSION TRUST FUNDS	**(1.706)**	**14.333**	**12.634**	**-**	**(0.007)**
PRIVATE PURPOSE TRUST FUNDS					
22022-College Savings Account	27.336	0.459	0.005	-	27.790
66000-66049-Agriculture Producers' Security	3.181	-	0.023	-	3.158
66050-66099-Milk Producers' Security	11.575	0.060	0.017	-	11.618
TOTAL PRIVATE PURPOSE TRUST FUNDS	**42.092**	**0.519**	**0.045**	**-**	**42.566**
AGENCY FUNDS					
60050-60149-School Capital Facilities Financing Reserve	6.435	0.063	-	-	6.498
60150-60199-Child Performer's Holding	0.572	-	0.002	-	0.570
60200-60249-Employees Health Insurance	1,057.941	992.515	1,018.651	-	1,031.805
60250-60299-Social Security Contribution	15.418	124.881	125.226	-	15.073
60300-60399-Employee Payroll Withholding	2.507	463.756	423.442	-	42.821
60400-60449-Employees Dental Insurance	37.382	6.097	5.527	-	37.952
60450-60499-Management Confidential Group Insurance	1.268	0.920	0.806	-	1.382
60500-60549-Lottery Prize	542.675	130.841	96.067	-	577.449
60550-60599-Health Insurance Reserve Receipts	-	-	-	-	-
60600-60799-Miscellaneous New York State Agency	1,052.073	803.843	785.461	-	1,070.455
60800-60849-Elderly Pharmaceutical Insurance Coverage (EPIC) Escrow	28.406	7.379	7.381	-	28.404
60900-60949-Medicaid Management Information System (MMIS) Escrow	95.466	7,522.633	7,021.040	-	597.059
60950-60999-Special Education	-	-	-	-	-
61000-61099-State University of New York Revenue Collection	402.183	(172.913)	-	-	229.270
61100-61999-State University Federal Direct Lending Program	(18.817)	149.337	140.995	-	(10.475)
62000-62049-SSI SSP Payment Escrow	-	-	-	-	-
TOTAL AGENCY FUNDS	**3,223.509**	**10,029.352**	**9,624.598**	**-**	**3,628.263**
TOTAL FIDUCIARY FUNDS	**$ 3,263.895**	**$ 10,044.204**	**$ 9,637.277**	**$ -**	**$ 3,670.822**

STATE OF NEW YORK
SOLE CUSTODY AND INVESTMENT ACCOUNTS
STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS
FISCAL YEAR 2021-2022
FOR THE MONTH OF SEPTEMBER 2021
(amounts in millions)

SCHEDULE 4

FUND TYPE	BALANCE SEPTEMBER 1, 2021	RECEIPTS	DISBURSEMENTS	BALANCE SEPTEMBER 30, 2021
ACCOUNTS				
70000-70049-Tobacco Settlement	$ 2.890	$ -	$ -	$ 2.890
70093, 70095, 70300-70301-MTA State Assistance	240.466	231.574	257.107	214.933
70050-70149-Sole Custody Investment (*)	2,441.576	2,840.239	2,250.750	3,031.065
70200-Comptroller's Refund Account	-	246.901	246.901	-
TOTAL ACCOUNTS	**$ 2,684.932**	**$ 3,318.714**	**$ 2,754.758**	**$ 3,248.888**

(*) Includes Public Asset Fund resources:

Chapter 1 of the Laws of 2002 authorized the conversion of Empire Health Choice, d/b/a Empire Blue Cross and Blue Shield from a not-for-profit corporation to a for-profit corporation. Chapter 1 requires, in part, that upon such conversion, assets representing 95 percent of the fair market value of the not-for-profit corporation be transferred to a fund designated as the "Public Asset Fund" and 5 percent transferred to a Charitable Foundation - as set forth in Section 7317 of the Insurance Law. On December 28, 2005, WellChoice, Inc. (previously known as Empire Blue Cross, Blue Shield) approved a takeover by WellPoint, Inc. This conversion was also subject to the same Chapter 1 requirements of assigning assets representing 95 percent of the fair market value of the not-for-profit corporation be transferred to the "Public Asset Fund".

As of September 30, 2021, $9,548,969.66 (representing the remaining balance of the State's 95 percent share of the fair market value of the not-for-profit corporation plus interest) is on deposit in the sole custody account titled Public Asset Fund. In accordance with Section 4301(j)(4)(F) and (O) of the Insurance Law and at the direction of the Director of the Budget, these funds are available for transfer to HCRA Resources Fund (20800-20849).

STATE OF NEW YORK
DEBT SERVICE FUNDS
STATEMENT OF DIRECT STATE DEBT ACTIVITY
FISCAL YEAR 2021-2022

SCHEDULE 5

PURPOSE	DEBT OUTSTANDING APRIL 1, 2021	DEBT ISSUED		DEBT MATURED		DEBT OUTSTANDING SEPTEMBER 30, 2021	INTEREST DISBURSED	
		MONTH OF SEPTEMBER	6 MONTHS ENDED SEPTEMBER 30, 2021	MONTH OF SEPTEMBER	6 MONTHS ENDED SEPTEMBER 30, 2021		MONTH OF SEPTEMBER	6 MONTHS ENDED SEPTEMBER 30, 2021
GENERAL OBLIGATION BONDED DEBT:								
Accelerated Capacity and Transportation Improvements	$ 9,992,174	$ -	$ -	$ -	$ 785,635	$ 9,206,539	$ -	$ 157,684
Clean Water/Clean Air:								
Air Quality	1,321,445	-	-	-	-	1,321,445	-	20,042
Safe Drinking Water	-	-	-	-	-	-	-	-
Clean Water	277,661,899	-	-	-	9,125,472	268,536,427	1,208,047	3,938,505
Solid Waste	11,083,955	-	-	-	163,906	10,920,049	7,739	195,524
Environmental Restoration	36,701,555	-	-	-	165,000	36,536,555	416,390	548,903
Energy Conservation Through Improved Transportation:								
Rapid Transit and Rail Freight	1,022,456	-	-	-	263,713	758,743	-	22,550
Environmental Quality (1972):								
Air	-	-	-	-	-	-	-	-
Land and Wetlands	4,267,512	-	-	-	25,000	4,242,512	96,534	103,951
Water	5,538,761	-	-	1,005,000	1,720,000	3,818,761	30,944	101,730
Environmental Quality (1986):								
Land Acquisition/Development/Restoration/Forests	2,692,870	-	-	-	202,816	2,490,054	19,795	47,299
Solid Waste Management	83,003,304	-	-	-	7,383,811	75,619,493	334,942	1,386,506
Housing:								
Low Income	4,115,000	-	-	-	-	4,115,000	-	-
Middle Income	1,795,000	-	-	1,280,000	1,280,000	515,000	-	-
Park and Recreation Land Acquisition	-	-	-	-	-	-	-	-
Pure Waters	13,485,946	-	-	-	833,700	12,652,246	25,134	221,977
Rail Preservation Development	-	-	-	-	-	-	-	-
Rebuild and Renew New York Transportation:								
Highway Facilities	562,450,682	-	-	-	-	562,450,682	4,898,911	7,956,515
Canals and Waterways	7,620,311	-	-	-	-	7,620,311	77,367	150,656
Aviation	40,464,691	-	-	-	-	40,464,691	159,078	543,569
Rail and Port	90,201,189	-	-	-	-	90,201,189	291,783	1,321,629
Mass Transit - Dept. of Transportation	13,929,540	-	-	-	-	13,929,540	228,616	271,912
Mass Transit - Metropolitan Transportation Authority	691,109,424	-	-	-	-	691,109,424	4,965,225	10,070,016
Rebuild New York-Transportation Infrastructure Renewal:								
Highways, Parkways, and Bridges	357,668	-	-	-	-	357,668	7,665	8,101
Rapid Transit, Rail and Aviation	1,563,392	-	-	-	393,136	1,170,256	-	37,391
Smart Schools Bond Act	306,942,604	-	-	-	-	306,942,604	4,191,535	5,959,880
Transportation Capital Facilities:								
Aviation	1,648,621	-	-	-	837,811	810,810	-	40,662
Mass Transportation	-	-	-	-	-	-	-	-
Total General Obligation Bonded Debt	**$ 2,168,969,999**	**$ -**	**$ -**	**$ 2,285,000**	**$ 23,180,000**	**$ 2,145,789,999**	**$ 16,959,705**	**$ 33,105,002**

STATE OF NEW YORK
DEBT SERVICE FUNDS
FINANCING AGREEMENTS
FOR THE SIX MONTHS ENDED SEPTEMBER 30, 2021

SCHEDULE 5a

Special Contractual Financing Obligations:	DEBT REDUCTION RESERVE (40000-40049)	GENERAL DEBT SERVICE (40151)	DEPARTMENT OF HEALTH INCOME (40300-40349)	LOCAL GOVERNMENT ASSISTANCE TAX (40450-40499)	MENTAL HEALTH SERVICES (*) (40100-40149)	REVENUE BOND TAX (*) (40152)	SALES TAX REVENUE BOND TAX (40154)	COMBINED TOTALS 6 MONTHS ENDED SEPTEMBER 30 2021	2020	$ INCREASE/ (DECREASE)
Payments to Public Authorities:										
City University Construction	$ -	$ 21,210,856	$ -	$ -	$ -	$ -	$ -	$ 21,210,856	$ -	$ 21,210,856
Dormitory Authority:										
Consolidated Service Contract Refunding	-	-	-	-	-	-	-	-	-	-
DASNY Revenue Bond	-	-	-	-	-	550,857,612	29,531,110	580,388,722	797,263,004	(216,874,282)
Department of Health Facilities	-	-	12,067,914	-	-	-	-	12,067,914	12,802,026	(734,112)
Mental Health Facilities	-	-	-	-	(144,157)	-	-	(144,157)	8,615,353	(8,759,510)
Secured Hospital Program	-	1,627,568	-	-	-	-	-	1,627,568	2,495,165	(867,597)
SUNY Community Colleges	-	10,879,525	-	-	-	-	-	10,879,525	8,347,200	2,532,325
SUNY Educational Facilities	-	105,416,691	-	-	-	-	-	105,416,691	-	105,416,691
Environmental Facilities Corporation	-	-	-	-	-	-	-	-	430,631	(430,631)
Housing Finance Agency	-	1,772,122	-	-	-	-	-	1,772,122	15,828,552	(14,056,430)
Local Government Assistance Corporation	-	-	-	-	-	-	-	-	-	-
Metropolitan Transportation Authority:										
Transit and Commuter Rail Projects	-	-	-	-	-	-	-	-	-	-
Thruway Authority:										
Dedicated Highway and Bridge	-	40,584,750	-	-	-	-	-	40,584,750	59,613,177	(19,028,427)
Local Highway and Bridge	-	-	-	-	-	-	-	-	-	-
Transportation	-	-	-	-	-	4,675,750	-	4,675,750	17,821,175	(13,145,425)
Urban Development Corporation:										
Clarkson University	-	-	-	-	-	-	-	-	-	-
Columbia Univer. Telecommunications Center	-	-	-	-	-	-	-	-	-	-
Consolidated Service Contract Refunding	-	2,180,971	-	-	-	-	-	2,180,971	4,297,108	(2,116,137)
Cornell Univer. Supercomputer Center	-	-	-	-	-	-	-	-	-	-
Correctional Facilities	-	-	-	-	-	-	-	-	-	-
Debt Reduction Reserve	-	-	-	-	-	-	-	-	-	-
UDC Revenue Bond	-	-	-	-	-	361,261,266	-	361,261,266	286,525,473	74,735,793
University Facilities Grant 95 Refunding	-	-	-	-	-	-	-	-	11,603	(11,603)
Total Disbursements for Special Contractual Financing Obligations	**$ -**	**$ 183,672,483**	**$ 12,067,914**	**$ -**	**$ (144,157)**	**$ 916,794,628**	**$ 29,531,110**	**$ 1,141,921,978**	**$ 1,214,050,467**	**$ (72,128,489)**

(*) Debt Service does not include interest paid on Revenue Anticipation Notes (General Purpose), Series 2020A and 2020B that were reimbursed from the Coronavirus Relief Fund within the Special Revenue Federal Funds.

STATE OF NEW YORK **SCHEDULE 6**
SUMMARY OF THE OPERATING FUND INVESTMENTS
FOR THE MONTH OF SEPTEMBER 2021
AS REQUIRED OF THE STATE COMPTROLLER
(amounts in millions)

	MONTH OF SEPTEMBER 2021	FISCAL YEAR TO DATE	PRIOR FISCAL YEAR TO DATE
SHORT TERM INVESTMENT POOL (*)			
AVERAGE DAILY INVESTMENT BALANCE (**)	$ 49,580.8	$ 40,589.3	$ 28,024.7
AVERAGE YIELD (**)	0.053%	0.054%	0.264%
TOTAL INVESTMENT EARNINGS	$ 2.134	$ 11.249	$ 37.316

Month-End Portfolio Balances

DESCRIPTION	SEPTEMBER 2021 PAR AMOUNT	SEPTEMBER 2020 PAR AMOUNT
GOVT. AGENCY BILLS/NOTES	$ 30,793.3	$ 18,192.3
REPURCHASE AGREEMENTS	291.3	20.9
GOVT. SPONSORED AGENCIES	700.0	143.1
COMMERCIAL PAPER	15,583.9	14,061.2
CERTIFICATES OF DEPOSIT/SAVINGS	2,940.4	2,902.9
0% COMPENSATING BALANCE CDs	923.0	48.0
	$ 51,231.9	**$ 35,368.4**

(*) Pursuant to §98 of the State Finance Law, the State Comptroller is authorized to invest and keep invested all moneys, in any fund, held by the State. The Short Term investment Pool (STIP) represents an accounting mechanism that allows for the separate accounting of individual funds (on deposit in the State's General Checking account) for the purpose of making short term investments. Pursuant to State Finance Law §4(5) the STIP is authorized to temporarily loan to the General Fund-State Operations Account (10050) funds for a period not to exceed the end of the fiscal year. However, it must be noted that certain funds are invested as part of STIP, but are held by the State Comptroller in a fiduciary capacity. Fiduciary fund balances are restricted and may not be used for any State purposes since moneys in such funds are held by the State in a trustee (or fiduciary) capacity or as an agent for individuals, private organizations, or non-State governmental units (e.g. local governments and public authorities). Therefore, Fiduciary fund balances are not available to be temporarily loaned to the General Fund-State Operations Account. Fiduciary fund balances are presented in Schedules 3 and 4 of this report.

(**) Does not include 0% Compensating Balance CDs.

STATE OF NEW YORK
HCRA RESOURCES FUND
STATEMENT OF RECEIPTS AND DISBURSEMENTS BY ACCOUNT
FISCAL YEAR 2021-2022

APPENDIX A

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	6 Months Ended September 30, 2021
OPENING CASH BALANCE	$ 15,864,357	$ 114,747,009	$ 145,654,657	$ 159,720,053	$ 245,054,517	$ 236,162,456							$ 15,864,357
RECEIPTS:													
Cigarette Tax	69,708,587	51,733,707	64,925,784	59,829,609	62,332,930	56,116,441							364,647,058
State Share of NYC Cigarette Tax	1,648,000	1,459,000	1,274,000	1,676,000	1,306,000	1,626,000							8,989,000
Vapor Excise Tax	195,233	36,284	6,603,432	121,491	8,416	7,791,035							14,755,891
STIP Interest	25,976	16,935	19,037	14,171	14,291	22,003							112,413
Public Asset Transfers	-	-	-	-	-	-							-
Assessments	414,748,474	457,225,416	477,819,714	458,852,224	457,886,237	461,408,108							2,727,940,173
Fees	279,000	75,000	757,099	897,000	1,566,000	618,000							4,192,099
Rebates	4,640,806	263,285	6,664,296	5,005,057	1,011,717	7,553,581							25,138,742
Restitution and Settlements	-	-	-	-	-	-							-
Miscellaneous	-	1,104	3,026,622	8,171	18,066	-							3,053,963
Total Receipts	**491,246,076**	**510,810,731**	**561,089,984**	**526,403,723**	**524,143,657**	**535,135,168**	**-**	**-**	**-**	**-**	**-**	**-**	**3,148,829,339**
DISBURSEMENTS:													
Grants	389,370,867	471,920,457	537,645,318	431,140,487	525,222,097	516,132,496							2,871,431,722
Interest - Late Payments	47	108	157	1,060	1,583	1,361							4,316
Personal Service	927,463	929,434	521,245	742,436	1,060,813	1,319,948							5,501,339
Non-Personal Service	952,452	6,137,767	6,694,728	2,687,862	5,697,716	4,428,571							26,599,096
Employee Benefits/Indirect Costs	577,094	581,800	737,800	148,953	661,882	711,327							3,418,856
Total Disbursements	**391,827,923**	**479,569,566**	**545,599,248**	**434,720,798**	**532,644,091**	**522,593,703**	**-**	**-**	**-**	**-**	**-**	**-**	**2,906,955,329**
OPERATING TRANSFERS:													
Transfers to Capital Projects Fund	-	-	-	-	-	-							-
Transfers to General Fund	-	1,104	602,000	6,229,171	-	-							6,832,275
Transfers to Revenue Bond Tax Fund	-	-	-	-	-	-							-
Transfers to Miscellaneous Special Revenue Fund:													
Administration Program Account	326,891	-	340,322	-	-	-							667,213
Empire State Stem Cell Trust Account	-	-	-	-	-	-							-
Transfers to SUNY Income Fund	208,610	332,413	483,018	119,290	391,627	320,003							1,854,961
Total Operating Transfers	**535,501**	**333,517**	**1,425,340**	**6,348,461**	**391,627**	**320,003**	**-**	**-**	**-**	**-**	**-**	**-**	**9,354,449**
Total Disbursements and Transfers	**392,363,424**	**479,903,083**	**547,024,588**	**441,069,259**	**533,035,718**	**522,913,706**	**-**	**-**	**-**	**-**	**-**	**-**	**2,916,309,778**
CLOSING CASH BALANCE	**$ 114,747,009**	**$ 145,654,657**	**$ 159,720,053**	**$ 245,054,517**	**$ 236,162,456**	**$ 248,383,918**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 248,383,918**

STATE OF NEW YORK **APPENDIX B**
HCRA RESOURCES FUND
STATEMENT OF PROGRAM DISBURSEMENTS
FISCAL YEAR 2021-2022

Program/Purpose	Appropriation Amount (*)	September	6 Months Ended September 30, 2021 (**)
CENTER FOR COMMUNITY HEALTH PROGRAM	**$ 8,827,000.00**	**$ 257,051.32**	**$ 1,160,955.29**
CENTER FOR COMMUNITY HLTH	8,827,000.00	257,051.32	1,160,955.29
CHILD HEALTH INSURANCE PROGRAM	**1,901,406,000.00**	**106,671,488.08**	**348,038,338.36**
CHILD HEALTH INSURANCE	1,901,406,000.00	106,671,488.08	348,038,338.36
COMMUNITY SUPPORT PROGRAM	**120,000.00**	**-**	**-**
COMMUNITY SUPPORT	120,000.00	-	-
ELDERLY PHARMACEUTICAL INS COVERAGE PRC	**234,330,000.00**	**9,986,691.92**	**52,629,230.07**
ELDERLY PHARMACEUTICAL INSURANCE COVERAGE	234,330,000.00	9,986,691.92	52,629,230.07
HEALTH CARE REFORM ACT PROGRAM	**1,240,915,059.03**	**961,130.84**	**177,861,514.61**
AIDS DRUG ASSISTANCE	82,100,000.00	-	-
AMBULATORY CARE TRAINING	3,537,000.00	(2,105.47)	(2,105.47)
AREA HEALTH EDUCATION CENTER	3,387,000.00	-	-
COMMISSIONER EMERGENCY DISTRIBUTIONS	5,800,000.00	-	-
DIAGNOSTIC AND TREATMENT CTR UNCOMPENSATED CARE	108,800,000.00	-	-
DIVERSITY IN MEDICINE	4,782,000.00	-	-
EMPIRE CLINIC RESEARCH INVESTMENT (ECRIP)	6,890,000.00	-	-
HCRA PAYOR / PROVIDER AUDITS	9,440,000.00	214,000.00	2,272,295.00
HEALTH FACILITY RESTRUCTURING DASNY	39,200,000.00	-	9,600,000.00
HEALTH WORKFORCE RETRAINING	18,320,000.00	-	42,156.42
INFERTILITY SERVICES GRANTS	5,733,000.00	205,241.22	312,094.61
MEDICAL INDEMNITY FUND	52,000,000.00	-	52,000,000.00
PART 405.4 HOSPITAL AUDITS NYCRR	2,200,000.00	-	289,283.89
PHYSICIAN EXCESS MEDICAL MALPRACTICE	207,200,000.00	-	81,578,175.00
PHYSICIAN LOAN REPAYMENT	36,260,000.00	44,515.00	1,918,522.46
PHYSICIAN WORKFORCE STUDIES	974,000.00	-	-
POISON CONTROL CENTERS	8,720,000.00	-	-
POOL ADMINISTRATION	5,300,000.00	243,988.43	1,652,826.93
ROSWELL PARK CANCER INSTITUTE	89,426,000.00	-	25,732,000.00
ROSWELL PARK COMPREHENSIVE CANCER CENTER	50,000.00	-	-
RURAL HEALTH CARE ACCESS	15,950,000.00	-	-
RURAL HEALTH CARE ACCESS & NETWORK DEVELOPMENT	18,820,000.00	255,491.66	2,466,265.77
RURAL HEALTH CARE GRANTS	2,200,000.00	-	-
RURAL HEALTH NETWORK	11,610,000.00	-	-
SCHOOL BASED HEALTH CENTERS	4,230,000.00	-	-
SCHOOL BASED HEALTH CLINICS-POOL ADMN	8,460,000.00	-	-
TRANSITION ACCT - PRIOR YEAR ALLOCATION	489,526,059.03	-	-
MEDICAL ASSISTANCE PROGRAM	**28,799,805,000.00**	**400,548,411.18**	**2,309,267,810.07**
HOME HEALTH RATE INCREASE	300,000,000.00	-	-
MEDICAID INDIGENT CARE	4,387,400,000.00	50,548,411.18	309,267,810.07
MEDICAL ASSISTANCE	23,129,205,000.00	350,000,000.00	2,000,000,000.00
PSNL CRE WRKR RECR & RETEN NYC (***)	916,000,000.00	-	-
PSNL CRE WRKR RECR & RETEN ROS (****)	67,200,000.00	-	-
NEW YORK STATE OF HEALTH	**85,091,000.00**	**2,912,960.24**	**13,893,208.83**
NEW YORK STATE OF HEALTH ADMINISTRATION	85,091,000.00	2,912,960.24	13,893,208.83
OFFICE OF HEALTH INSURANCE PROGRAM	**1,834,000.00**	**-**	**-**
OFFICE OF HEALTH INSURANCE	1,834,000.00	-	-
OFFICE OF HEALTH SYSTEMS MANAGEMENT	**35,795,000.00**	**1,180,625.65**	**4,494,025.44**
OFFICE HEALTH SYSTEMS MANAGEMENT	35,795,000.00	1,180,625.65	4,494,025.44
REVENUE, PROCESSING & RECONCILIATION	**8,190,000.00**	**396,232.20**	**1,466,093.40**
REVENUE, PROCESSING & RECONCILIATION	8,190,000.00	396,232.20	1,466,093.40
TOTAL	**32,316,313,059.03**	**522,914,591.43**	**2,908,811,176.07**
Reclass of SUNY Hospital Disprop Share to Transfer		(320,002.65)	(1,854,961.45)
Reclass of SUNY Hospital Poison Control Centers to Transfer		-	-
Reclass of SUNY Empire Clinical Research Investigator Program to Transfer		-	-
Reconciling Adjustment (P-Card and T-Card)		(885.28)	(885.28)
TOTAL REPORTED AMOUNT	**$ 32,316,313,059.03**	**$ 522,593,703.50**	**$ 2,906,955,329.34**

(*) Includes amounts appropriated in SFY 2021-22, as well as prior year appropriations that were reappropriated.
(**) Disbursements from the HCRA Resources Fund includes direct grant payments to program beneficiaries, services and expenses for administration of grant programs, and transfers to the Public Goods Pool to finance payments made by the State's fiscal agent.
(***) Full title is: NYC Personal Care Workforce Recruitment and Retention Rates Grants.
(****) Full title is: Personal Care Workforce Recruitment and Retention Rates Grants.

STATE OF NEW YORK
STATEMENT OF CASH FLOW - PUBLIC GOODS POOL
FISCAL YEAR 2021-2022

	1st Quarter APRIL - JUNE	2021 JULY	2021 AUGUST	2021 SEPTEMBER	2021-2022
OPENING CASH BALANCE	$ 293,876,869.61	$ 340,535,703.17	$ 351,129,809.02	$ 349,663,802.91	$ 293,876,869.61
RECEIPTS:					
Patient Services	989,188,683.61	338,440,078.85	309,622,630.51	341,397,849.88	1,978,649,242.85
Covered Lives	249,351,336.48	80,837,002.88	79,960,166.04	84,310,348.38	494,458,853.78
Provider Assessments	26,801,341.23	9,201,453.33	9,294,330.35	6,664,575.92	51,961,700.83
1% Assessments	119,091,702.00	37,196,732.00	39,821,503.00	35,426,678.00	231,536,615.00
DASNY- MOE/Recast receivables	-	-	-	-	-
Interest Income	3,690.30	1,226.45	1,270.31	1,188.87	7,375.93
Unassigned	(357,587.66)	(955,771.00)	13,126,514.00	(13,047,651.00)	(1,234,495.66)
Total Receipts	**1,384,079,165.96**	**464,720,722.51**	**451,826,414.21**	**454,752,990.05**	**2,755,379,292.73**
PROGRAM DISBURSEMENTS:					
Poison Control Centers	-	-	-	-	-
School Based Health Center Grants	-	-	-	-	-
ECRIP Distributions	-	-	-	-	-
Total Program Disbursements	**-**	**-**	**-**	**-**	**-**
Excess (Deficiency) of Receipts over Disbursements	**1,384,079,165.96**	**464,720,722.51**	**451,826,414.21**	**454,752,990.05**	**2,755,379,292.73**
OTHER FINANCING SOURCES (USES):					
Transfers From Other Pools:					
Medicaid Disproportionate Share	-	-	-	-	-
Health Facility Assessment Fund - Hospital Quality Contribution	12,373,155.00	4,725,578.00	4,593,788.00	4,826,560.00	26,519,081.00
Transfers From State Funds:					
HCRA Resources Fund	-	-	-	-	-
Total Other Financing Sources	**12,373,155.00**	**4,725,578.00**	**4,593,788.00**	**4,826,560.00**	**26,519,081.00**
Transfers To Other Pools:					
Medicaid Disproportionate Share	-	-	-	-	-
Health Facility Assessment Fund	-	-	-	-	-
Transfers To State Funds:					
HCRA Resources Fund	(1,349,793,487.40)	(458,852,194.66)	(457,886,208.32)	(461,408,070.66)	(2,727,939,961.04)
Indigent Care Fund - Matched	-	-	-	-	-
Indigent Care Fund - Unmatched	-	-	-	-	-
Total Other Financing Uses	**(1,349,793,487.40)**	**(458,852,194.66)**	**(457,886,208.32)**	**(461,408,070.66)**	**(2,727,939,961.04)**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**46,658,833.56**	**10,594,105.85**	**(1,466,006.11)**	**(1,828,520.61)**	**53,958,412.69**
CLOSING CASH BALANCE	$ 340,535,703.17	$ 351,129,809.02	$ 349,663,802.91	$ 347,835,282.30	$ 347,835,282.30

Source: HCRA - Office of Pool Administration

APPENDIX D

STATE OF NEW YORK
STATEMENT OF CASH FLOW - MEDICAID DISPROPORTIONATE SHARE
FISCAL YEAR 2021-2022

	1st Quarter APRIL - JUNE	2021 JULY	2021 AUGUST	2021 AUGUST	2021-2022
OPENING CASH BALANCE	**$ 55,655.52**	**$ 33,659.27**	**$ 15,807.40**	**$ 27,092.65**	**$ 55,655.52**
RECEIPTS:					
Interest Income	63.25	28.57	37.47	13.52	142.81
Total Receipts	**63.25**	**28.57**	**37.47**	**13.52**	**142.81**
PROGRAM DISBURSEMENTS:					
Indigent Care	(159,709,275.51)	(53,405,218.63)	(53,405,218.63)	(53,405,218.63)	(319,924,931.40)
High Need Indigent Care	-	-	-	-	-
Other	(162,011.93)	-	6,651,912.01	2,816,019.40	9,305,919.48
Total Program Disbursements	**(159,871,287.44)**	**(53,405,218.63)**	**(46,753,306.62)**	**(50,589,199.23)**	**(310,619,011.92)**
Excess (Deficiency) of Receipts over Disbursements	**(159,871,224.19)**	**(53,405,190.06)**	**(46,753,269.15)**	**(50,589,185.71)**	**(310,618,869.11)**
OTHER FINANCING SOURCES (USES):					
Transfers From Other Pools:					
Public Goods Pool	-	-	-	-	-
Health Facility Assessment Fund	-	-	-	-	-
Transfers From State Funds:					
HCRA Resources Indigent Care - Matched	69,945,871.37	23,391,485.76	23,391,485.76	23,391,485.76	140,120,328.65
HCRA Resources Indigent Care - Unmatched	161,543.16	(17,851.81)	(6,640,635.66)	(2,801,821.24)	(9,298,765.55)
Federal DHHS Fund	89,747,898.87	30,013,732.87	30,013,732.87	30,013,732.87	179,789,097.48
Other	-	-	-	-	-
Total Other Financing Sources	**159,855,313.40**	**53,387,366.82**	**46,764,582.97**	**50,603,397.39**	**310,610,660.58**
Transfers To Other Pools:					
Public Goods Pool	-	-	-	-	-
Health Facility Assessment Fund	-	-	-	-	-
Transfers To State Funds:					
HCRA Resources Fund Indigent Care Acct	(116.96)	(28.63)	(28.57)	(37.47)	(211.63)
CSRA Inc (eMedNY) General Fund	(5,968.50)	-	-	-	(5,968.50)
Total Other Financing Uses	**(6,085.46)**	**(28.63)**	**(28.57)**	**(37.47)**	**(6,180.13)**
Excess (Deficiency) of Receipts and Other Financing Sources over Disbursements and Other Financing Uses	**(21,996.25)**	**(17,851.87)**	**11,285.25**	**14,174.21**	**(14,388.66)**
CLOSING CASH BALANCE	**$ 33,659.27**	**$ 15,807.40**	**$ 27,092.65**	**$ 41,266.86**	**$ 41,266.86**

Source: HCRA - Office of Pool Administration

STATE OF NEW YORK
SUMMARY OF OFF-BUDGET SPENDING REPORT
FISCAL YEAR 2021-2022
(amounts in thousands)

APPENDIX E

	2021 APRIL	2021 MAY	2021 JUNE	2021 JULY	2021 AUGUST	2021 SEPTEMBER	2021 OCTOBER	2021 NOVEMBER	2021 DECEMBER	2022 JANUARY	2022 FEBRUARY	2022 MARCH	2021-2022 TOTAL
DORMITORY AUTHORITY:													
Education - All Other	$ -	$ -	$ -	$ -	$ -	$ 7							$ 7
Education - EXCEL	34	2,058	1,281	-	192	-							3,565
Department of Health - All Other	-	-	-	-	-	-							-
Community Enhancement Facilities Assistance Program (CEFAP)	-	-	-	70	-	-							70
Regional Development:													
Community Capital Assistance Program (CCAP)/RESTORE	70	181	554	125	411	543							1,884
Multi-modal	-	-	-	-	-	-							-
GenNYsis	-	-	-	-	-	-							-
CUNY Senior Colleges	-	-	-	-	-	-							-
CUNY Community Colleges	-	-	-	-	-	-							-
Brooklyn Court Officer Training Academy	21	-	42	-	-	-							63
TOTAL DORMITORY AUTHORITY	**125**	**2,239**	**1,877**	**195**	**603**	**550**	**-**	**-**	**-**	**-**	**-**	**-**	**5,589**
EMPIRE STATE DEVELOPMENT CORP:													
Regional Development:													
Centers of Excellence	-	-	-	-	-	-							-
Community Capital Assistance Program (CCAP)	-	-	-	-	-	-							-
Empire Opportunity	-	-	-	-	-	-							-
Community Enhancement Facilities Assistance Program (CEFAP)	-	-	-	-	-	-							-
State Facilities and Equipment	-	-	-	-	-	-							-
TOTAL EMPIRE STATE DEVELOPMENT CORP	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**	**-**
TOTAL OFF-BUDGET	**$ 125**	**$ 2,239**	**$ 1,877**	**$ 195**	**$ 603**	**$ 550**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 5,589**

The Division of the Budget (DOB) is responsible for organizing and presenting the above schedule of 'Off Budget Spending'. Such reported disbursements are drawn from unaudited financial data provided by public authorities. Although the Office of the State Comptroller (OSC) has no reason to believe this information to be unreliable, it is important to note that these program disbursements are financed with public authority bond proceeds deposited directly into public authority accounts and all disbursements are made without any oversight by the OSC. Therefore, and pursuant to the provisions of Chapter 60, §16, of the Laws of 2006; this schedule is provided for information only.

APPENDIX F

STATE OF NEW YORK
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(*)

SFS Fund	ACCOUNT TITLE	June 30, 2021	July 31, 2021	August 31, 2021	Change	September 30, 2021	
	GENERAL FUND						
10050	STATE OPERATIONS AND LOCAL ASSISTANCE	$ -	$ -	$ -	$ -	$ -	(***)
	TOTAL GENERAL FUND	-	-	-	-	-	
	CAPITAL PROJECT AND BOND REIMBURSABLE FUNDS						
30051	HIGHWAY AND BRIDGE CAPITAL	-	-	-	44,726,584.38	44,726,584.38	
30053	AVIATION PURPOSE ACCOUNT	-	-	-	-	-	
30101	REHAB/REPAIR MARITIME	-	-	-	-	-	
30102	D21RVE- MARITIME	-	-	-	-	-	
30103	D36RVE- CENTRAL ADMIN	-	-	-	-	-	
30104	RESIDENCE HALL CAMPUS LET BOND PROCEEDS	-	-	-	-	-	
30105	REHAB/REPAIR ALBANY	-	-	-	-	-	
30106	D01RVE- ALBANY	-	-	-	-	-	
30107	REHAB/REPAIR BINGHAMTON	-	-	-	-	-	
30108	D07RVE- BINGHAMTON	-	-	-	-	-	
30109	REHAB/REPAIR BUFFALO UNIVERSITY	-	-	-	-	-	
30110	D28RVE- SUNY BUFFALO	-	-	-	-	-	
30111	REHAB/REPAIR STONYBROOK	-	-	-	-	-	
30112	D13RVE- STONYBROOK	-	-	-	-	-	
30113	REHAB/REPAIR BROOKLYN	-	-	-	-	-	
30114	D14RVE - HSC BROOKLYN	-	-	-	-	-	
30115	REHAB/REPAIR SYRACUSE	-	-	-	-	-	
30116	D15RVE- HSC SYRACUSE	-	-	-	-	-	
30117	REHAB/REPAIR BROCKPORT	-	-	-	-	-	
30118	D02RVE- BROCKPORT	-	-	-	-	-	
30119	REHAB/REPAIR BUFFALO COLLEGE	-	-	-	-	-	
30120	D03RVE -SUB BUFFALO	-	-	-	-	-	
30121	REHAB/REPAIR CORTLAND	-	-	-	-	-	
30122	D04RVE- CORTLAND	-	-	-	-	-	
30123	REHAB/REPAIR FREDONIA	-	-	-	-	-	
30124	D05RVE- FREDONIA	-	-	-	-	-	
30125	REHAB/REPAIR GENESEO	-	-	-	-	-	
30126	D06RVE- GENESEO	-	-	-	-	-	
30127	REHAB/REPAIR OLD WESTBURY	-	-	-	-	-	
30128	D31RVE- OLD WESTBURY	-	-	-	-	-	
30129	REHAB/REPAIR NEW PALTZ	-	-	-	-	-	
30130	D08RVE- NEW PALTZ	-	-	-	-	-	
30131	REHAB/REPAIR ONEONTA	-	-	-	-	-	
30132	D09RVE- ONEONTA	-	-	-	-	-	
30133	REHAB/REPAIR OSWEGO	-	-	-	-	-	
30134	D10RVE- OSWEGO	-	-	-	-	-	
30135	REHAB/REPAIR PLATTSBURGH	-	-	-	-	-	
30136	D11RVE- PLATTSBURGH	-	-	-	-	-	
30137	REHAB/REPAIR POTSDAM	-	-	-	-	-	
30138	D12RVE- POTSDAM	-	-	-	-	-	
30139	REHAB/REPAIR PURCHASE	-	-	-	-	-	
30140	D29RVE- PURCHASE	-	-	-	-	-	
30141	REHAB/REPAIR FOR UTICA/ROME	-	-	-	-	-	
30142	D27RVE- CAMPUS RESERVE	-	-	-	-	-	
30143	REHAB/REPAIR ALFRED	-	-	-	-	-	
30144	D22RVE- ALFRED	-	-	-	-	-	
30145	REHAB/REPAIR CANTON	-	-	-	-	-	
30146	D23RVE- CANTON	-	-	-	-	-	
30147	REHAB/REPAIR COBLESKILL	-	-	-	-	-	
30148	D24RVE- COBLESKILL	-	-	-	-	-	
30149	REHAB/REPAIR DELHI	-	-	-	-	-	
30150	D25RVE- DELHI	-	-	-	-	-	
30151	REHAB/REPAIR FARMINGDALE	-	-	-	-	-	
30152	D26RVE- FARMINGDALE	-	-	-	-	-	
30153	REHAB/REPAIR MORRISVILLE	-	-	-	-	-	
30154	D27RVE- MORRISVILLE	-	-	-	-	-	
30351	STATE PARK INFRASTRUCTURE	66,042,173.20	74,888,210.25	87,842,261.82	1,278,509.25	89,120,771.07	
30501	CW/CA IMPLEMENTATION DEC	-	-	-	-	-	
30502	CW/CA IMPLEMENTATION STATE	-	-	-	-	-	
30503	CW/CA IMPLEMENTATION ERDA	-	-	-	-	-	
30504	CW/CA IMPLEMENTATION EFC	-	-	-	-	-	
31506	HAZARDOUS WASTE CLEAN UP	111,388,431.64	116,843,135.51	122,167,002.33	8,638,423.79	130,805,426.12	
31701	YOUTH FACILITIES IMPROVEMENT	17,477,826.11	17,932,224.27	18,475,632.28	409,131.09	18,884,763.37	
31801	HOUSING ASSISTANCE	12,941,967.06	12,941,967.06	12,941,967.06	-	12,941,967.06	
31851	HOUSING PROG FD-HSG TR FD CORP	411,069,568.87	441,855,811.87	452,422,178.87	36,144,314.00	488,566,492.87	
31852	HOUSING PROG FD AFFORD HSG CORP	46,318,347.02	46,999,719.02	46,999,719.02	1,005,728.00	48,005,447.02	
31853	HOUSING PROG FD-DEPT OF SOCIAL SERVICES	123,746,517.14	145,746,517.14	145,746,517.14	-	145,746,517.14	
31854	HOUSING PROG FD-HFA	-	-	-	-	-	
31951	HIGHWAY FAC PURPOSE	11,951,592.86	11,951,595.39	11,951,595.39	2.46	11,951,597.85	

STATE OF NEW YORK
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(*)

SFS Fund	ACCOUNT TITLE	June 30, 2021	July 31, 2021	August 31, 2021	Change	September 30, 2021
32213	NY RACING ACCOUNT	153,750.00	153,750.00	153,750.00	-	153,750.00
32214	CAPITAL PROJECT MISC GIFTS	-	-	-	-	-
32215	IT CAPITAL FINANCING ACCT	6,528,054.87	6,609,496.97	6,715,162.90	824,667.95	7,539,830.85
32219	NY ENVIRONMENTAL PROTECTION & SPILL REMEDIATION	-	-	-	281.25	281.25
32301	OPWDD-STATE FACILITIES PRE 12/99	-	-	-	-	-
32302	DSAS-COMMUINTY FACILITIES	-	-	-	-	-
32303	OMH-COMMUNITY FACILITIES	74,666,090.73	75,303,599.04	76,919,643.68	1,872,858.56	78,792,502.24
32304	OPWDD-COMMUNITY FACILITIES	-	-	-	-	-
32305	OASAS-COMMUNITY FACILITIES	187,964,640.21	187,046,790.09	187,354,499.77	600,000.00	187,954,499.77
32306	DASNY - OMH ADMIN	-	-	-	-	-
32307	DASNY - OPWDD ADMIN	7,893,352.32	7,893,352.32	7,893,352.32	-	7,893,352.32
32308	DASNY - OASAS ADMIN	2,089,088.09	2,089,088.09	2,089,088.09	-	2,089,088.09
32309	OMH -STATE FACILITIES	109,095,443.82	117,159,978.00	124,880,253.74	18,244,198.72	143,124,452.46
32310	OPWDD -STATE FACILITIES	29,210,987.12	29,296,905.34	32,257,758.34	6,923,342.27	39,181,100.61
32311	OASAS -STATE FACILITIES	2,572,582.78	2,572,582.78	2,604,621.98	1,067,921.95	3,672,543.93
32351	CORR. FACILITIES CAPITAL IMPROVEMENT	-	-	-	-	-
32352	DOCS-REHABILITATION PROJECTS	249,072,740.98	279,292,954.07	300,095,112.77	36,913,945.75	337,009,058.52
32353	CORR. FACILITIES CAPITAL CLOSURE	-	-	-	-	-
33001	STORM RECOVERY ACCOUNT	61,263,748.10	61,877,918.20	63,092,260.56	(5,688,704.46)	57,403,556.10
	TOTAL CAPITAL AND BOND REIMBURSABLE FUNDS	**1,531,446,902.92**	**1,638,455,595.41**	**1,702,602,378.06**	**152,961,204.96**	**1,855,563,583.02**
	STATE SPECIAL REVENUE FUNDS					
20401	DOL-CHILD PERFORMER PROTECTION ACCOUNT	-	-	-	-	-
20501	LOCAL GOVERNMENT RECORDS MGMT	-	-	-	-	-
20810	CHILD HEALTH INSURANCE	-	2,010,736.06	40,292,806.60	(33,328,511.92)	6,964,294.68
20818	EPIC PREMIUM ACCOUNT	-	-	1,431,414.76	(1,431,414.76)	-
20901	LOTTERY-EDUCATION	-	-	-	1,475,516,971.83	1,475,516,971.83
20904	VLT EDUCATION	-	-	-	-	-
21001	ENVIR FAC CORP ADM ACCT	-	-	-	-	-
21002	ENCON ADMIN ACCT	3,370,147.32	3,404,514.02	3,438,880.72	62,201.23	3,501,081.95
21061	HAZARDOUS BULK STORAGE	-	-	-	-	-
21064	UTILITY ENVIRONMENTAL REGULATORY ACCOUNT	199.99	199.99	199.99	-	199.99
21065	FEDERAL GRANTS INDIRECT COST RECOVERY ACCOUNT	2,215,821.04	3,047,075.61	377,344.16	893,966.44	1,271,310.60
21066	ENCON-LOW LEVEL RADIOACTIVE WASTE SITING	3,845,719.60	4,011,022.45	3,623,489.57	284,803.32	3,908,292.89
21067	ENCON-RECREATION	-	-	-	-	-
21077	PUBLIC SAFETY RECOVERY ACCOUNT	-	-	-	-	-
21081	ENVIRONMENTAL REGULATORY	67,530,934.74	71,429,506.64	72,218,494.08	2,136,381.53	74,354,875.61
21082	NATURAL RESOURCES ACCOUNT	15,847,704.98	15,598,236.07	15,331,378.94	260,332.09	15,591,711.03
21084	MINED LAND RECLAMATION ACCT	-	-	-	-	-
21087	GREAT LAKES RESTORATION INITIATIVE	-	-	-	-	-
21201	AUDIT AND CONTROL OIL SPILL	11,279.96	-	64.25	(64.25)	-
21202	HEALTH DEPT OIL SPILL	-	-	-	-	-
21203	DEPT OF ENVIRONMENTAL CONSERVATION OIL SPILL	46,785.85	5,365.85	-	574.00	574.00
21204	OIL SPILL COMPENSATION	-	-	-	-	-
21205	LICENSE FEE SURCHARGES	-	-	-	-	-
21401	PUBLIC TRANSPORTATION SYSTEMS	-	-	-	-	-
21402	METROPOLITAN MASS TRANSPORTATION	-	-	-	-	-
21451	OPERATING PERMIT PROGRAM	36,121,060.76	36,621,804.17	37,068,640.45	650,953.95	37,719,594.40
21452	MOBILE SOURCE	31,799.56	-	-	-	-
21902	HEALTH-SPARC'S	-	-	-	-	-
21905	THRUWAY AUTHORITY ACCT	9,386,771.55	1,949,428.65	6,242,917.66	1,516,761.26	7,759,678.92
21907	MENTAL HYGIENE PROGRAM	-	-	-	-	-
21909	MENTAL HYGIENE PATIENT INCOME ACCOUNT	-	-	-	-	-
21911	FINANCIAL CONTROL BOARD	509,423.54	203,123.27	313,183.21	193,119.16	506,302.37
21912	RACING REGULATION ACCOUNT	4,973,721.60	3,947,736.54	4,649,675.16	(240,624.75)	4,409,050.41
21937	SU DORM INCOME REIMBURSE	215,711.72	597,460.05	189,699.51	102,259.42	291,958.93
21945	CRIMINAL JUSTICE IMPROVEMENT	-	-	-	-	-
21959	ENV LAB REF FEE	-	-	-	-	-
21961	TRAINING, MANAGEMENT AND EVALUATION ACCOUNT	540,292.31	450,383.72	223,940.20	7,290.01	231,230.21
21962	CLINICAL LAB FEE	9,993,560.00	10,272,852.75	8,340,403.85	(397,868.32)	7,942,535.53
21978	INDIRECT COST RECOVERY	35,364.34	-	-	2,870,703.12	2,870,703.12
21989	MULTI - AGENCY TRAINING ACCOUNT	-	-	-	-	-
22003	BELL JAR COLLECTION ACCOUNT	-	-	-	-	-
22004	INDUSTRY AND UTILITY SERVICE	-	-	-	-	-
22006	REAL PROPERTY DISPOSITION	-	-	-	-	-
22007	PARKING ACCOUNT	610,893.40	444,888.42	520,924.14	(139,144.50)	381,779.64
22008	COURTS SPECIAL GRANTS	-	-	-	-	-
22009	ASBESTOS SAFETY TRAINING	18,000.51	15,581.59	29,810.04	4,582.94	34,392.98
22017	CAMP SMITH BILLETING ACCOUNT	-	-	-	-	-
22032	BATAVIA SCHOOL FOR THE BLIND	7,665,544.01	6,012,558.06	6,510,690.94	799,798.62	7,310,489.56
22034	INVESTMENT SERVICES	-	-	-	-	-
22036	SURPLUS PROPERTY ACCOUNT	-	-	-	-	-
22039	FINANCIAL OVERSIGHT	930,669.96	385,341.10	675,928.05	447,103.74	1,123,031.79
22046	REGULATION INDIAN GAMING	100,974,321.14	101,422,181.41	101,769,828.62	763,626.12	102,533,454.74

STATE OF NEW YORK
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(*)

SFS Fund	ACCOUNT TITLE	June 30, 2021	July 31, 2021	August 31, 2021	Change	September 30, 2021	
22053	ROME SCHOOL FOR THE DEAF	3,331,812.71	2,627,388.24	3,092,914.19	596,348.82	3,689,263.01	
22054	DSP-SEIZED ASSETS	64,545.50	-	-	-	-	
22055	ADMINISTRATIVE ADJUDICATION	46,585,537.84	46,076,509.55	41,923,286.23	1,168,586.60	43,091,872.83	
22056	FEDERAL SALARY SHARING	492,332.40	603,326.82	714,393.92	144,399.29	858,793.21	
22062	NYC ASSESSMENT ACCT	-	-	-	-	-	
22063	CULTURAL EDUCATION ACCOUNT	-	-	-	-	-	
22078	LOCAL SERVICE ACCOUNT	-	-	-	-	-	
22085	DHCR MORTGAGE SERVICES	2,713,150.85	2,901,624.69	3,087,052.87	249,078.86	3,336,131.73	
22090	HOUSING INDIRECT COST RECOVERY	-	-	-	-	-	
22100	DHCR-HOUSING CREDIT AGENCY APPLY FEE	12,662,667.45	12,886,980.34	13,565,918.50	212,299.78	13,778,218.28	
22130	LOW INCOME HOUSING CREDIT MONITORING	-	-	-	-	-	
22135	EFC-CORPORATION ADMINISTRATION	-	-	-	-	-	
22144	MONTROSE VETERAN'S HOME	-	-	-	-	-	
22151	DEFERRED COMPENSATION ADMIN	119,000.23	188,226.07	241,356.09	(97,718.63)	143,637.46	
22156	RENT REVENUE OTHER - NYC	-	-	1,154,510.86	5,946,902.10	7,101,412.96	
22158	RENT REVENUE	-	-	-	-	-	
22168	TAX REVENUE ARREARAGE ACCOUNT	-	-	-	-	-	
22240	NYS MEDICAL INDEMNITY FUND ACCOUNT	1,597,471.15	1,739,009.09	1,873,300.98	165,260.34	2,038,561.32	
22246	BEHAVIORAL HEALTH PARITY COMPLIANCE FUND	-	-	-	-	-	
22654	S.U. NON-RESIDENT REV. OFFSET	20,681,638.25	20,682,452.78	20,683,236.58	861.53	20,684,098.11	
22751	LAKE GEORGE PARK TRUST FUND	-	-	-	-	-	
22802	STATE POLICE MV ENFORCE	-	-	-	-	-	
23001	DOT - HIGHWAY SAFETY PRGM	17,373,720.04	17,633,177.47	17,859,634.90	345,577.18	18,205,212.08	
23102	DOH DRINKING WATER PROGRAM	5,350,949.70	5,350,949.70	5,350,949.70	-	5,350,949.70	
23151	NYCCC OPERATING OFFSET	37,175,468.65	39,593,606.09	42,068,515.76	4,271,214.81	46,339,730.57	
23702	COMMERCIAL GAMING REGULATION	23,330,986.14	23,663,056.43	24,107,595.16	408,988.82	24,516,583.98	
23801	HIGHWAY USE TAX ADMIN	-	-	-	-	-	
23806	NYS SECURE CHOICE ADMIN	-	-	-	-	-	
24951	FANTASY SPORTS ADMINISTRATION	86,832.85	86,832.85	123,255.43	-	123,255.43	
	TOTAL STATE SPECIAL REVENUE FUNDS	**436,441,841.64**	**435,863,136.54**	**479,095,636.07**	**1,464,385,599.78**	**1,943,481,235.85**	
	FEDERAL FUNDS						
25000-25099	FEDERAL USDA/FOOD AND NUTRITION SERVICES FUND	37,672,612.47	133,780,594.05	33,589,018.05	1,770,431.56	35,359,449.61	
25100-25199	FEDERAL HEALTH AND HUMAN SERVICES FUND	1,198,046,246.39	497,912,864.90	807,030,432.35	(136,714,121.76)	670,316,310.59	
25200-25249	FEDERAL EDUCATION GRANTS FUND	31,582,575.77	45,834,057.21	40,461,589.06	12,804,962.98	53,266,552.04	
25250-25299	FEDERAL DHHS BLOCK GRANTS	-	-	-	-	-	
25300-25899	FEDERAL OPERATING GRANTS FUND	538,608,482.41	564,479,604.33	524,272,507.95	44,787,732.32	569,060,240.27	
31351	MILITARY AND NAVAL AFFAIRS	8,753,932.66	8,753,932.66	8,753,932.66	-	8,753,932.66	
31354	DEPARTMENT OF TRANSPORTATION	832,053,228.03	877,883,127.31	862,165,930.94	93,088,517.44	955,254,448.38	
31350-31449	FEDERAL CAPITAL PROJECTS FUND (ALL OTHER)	134,776,501.88	113,553,690.44	106,505,894.41	6,596,434.01	113,102,328.42	
25900-25949	UNEMPLOYMENT INSURANCE ADMINISTRATION	104,420,129.28	64,556,111.78	53,685,610.90	(34,773,338.55)	18,912,272.35	
25950	FEDERAL UNEMPLOYMENT INS OCCUPATIONAL TRAINING	432,562.15	468,525.14	490,961.14	55,117.00	546,078.14	
26001-26049	DOL EMPLOYMENT AND TRAINING GRANTS	5,017,803.97	12,918,019.11	5,494,904.41	(3,441,326.58)	2,053,577.83	
	TOTAL FEDERAL FUNDS	**2,891,364,075.01**	**2,320,140,526.93**	**2,442,450,781.87**	**(15,825,591.58)**	**2,426,625,190.29**	(**)
	AGENCY FUNDS						
60201	EMPLOYEES HEALTH INSURANCE ACCT	-	-	-	-	-	
60901	MMIS - STATE AND FEDERAL	-	-	-	-	-	
	TOTAL AGENCY FUNDS	**-**	**-**	**-**	**-**	**-**	
	ENTERPRISE FUND						
50318	OGS CONVENTION CENTER ACCOUNT	1,098,830.91	1,124,270.70	1,209,303.63	6,124.48	1,215,428.11	
50327	EMPIRE PLAZA GIFT SHOP	306,403.29	310,080.93	322,747.92	3,515.60	326,263.52	
	TOTAL ENTERPRISE FUND	**1,405,234.20**	**1,434,351.63**	**1,532,051.55**	**9,640.08**	**1,541,691.63**	
	INTERNAL SERVICE FUNDS						
55001	CENTRALIZED SERVICES-FLEET MGMT	-	-	-	-	-	
55002	CENTRALIZED SERVICES-DATA PROCESSING	-	-	-	-	-	
55003	CENTRALIZED SERVICES-PRINTING	813,075.59	787,671.65	768,506.35	47,789.08	816,295.43	
55004	CENTRALIZED SERVICES-REAL PROPERTY-LABOR	-	-	-	-	-	
55005	CENTRALIZED SERVICES-DONATED FOODS	-	-	-	-	-	
55006	CENTRALIZED SERVICES-PERSONAL PROPERTY	37,385.82	38,144.90	31,016.05	(102.65)	30,913.40	
55007	CENTRALIZED SERVICES-CONSTRUCTION SERVICES	2,063,927.81	1,979,716.44	1,632,826.56	(189,675.88)	1,443,150.68	
55008	CENTRALIZED SERVICES-PASNY	15,703,765.46	17,551,098.23	20,098,744.63	(2,873,613.32)	17,225,131.31	
55009	CENTRALIZED SERVICES-ADMIN SUPPORT	-	-	-	-	-	
55010	CENTRALIZED SERVICES-DESIGN AND CONSTR	8,935,869.21	10,510,266.85	11,830,107.48	(1,532,619.92)	10,297,487.56	
55011	CENTRALIZED SERVICES-INSURANCE	5,174,413.72	3,667,416.52	5,326,626.44	(5,326,626.44)	-	
55012	CENTRALIZED SERVICES-SECURITY CARD ACCESS	176,261.32	197,672.32	186,169.06	(4,264.00)	181,905.06	
55013	CENTRALIZED SERVICES-COP'S	-	-	-	-	-	
55014	CENTRALIZED SERVICES-FOOD SERVICES	-	-	-	-	-	
55015	CENTRALIZED SERVICES-HOMER FOLKS	-	-	-	-	-	
55016	CENTRALIZED SERVICES-IMMICS	1,030,741.49	1,208,006.69	1,142,959.02	(35,749.65)	1,107,209.37	
55017	DOWNSTATE WAREHOUSE	234,618.33	265,411.69	333,864.57	(76,615.01)	257,249.56	

STATE OF NEW YORK
SCHEDULE OF MONTH-END TEMPORARY LOANS OUTSTANDING(*)

SFS Fund	ACCOUNT TITLE	June 30, 2021	July 31, 2021	August 31, 2021	Change	September 30, 2021
55018	BUILDING ADMINISTRATION	-	-	-	-	-
55019	LEASE SPACE INITIATIVE	-	-	-	-	-
55020	OGS ENTERPRISE CONTRACTING ACCT	76,090,731.73	80,918,696.85	79,200,309.39	716,299.52	79,916,608.91
55021	NYS MEDIA CENTER	11,386,522.31	11,679,592.14	12,037,834.53	425,507.21	12,463,341.74
55022	BUSINESS SERVICES CENTER	7,182,232.43	9,418,091.80	11,525,013.03	3,307,506.96	14,832,519.99
55052	ARCHIVES RECORD MGMT I.S.	70,888.26	129,280.63	-	-	-
55053	FEDERAL SINGLE AUDIT	-	-	-	-	-
55055	CIVIL SERVICE ADMINISTRATION ACCOUNT	-	-	-	-	-
55056	CIVIL SERVICE EHS OCCUP HEALTH PROG	-	-	-	-	-
55057	BANKING SERVICES ACCOUNT	15,764.35	5,463.94	1,336,235.15	(1,264,812.22)	71,422.93
55058	CULTURAL RESOURCE SURVEY	4,359,448.91	4,659,969.05	4,928,906.95	360,265.79	5,289,172.74
55059	NEIGHBOR WORK PROJECT	11,296,993.68	11,269,402.91	11,314,556.85	150,359.77	11,464,916.62
55060	AUTOMATIC/PRINT CHARGBACKS	3,656,916.87	1,428,528.32	2,175,502.42	(2,175,502.42)	-
55061	OFT NYT ACCT	-	-	-	-	-
55062	DATA CENTER ACCOUNT	90,994,888.51	90,994,888.51	89,972,432.05	(400,468.31)	89,571,963.74
55066	CYBER SECURITY INTRUSION ACCT	1,261,584.27	1,261,584.27	1,261,584.27	-	1,261,584.27
55067	DOMESTIC VIOLENCE GRANT	73,887.50	60,178.03	50,953.68	14,222.35	65,176.03
55069	CENTRALIZED TECHNOLOGY SERVICES	88,661,165.73	88,424,616.49	87,233,540.49	10,339,468.61	97,573,009.10
55071	LABOR CONTACT CENTER ACCT	976,318.57	1,242,037.90	1,589,170.54	280,622.12	1,869,792.66
55072	HUMAN SERVICES CONTACT CNTR ACCT	-	429,957.28	133,104.21	1,728,247.12	1,861,351.33
55073	TAX CONTACT CENTER ACCT	-	-	-	-	-
55074	CIVIL RECOVERIES ACCT	-	-	-	-	-
55251	EXECUTIVE DIRECTION INTERNAL AUDIT	9,484,210.33	9,801,046.37	9,709,257.68	(53,374.48)	9,655,883.20
55252	CIO INFORMATION TECHNOLOGY CENTRALIZED SERVICES	38,999,924.75	43,652,120.66	46,107,414.03	4,147,864.15	50,255,278.18
55300	HEALTH INSURANCE INTERNAL SERVICE	10,175,309.44	5,132,914.44	-	-	-
55301	CIVIL SERVICE EMPLOYEE BENEFITS DIV ADM	9,131,455.80	9,276,141.02	9,385,117.64	164,696.39	9,549,814.03
55350	CORR INDUSTRIES INTERNAL SERVICE	28,098,676.34	26,762,384.17	28,734,740.91	695,644.07	29,430,384.98
	TOTAL INTERNAL SERVICE FUNDS	**426,086,978.53**	**432,752,300.07**	**438,046,493.98**	**8,445,068.84**	**446,491,562.82**
	GRAND TOTAL - TEMPORARY LOANS OUTSTANDING	**$ 5,286,745,032.30**	**$ 4,828,645,910.58**	**$ 5,063,727,341.53**	**$ 1,609,975,922.08**	**$ 6,673,703,263.61**

(*) Temporary Loans are authorized pursuant to Subdivision 5 of Section 4 of the State Finance Law and Chapter 59, Part JJJ, Section 1, of the Laws of 2021-22. The loans represent authorizations made by the Legislature to allow certain funds/accounts to make appropriated payments regardless of the fund (cash) balance. Such loans are made from the State's Short-Term Investment Pool (STIP) and are intended to satisfy temporary cash shortfalls whenever scheduled disbursements exceed available revenues during the fiscal year. Generally, temporary loans are repaid from the first cash receipts of the fund or account; however, in some cases actual revenues are not sufficient to repay all loans made to the fund or account and a transfer from the General Fund "Repayment of Receivables" appropriation is approved by the Budget Director The balances reported here in Appendix F are the actual fund balances as of the close of business on the last day of the reporting month and do not include post-closing adjustments Please refer to Schedule 1 for a detailed analysis of the 'reported' cash balances of the fund group.

(**) Temporary loans to federal funds are typically reimbursed within 2-3 days. Such loans are made pursuant to federal regulations which require the State to disburse funds prior to making a reimbursement claim from the U.S. Treasury.

(***) Per Section 72 of the State Finance Law, the General Fund includes the Local Assistance Fund (10000) and State Purpose Fund (10050).

STATE OF NEW YORK
DEDICATED INFRASTRUCTURE INVESTMENT FUND(*)
STATEMENT OF RECEIPTS AND DISBURSEMENTS
FISCAL YEAR 2021-2022

APPENDIX G

	2021 APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	2022 JANUARY	FEBRUARY	MARCH	6 Months Ended September 30, 2021
OPENING CASH BALANCE	$ 96,722,524	$ 83,609,252	$ 39,931,404	$ 84,394,170	$ 74,940,119	$ 56,499,178							$ 96,722,524
RECEIPTS:													
Transfers from General Fund (**)	-	-	70,000,000	-	-	-							70,000,000
Other	1,407	-	-	-	-	-							1,407
Total Receipts	1,407	-	70,000,000	-	-	-	-	-	-	-	-	-	70,001,407
DISBURSEMENTS:													
Affordable and Homeless Housing	731,174	1,659,409	2,836,458	1,124,218	1,913,433	2,199,742							10,464,434
Broadband Initiative	4,076,555	25,384,346	8,629,425	1,424,023	6,832,125	269,424							46,615,898
Downtown Revitalization	379,374	1,452,326	407,573	29,085	450,219	490,042							3,208,619
Empire State Poverty Reduction Initiatives	-	1,446,891	415,672	632,562	514,408	240,587							3,250,120
Health Care / Hospital Initiatives	192,187	415,645	-	672,776	-	665,222							1,945,830
Information Technology/Infrastructure for Behavioral Sciences	-	-	-	-	-	-							-
Infrastructure Improvements	-	276,017	1,910,168	28,159	1,640,711	2,489,128							6,344,183
Jacob Javits Center Expansion	-	-	-	-	-	-							-
Life Sciences Initiative	-	-	994,530	1,437,634	49,999	2,500,000							4,982,163
Municipal Restructuring / Consolidation Competition	606,923	2,912,068	843,903	12,017	1,256,401	364,844							5,996,156
Penn Station Access	-	-	-	-	-	-							-
Resiliency, Mitigation, Security and Emergency Response	-	-	-	-	(338)	-							(338)
Southern Tier / Hudson Valley Farm Initiative	(101,562)	-	338,083	-	(149,466)	-							87,055
Thruway Stabilization Program	-	-	-	-	-	-							-
Transformative Economic Development Projects	866,444	1,948,402	2,911,422	1,491,953	283,784	260,226							7,762,231
Transporation Capital Plan	-	-	-	-	-	-							-
Upstate Revitalization Program	6,363,584	8,182,744	6,250,000	2,601,624	5,649,665	7,719,461							36,767,078
Total Disbursements	13,114,679	43,677,848	25,537,234	9,454,051	18,440,941	17,198,676	-	-	-	-	-	-	127,423,429
OPERATING TRANSFERS:													
Transfers to General Fund	-	-	-	-	-	-							-
Total Operating Transfers	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Disbursements and Transfers	13,114,679	43,677,848	25,537,234	9,454,051	18,440,941	17,198,676	-	-	-	-	-	-	127,423,429
CLOSING CASH BALANCE	$ 83,609,252	$ 39,931,404	$ 84,394,170	$ 74,940,119	$ 56,499,178	$ 39,300,502	$ -	$ -	$ -	$ -	$ -	$ -	$ 39,300,502

(*) Fund created pursuant to Chapter 60, Laws of 2015-16, Part H and SFL § 93-b

(**) Pursuant to Section 93(b) of the State Finance Law

STATE OF NEW YORK **APPENDIX H**

MEDICAL ASSISTANCE DISBURSEMENTS - STATE FUNDS(*)

FISCAL YEAR 2021-2022

	SEPTEMBER 2021			6 MONTHS ENDED SEPTEMBER 30		
	Department of Health	Other State Agencies	September	Department of Health	Other State Agencies	Year to Date
Adult State Share Medicaid	$ -	$ 60,138,509.00	**$ 60,138,509.00**	$ -	$ 126,273,514.00	**$ 126,273,514.00**
State Share Medicaid	32,725,986.00	13,359,362.16	**46,085,348.16**	74,550,190.00	11,422,618.65	**85,972,808.65**
Medical Assistance (OPWDD)	-	479,979,735.00	**479,979,735.00**	-	990,381,484.79	**990,381,484.79**
Medical Assistance Administration	4,823,013.05	45,553,772.00	**50,376,785.05**	31,268,419.87	224,763,431.00	**256,031,850.87**
Population Health Improvement	-	-	**-**	-	-	**-**
Traumatic Brain Injury Services	915,317.23	-	**915,317.23**	5,552,185.14	-	**5,552,185.14**
Nursing Home Transition & Diversion	-	-	**-**	-	-	**-**
Reducing Maternal Mortality	55,641.63	-	**55,641.63**	73,022.09	-	**73,022.09**
New York Connects	-	1,901,428.43	**1,901,428.43**	-	6,160,584.98	**6,160,584.98**
Facilitated Enrollment	320,964.33	-	**320,964.33**	2,026,953.05	-	**2,026,953.05**
Emergency Medical Transportation	-	-	**-**	-	-	**-**
Managed Long-Term Care Ombudsman	-	-	**-**	2,156,641.19	-	**2,156,641.19**
Major Academic Pool	-	-	**-**	-	-	**-**
Women's Health & Multiple Births	-	-	**-**	-	-	**-**
Vital Access Program (OASAS)	-	-	**-**	-	-	**-**
Vital Access Program (OMH)	-	-	**-**	-	-	**-**
Vital Access Provider Services	-	-	**-**	-	-	**-**
General Hospitals Safety-Net Providers	1,500,000.00	-	**1,500,000.00**	1,500,000.00	-	**1,500,000.00**
Rural Transportation	-	-	**-**	-	-	**-**
AIDS Epidemic	994,692.02	-	**994,692.02**	6,004,589.41	-	**6,004,589.41**
Fluoridation Systems	-	-	**-**	-	-	**-**
Expanding Caregiver Support Services	2,721,867.09	-	**2,721,867.09**	11,025,236.47	-	**11,025,236.47**
Provide Affordable Housing	1,303,460.98	2,202,065.41	**3,505,526.39**	12,399,207.41	7,083,807.95	**19,483,015.36**
Health Homes Establishment	-	-	**-**	-	-	**-**
Community Provider Network	-	-	**-**	7,338,194.00	-	**7,338,194.00**
Inpatient Services	69,341,267.14	-	**69,341,267.14**	306,878,031.14	-	**306,878,031.14**
Patient Centered Medical Homes	-	-	**-**	578,400.75	-	**578,400.75**
Outpatient & Emergency Room Services	2,661,148.00	-	**2,661,148.00**	71,976,855.72	-	**71,976,855.72**
Clinic Services	16,993,730.76	-	**16,993,730.76**	108,181,778.98	-	**108,181,778.98**
Nursing Home Services	111,566,159.38	-	**111,566,159.38**	584,417,725.79	-	**584,417,725.79**
Other Long Term Care Services	(191,538,850.22)	-	**(191,538,850.22)**	1,948,244,754.35	-	**1,948,244,754.35**
Managed Care Services	285,487,996.63	-	**285,487,996.63**	2,626,522,913.47	-	**2,626,522,913.47**
Pharmacy Services	15,287,462.41	-	**15,287,462.41**	83,470,116.43	-	**83,470,116.43**
Transportation Services	14,307,642.40	-	**14,307,642.40**	67,402,244.28	-	**67,402,244.28**
Dental Services	281,762.84	-	**281,762.84**	1,737,080.82	-	**1,737,080.82**
Non-Institutional & Other	337,169,161.65	15,772,092.00	**352,941,253.65**	2,488,399,711.91	18,033,689.00	**2,506,433,400.91**
Medical Services State Facilities	74,896,426.24	-	**74,896,426.24**	512,123,423.00	-	**512,123,423.00**
CSEA Family Health Plus Buy In	968,757.25	-	**968,757.25**	968,757.25	-	**968,757.25**
DC37 & Teamster Local 858	-	-	**-**	-	-	**-**
Medical Assistance (HCRA)	350,000,000.00	-	**350,000,000.00**	2,000,000,000.00	-	**2,000,000,000.00**
Indigent Care	50,548,411.18	-	**50,548,411.18**	309,267,810.07	-	**309,267,810.07**
Provider Assessments	72,018,000.00	-	**72,018,000.00**	339,628,000.00	-	**339,628,000.00**
NYC Personal Care Workforce Recruitment and Retention Rates (HCRA)	-	-	**-**	-	-	**-**
Personal Care Workforce Recruitment and Retention Rates (HCRA)	-	-	**-**	-	-	**-**
Home Health Rate Increase (HCRA)	-	-	**-**	-	-	**-**
Additional DSH Payments SUNY	-	-	**-**	165,561,662.36	-	**165,561,662.36**
TOTAL(**)	**1,255,350,017.99**	**618,906,964.00**	**1,874,256,981.99**	**11,769,253,904.95**	**1,384,119,130.37**	**13,153,373,035.32**
Reclassification of Medical Assistance payments for care and treatment of patients at State-operated health, mental hygiene and State University facilities to Transfers.	(79,403,824.84)	-	(79,403,824.84)	(722,680,343.26)	-	(722,680,343.26)
TOTAL REPORTED MEDICAID	**$ 1,175,946,193.15**	**$ 618,906,964.00**	**$ 1,794,853,157.15**	**$ 11,046,573,561.69**	**$ 1,384,119,130.37**	**$ 12,430,692,692.06**

(*) General Fund and State Special Revenue Funds only.
These amounts do not include Medical Assistance spending for State Operations.
These amounts are not comparable to Medicaid Global Cap spending.
Department of Health regularly reclassifies spending between programs,
and therefore amounts for any individual program may be restated by DOH.

(**) Source: Statewide Financial System

STATE OF NEW YORK **APPENDIX I**

MEDICAL ASSISTANCE DISBURSEMENTS - FEDERAL FUNDS(*)

FISCAL YEAR 2021-2022

	SEPTEMBER 2021			6 MONTHS ENDED SEPTEMBER 30		
	Department of Health	Other State Agencies	September	Department of Health	Other State Agencies	Year to Date
Medical Assistance & Survey Certification Program	$ 14,416,154.42	$ -	$ **14,416,154.42**	$ 77,896,579.51	$ -	$ **77,896,579.51**
Medical Assistance Administration	-	29,115,190.00	**29,115,190.00**	407,339.79	178,538,029.00	**178,945,368.79**
Partnership Plan	-	-	**-**	-	-	**-**
Inpatient Services	472,548,934.14	-	**472,548,934.14**	2,314,312,560.43	-	**2,314,312,560.43**
Outpatient & Emergency Room Services	29,223,292.46	-	**29,223,292.46**	202,690,010.53	-	**202,690,010.53**
Clinic Services	50,193,645.86	-	**50,193,645.86**	332,704,556.57	-	**332,704,556.57**
Nursing Home Services	137,232,381.98	-	**137,232,381.98**	795,798,851.78	-	**795,798,851.78**
Other Long Term Care Services	1,377,015,420.35	-	**1,377,015,420.35**	8,876,141,481.47	-	**8,876,141,481.47**
Managed Care Services	1,516,171,016.79	-	**1,516,171,016.79**	9,394,729,111.55	-	**9,394,729,111.55**
Pharmacy Services	32,098,869.56	-	**32,098,869.56**	213,320,857.68	-	**213,320,857.68**
Transportation Services	42,930,137.57	-	**42,930,137.57**	257,328,428.26	-	**257,328,428.26**
Dental Services	670,338.51	-	**670,338.51**	5,125,681.18	-	**5,125,681.18**
Non-Institutional & Other	(254,014,707.24)	6,375,683.00	**(247,639,024.24)**	(143,732,845.19)	24,766,076.00	**(118,966,769.19)**
Medical Services State Facilities	-	-	**-**	458,161,699.40	-	**458,161,699.40**
Additional DSH Payments SUNY	-	-	**-**	212,433,000.64	-	**212,433,000.64**
TOTAL(**)	**3,418,485,484.40**	**35,490,873.00**	**3,453,976,357.40**	**22,997,317,313.60**	**203,304,105.00**	**23,200,621,418.60**
Reclassification of Medical Assistance payments for care and treatment of patients at State-operated health, mental hygiene and State University facilities to Transfers and adjustments for timing of payments at month end.	256,569,516.58	-	256,569,516.58	(806,533,221.00)	-	(806,533,221.00)
TOTAL REPORTED MEDICAID(***)	**$ 3,675,055,000.98**	**$ 35,490,873.00**	**$ 3,710,545,873.98**	**$ 22,190,784,092.60**	**$ 203,304,105.00**	**$ 22,394,088,197.60**

(*) Special Revenue Federal Funds only.
These amounts do not include Medical Assistance spending for State Operations.
These amounts are not comparable to Medicaid Global Cap spending.

(**) Source: Statewide Financial System

(***) Reported Medicaid spending does not include the Basic Health Plan.

APPENDIX

The following Appendix was filed with a Court Notice pertaining to Forms of the Family Court published in this issue of the State Register.

Pursuant to the powers vested in me, and pursuant to sections 214 of the Family Court Act, I hereby rescind the following 48 forms for use in Family Court proceedings in the courts of the State of New York:

Juvenile Delinquency Forms	
3-29	Juvenile Delinquency: Order of Disposition
3-30	Juvenile Delinquency: Order of Disposition -After Removal with a Finding
3-31	Juvenile Delinquency: Order of Disposition – Designated Felony – No Restrictive Placement
3-32	Juvenile Delinquency: Order of Disposition – After Removal -Designated Felony – No Restrictive Placement
3-38	Juvenile delinquency – Petition for Extension of Placement and Permanency Hearing
3-39	Juvenile delinquency – Order on Petition for Extension of Placement and Permanency Hearing
3-40	Juvenile delinquency - Petition for Violation of Order of Disposition – Probation or Suspended Judgment
3-41	Juvenile delinquency - Petition for Violation of Order of Disposition – Probation or Suspended Judgment
Child Support Forms	
Form 4-3a	Petition (Commissioner)
Form 4-7	Order of Support
Form 4-7a	Order After Filing of Objections
Form 4-17	Financial Disclosure Affidavit
Form 4-17a	Financial Disclosure Affidavit (Short Form)
Paternity Forms	
Form 5-3	Paternity Petition (Commissioner)
Persons in Need of Supervision Forms	
7-4	Person in Need of Supervision – Petition
7-5	Person in Need of Supervision -Order of Fact-finding
7-8	Person in Need of Supervision – Order of Fact-finding and Disposition
7-13	Person in Need of Supervision -Petition for Transfer for Incorrigibility
7-14	Person in Need of Supervision – Order of Transfer for Incorrigibility
7-15	Person in Need of Supervision – Petition for Violation

	of Order of Disposition – Probation or Suspended Judgment
7-16	Person in Need of Supervision – Order on Violation of Order of Disposition – Probation or Suspended Judgment
7-17	Person in Need of Supervision – Order on Violation of Order of Placement Disposition
7-18	Person in Need of Supervision – Petition for Extension of Placement and Permanency Hearing
7-19	Person in Need of Supervision – Extension of Placement and Permanency Hearing Order
Family Offense Form	
8-5	Family offense –Order of Fact-finding and Disposition
Child Protective Forms	
10-1	Order Directing Temporary Removal of Child (Before Filing of Petition)
10-1-c	Application for Pre-petition Temporary Removal of Children from Home
10-2	Order on Application for Temporary Removal of Child (After Petition Filed)
10-5	Order on Application for Return of Child Temporarily Removed From Home
10-10	Child protective – Order of Fact-finding, Disposition and Permanency Hearing
10-13	Child protective – Notice of Motion for Violation of Disposition
10-13a	Child protective – Affidavit in Support of Motion for Violation of Disposition
10-14	Child protective- Order – Violation of Disposition
10-16	Child protective – Order Releasing Agency and Changing Placement
Destitute Minor Forms	
10-C-1	Destitute child - Petition
10-C-2	Destitute child – Preliminary Order
10-C-4	Destitute child -Order of Fact-finding and Disposition
Foster Care Placement Forms	
358-a-1	Foster care placement – Petition for Approval of an Instrument
358-a-4	Foster care placement -Temporary Order on Petition for Approval of an Instrument
358-a-5	Foster care placement – Order of Disposition on

	Petition for Approval of an Instrument

Permanency Hearing and Reentry into Foster care Forms

PH-5	Permanency Order
PH-6	Permanency Order – Child Freed for Adoption
PH-7	Reentry into Foster Care – Order to Show Cause
PH-7c	Reentry into Foster Care – Agency Affidavit in Support of Order to Show Cause
PH-8	Order on Motion to Reenter Foster Care

Miscellaneous: Marriage Forms

Misc.-1	Petition for Approval of Issuance of Marriage License
Misc.-2	Order on Petition for Approval of Issuance of Marriage License
Misc.-3	Notice to 17-year Olds Who Want to Get Married

I hereby prescribe the following 45 forms for use in Family Court proceedings in the State of New York:

General Forms [NEW FORMS]

GF-45	*Family First Prevention Services Act* -Notice of Motion for Approval of Placement in a Qualified Residential Treatment Program (QRTP)
GF-45a	*Family First Prevention Services Act* – Affidavit in Support of Motion for Approval of Placement in a Qualified Residential Treatment Program (QRTP)
GF-46	*Family First Prevention Services Act* -Order on Motion for Approval of Placement in a Qualified Residential Treatment Program (QRTP)

Juvenile Delinquency Forms

3-29	Juvenile Delinquency: Order of Disposition
3-30	Juvenile Delinquency: Order of Disposition -After Removal with a Finding
3-31	Juvenile Delinquency: Order of Disposition – Designated Felony – No Restrictive Placement
3-32	Juvenile Delinquency: Order of Disposition – After Removal -Designated Felony – No Restrictive Placement
3-38	Juvenile delinquency – Petition for Extension of Placement and Permanency Hearing
3-39	Juvenile delinquency – Order on Petition for Extension of Placement and Permanency Hearing
3-40	Juvenile delinquency - Petition for Violation of Order of Disposition – Probation or Suspended Judgment

3-41	Juvenile delinquency - Petition for Violation of Order of Disposition – Probation or Suspended Judgment
Child Support Forms	
Form 4-3a	Petition (Commissioner)
Form 4-7	Order of Support
Form 4-7a	Order After Filing of Objections
Form 4-17	Financial Disclosure Affidavit
Form 4-17a	Financial Disclosure Affidavit (Short Form)
Paternity Forms	
Form 5-3	Paternity Petition (Commissioner)
Persons in Need of Supervision Forms	
7-4	Person in Need of Supervision – Petition
7-5	Person in Need of Supervision – Order of Fact-finding
7-8	Person in Need of Supervision – Order of Fact-finding and Disposition
7-15	Person in Need of Supervision – Peition for Violation of Order of Disposition
7-16	Person in Need of Supervision – Order on Violation of Order of Disposition – Probation or Suspended Judgment
7-17	Person in Need of Supervision – Order on Violation of Order of Placement Disposition
7-18	Person in Need of Supervision – Petition for Extension of Placement and Permanency Hearing
7-19	Person in Need of Supervision – Extension of Placement and Permanency Hearing Order
Family Offense Form	
8-5	Family offense- Order of Fact-finding and Disposition
Child Protective Forms	
10-1	Order Directing Temporary Removal of Child (Before Filing of Petition)
10-1-c	Application for Pre-petition Temporary Removal of Children from Home
10-2	Order on Application for Temporary Removal of Child (After Petition Filed)
10-5	Order on Application for Return of Child Temporarily Removed From Home
10-10	Child protective – Order of Fact-finding, Disposition and Permanency Hearing
10-13	Child protective – Notice of Motion for Violation of

	Disposition
10-13a	Child protective – Affidavit in Support of Motion for Violation of Disposition
10-14	Child protective- Order – Violation of Disposition
Destitute Minor Forms	
10-C-1	Destitute child - Petition
10-C-2	Destitute child – Preliminary Order
10-C-4	Destitute child -Order of Fact-finding and Disposition
Foster Care Placement Forms	
358-a-1	Foster care placement – Petition for Approval of an Instrument
358-a-4	Foster care placement -Temporary Order on Petition for Approval of an Instrument
358-a-5	Foster care placement – Order of Disposition on Petition for Approval of an Instrument
Permanency Hearing and Reentry into Foster care Forms	
PH-5	Permanency Order
PH-6	Permanency Order – Child Freed for Adoption
PH-7	Reentry into Foster Care – Order to Show Cause
PH-7c	Reentry into Foster Care – Agency Affidavit in Support of Order to Show Cause
PH-8	Order on Motion to Reenter Foster Care

F.C.A. §§ 345.1, 346.1, 350.2
352.1, 352.2, 353.1, 353.2
353.3, 353.6, 353.7, 355.5;
S.S.L. §§393, 409-h

Form 3-29
(Juvenile Delinquency–
Order of Disposition)
9/2021

At a term of the Family Court of the
State of New York, held in and for the
County of
at New York
on , .

Hon.
Judge

In the Matter of

Docket No.

A Person Alleged to be a
Juvenile Delinquent,

ORDER OF
DISPOSITION

Respondent.

An Order of fact-finding dated the day of , , having been entered in ❑ this Court ❑ the Family Court of County adjudging that the
Respondent herein did the following act(s)[specify as to each count.]:

And notice having been duly given to Respondent, the Presentment Agency and [check applicable box]: ❑ Respondent's parent(s) ❑ the person(s) legally responsible for the Respondent's care pursuant to section 341.2 of the Family Court Act;

And the Respondent having [check applicable box(es)]: ❑ appeared ❑ not appeared, and counsel for Respondent having ❑ appeared ❑ not appeared before this Court to answer the petition;

And the matter having thereafter duly come on for a dispositional hearing pursuant to sections 350.1 - 350.4 of the Family Court Act before the Court;

The Court, after making an examination and inquiry into the facts and circumstances of the case and after making reports available to counsel in accordance with section 351.1 of the Family Court Act, finds upon a preponderance of the evidence that:

I. Dispositional Findings

A. Respondent requires supervision, treatment, or confinement; and

B. The Court, having fully considered the matter of a particular disposition pursuant to section 352.2 of the Family Court Act, has determined that the Respondent requires the following disposition for the following
reasons [specify; if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate]:

II. Required Findings in Cases in Which the Respondent is Placed:[1]
[The following determinations are required when order is placement; check applicable boxes and provide case-specific reasons]: And the Court has determined that:

A. Best Interests Finding: Continuation in, or return to, the Respondent's home
❑ would ❑ would not be contrary to Respondent's best interests based upon the following facts and for the following reasons [specify]:

This determination was based upon the following information [check applicable box(es)]:

❑ Uniform Case Record, dated [specify]:
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ Risk Assessment Instrument
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

B. Reasonable Efforts Findings:

1. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the Respondent from the home [check applicable box (es); state reasons as indicated. If prior finding was made, so indicate, including date]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

[1] Note: These findings need not be made where the Respondent is placed restrictively pursuant to Family Court Act §353.5, in which case Form 3-33 or 3-34, as applicable, should be utilized.

❑ because of a prior judicial finding pursuant to F.C.A. §352.2(2)(c) that the authorized agency was not required to make reasonable efforts to reunify the Respondent with the ❑ parent(s) ❑ guardian(s) [specify date of finding]:

❑ because of other reasons [specify other reasons]:

❑ were not made.

This determination was based upon the following information [check applicable box(es)]:

❑ Uniform Case Record, dated [specify]:
❑ Summary of the Uniform Case Record, dated [specify]:

❑ Service Plan, dated [specify]:
❑ Risk Assessment Instrument
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

2. Reasonable efforts, where appropriate, to return the Respondent home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding pursuant to F.C.A. §352.2(2)(c) that the authorized agency was not required to make reasonable efforts to reunify the child with the ❑ parent(s) ❑ guardian(s) [specify date of finding]:

❑ because of other reasons [specify]:

❑ were not made.

This determination was based upon the following information [check applicable box(es)]:

❑ Uniform Case Record, dated [specify]:
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ Risk Assessment Instrument
❑ Probation Department report, dated [specify]:

❑ Mental health evaluation, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

3. Reasonable Efforts: Goal Other Than Return Home: [Applicable in cases in which the Respondent's permanency plan is adoption, guardianship or permanent living arrangement other than reunification]:

Reasonable efforts to make and finalize the Respondent's permanency plan of [specify]:

❑ have been made as follows [specify]:

❑ were not made based upon the following facts and for the following reasons [specify]:

This determination was based upon the following information [check applicable box(es)]:

❑ Uniform Case Record, dated [specify]:
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ Risk Assessment Instrument
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

C. Findings Regarding Transitional Services and Out-of-State Placements:

❑ [Required where Respondent is 14 years of age or older]: The services, if any, needed to assist the Respondent to make the transition from foster care to independent living are [specify]:

❑ [Required where the Respondent is placed outside New York State]: Placement outside New York State ❑ is ❑ is not appropriate and in the Respondent's best interests.

D. Findings Regarding Pre-dispositional Risk Assessment Instrument:

There ❑ is ❑ is not a validated pre-dispositional risk assessment instrument in use in this county that was developed by (or in New York City, approved by) the New York State Office of Children and Family Services.

[REQUIRED where there is a validated pre-dispositional risk assessment instrument in use]:
Respondent has been assessed on the risk assessment instrument as a [check box for level of risk]:
[NYC cases only]: ❑ low ❑ medium ❑ high ❑ very high level of risk
[NON-NYC cases only]: ❑ low ❑ medium ❑ high level of risk .

[REQUIRED where validated pre-dispositional risk assessment instrument is in use and where placement is at a higher level of care than the assessed risk level; check box if applicable]:
❑ Placement, as directed below, is necessary and no less restrictive alternative is available, both for the protection of the community and to be consistent with the needs and best interests of the Respondent, notwithstanding the assessed risk level, for the following reasons {specify]:

III. Required Findings Where Approval of Placement in Qualified Residential Treatment Program is Requested:
❑ Required Findings if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]: ; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the Respondent ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the Respondent in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the child in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the Respondent , as specified in the Respondent's permanency plan because [specify facts and reasons]:

D. [Applicable to initial QRTP placement]: Where the Qualified Individual has determined that the placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named Respondent's needs in a less restrictive environment; **and**

❑ Continued placement serves the above-named Respondent's needs and best interests or the need for protection of the community because [specify facts and reasons]:

NOW, therefore, upon the findings made in the fact-finding and dispositional hearings and upon all proceedings had herein, it is hereby

ORDERED and ADJUDGED that the above-named Respondent is a juvenile delinquent on the ground that the Respondent, while under 17 years of age [Starting Oct. 1, 2019: 18 years of age] , did an act which if done by an adult would constitute the crime(s) of [specify each count]:

as defined by section(s) of the ❑ Penal Law ❑ Other [specify]: ; and
on the further ground that Respondent requires supervision, treatment, or confinement; and it is therefore

ORDERED that [check applicable box(es)]:

❑ Respondent is conditionally discharged for a period of [specify]: months upon the following terms and conditions [Attach additional sheets, if necessary]:

❑ Respondent is placed on probation under the supervision of the Probation Department of the County of for a period of upon the following terms and conditions [Attach additional sheets, if necessary]:

[Applicable where Respondent is directly placed with a suitable relative or other person]:

❑ This proceeding is continued and the Respondent is placed for a period of [specify]:
❑ less the period spent in detention pending disposition2 in the custody of [specify suitable relative or other person]: , subject to the further orders of this Court.

[REQUIRED where Respondent is placed in non-secure or limited-secure level of care]:

❑ This proceeding is continued and Respondent is placed in a non-secure level of care for a period of [specify period]: ❑ less the period spent in detention pending disposition,3 in the custody of the Commissioner of the [check applicable box]:
[Non-NYC cases only]: ❑ Department of Social Services of the County of [specify]:
❑ New York State Office of Children and Family Services
[NYC cases only]: ❑ New York City Administration for Children's Services.

❑ This proceeding is continued and Respondent is placed in a limited secure level of care for a period of [specify period]: ❑ less the period spent in detention pending disposition,4 in the custody of the Commissioner of the [check applicable box]:
[Non-NYC cases only]: ❑ New York State Office of Children and Family Services
[NYC cases only]: ❑ New York City Administration for Children's Services.

❑ **[NYC cases only]:** This proceeding is continued and Respondent is placed in the custody of the New York City Administration for Children's Services in a non-secure OR limited secure level of care, the level to be determined by the Commissioner, for a period of [specify period up to 12 months]:
❑ less the period spent in detention pending disposition.5

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[2] Applicable unless all or part of such credit would not serve the needs and best interests of the Respondent or the need for protection of the community. *See* F.C.A §353.3(5).

[3] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5). Note that in all placement cases, the placement period may be tolled by reason of the Respondent's absence without leave.

[4] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5). Note that in all placement cases, the placement period may be tolled by reason of the Respondent's absence without leave.

[5] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5). Note that in all placement cases, the placement period may be tolled by reason of the Respondent's absence without leave.

[NON-NYC cases only: REQUIRED where Respondent is placed with Department of Social Services for non-secure placement in a specific agency or class of agency]:

❑ The position of the Commissioner of Social Services of the County of [specify]: having been considered by the Court, this proceeding is continued and Respondent is placed for a period of [specify period]: ❑ less the period spent in detention pending disposition,6 in the custody of the Commissioner of Social Services of the County of [specify]: , for non-secure placement with [specify agency or class of agency; note: if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate if Respondent should be placed in an available long-term safe house]: , subject to the further orders of this Court.

In the event that the Commissioner of Social Services is unable to so place the Respondent , the Commissioner [check applicable box]:

❑ shall ❑ need not apply to the Court for an order to stay, modify, set aside or vacate the order pursuant to Family Court Act §355.1.

❑ shall ❑ need not return Respondent to this Court for a new dispositional hearing.

[NYC cases only; applicable where Respondent is placed with the NYC Administration for Children's Services for non-secure or limited level of care where specific services are needed]:

❑ The Commissioner of the New York City Administration for Children's Services is directed to provide the following services, authorized or required to be made available in the approved plan for the "Close to Home" program, to meet the needs of the Respondent [specify services; note: if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate if Respondent needs the services afforded by an available long-term safe house]:

[Applicable where Respondent is placed with the New York State Office of Children and Family Services; note: in New York City cases, this paragraph is applicable only to [limited secure or] secure level of care]:

❑ This proceeding is continued and the Respondent is placed for a period of [specify]:

❑ less the period spent in detention pending disposition,7 in the custody of the New York State Office of Children and Family Services, which is authorized to place the Respondent in a [specify]:

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[6]Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5).

[7] Applicable unless all or part of such credit would not serve the needs and best interests of the Respondent or the need for protection of the community. See F.C.A. §353.3(5).

❑ secure facility at any time or from time to time during the first 60 days of residency;[8]

❑ limited secure facility [non-NYC cases only]

❑ non-secure facility [non-NYC cases only]

subject to further orders of this Court.

[NON-NYC cases only]: ❑ The position of the New York State Office of Children and Family Services having been considered by the Court, this proceeding is continued and the Respondent is placed for a period of [specify]: ❑ less the period spent in detention pending disposition,[9] in the custody of the New York State Office of Children and Family Services for placement with [specify agency or class of agency; note: if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate if Respondent should be placed in an available long-term safe house]: , subject to further orders of this Court. In the event that the New York State Office of Children and Family Services is unable to place the Respondent in accordance with the direction hereof, or discontinues the placement with the authorized agency, the Respondent shall be deemed to have been placed with the New York State Office of Children and Family Services pursuant to paragraph (b) or (c) of subdivision three of section 353.3 of the Family Court Act. In such cases, the New York State Office of Children and Family Services shall notify the court, Presentment Agency, counsel for the Respondent and parent or other person responsible for the Respondent's care, of the reason for discontinuing the placement with the authorized agency and the level and location of the youth's placement.

[NON-NYC cases only: Optional where Respondent is placed with the New York State Office of Children and Family Services; check box if applicable]:

❑ The New York State Office of Children and Family Services shall photograph the Respondent pursuant to Executive Law § 507-a(3).

[Optional where Respondent is 14 years of age or older and is placed with the New York State Office of Children and Family Services, the New York City Administration for Children's Services or Commissioner of Social Services; check box if applicable]:

❑ The placement agency is directed to provide the following services determined above to be needed to assist the Respondent to make the transition from foster care to independent living [specify]:

[Optional where Respondent is placed upon adjudication for a felony with the New York State Office of Children and Family Services or the New York City Administration for Children's Services pursuant to F.C.A.§353.3(9); check box if applicable]:

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[8] *See* F.C.A. §353.3(3)(a).

[9] Applicable unless all or part of such credit would not serve the needs and best interests of the Respondent or the need for protection of the community. See F.C.A. §353.3(5).

❑ Respondent shall be confined in a residential facility for a minimum period of [specify minimum period not to exceed six months]:

[REQUIRED where Respondent is placed with the New York City Administration for Children's Services; optional for all other placement cases; check box if applicable]:

❑ The placement agency is directed to provide prior notice to the Respondent, attorney for the Respondent and Respondent's parent or guardian in the event that Respondent is transferred from one facility to another, unless an immediate change of placement is necessary, in which case the notice shall be transmitted on the next business day.

[REQUIRED where Respondent is placed with the New York State Office of Children and Family Services, the New York City Administration for Children's Services or a local social services district; check applicable boxes]:

❑ Respondent's parent or legal guardian was present in Court and consented to the provision of routine medical, dental and mental health services and treatment to the Respondent by the: ❑ New York State Office of Children and Family Services ❑ New York City Administration for Children's Services ❑ Department of Social Services, County of [specify]:

OR

❑ Consent has not been obtained from Respondent's parent or legal guardian, but this Order shall be deemed to grant consent for the : ❑ New York State Office of Children and Family Services ❑ New York City Administration for Children's Services ❑ Department of Social Services, County of [specify]: to provide routine medical, dental, and mental health services and treatment to the Respondent.

[REQUIRED Where Placement in Qualified Residential Treatment Program is requested]:
❑ Required Order if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]:

after examination and inquiry into the facts and circumstances [check box if applicable]:
❑ and after hearing the proof and testimony offered in relation thereto, it is therefore
[Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the "Qualified Residential Treatment Program" is GRANTED, and placement of the Respondent in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]:
the above-named Respondent shall be [check applicable box and specify]:

❑ returned or released to the following parent [specify]:

❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named child's care and welfare that is in the best interests of the child and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

[REQUIRED where Respondent is placed <u>non-securely</u> with the Commissioner of a county Department of Social Services, the New York City Administration for Children's Services or the New York State Office of Children and Family Services, pursuant to F.C.A.§353.3 or §353.4; check box if applicable]:

❑ ORDERED that if the Respondent remains in foster care, the [check box]:

❑ New York State Office of Children and Family Services;

❑ Commissioner of Social Services of [specify]: County;

❑ New York City Administration for Children's Services

shall file a petition for the next permanency hearing NO LATER THAN [specify date not less than 60 days before permanency hearing must be completed]:
and the permanency hearing shall be completed by [specify date]:

And it is further ORDERED that:

Date: , .

ENTER

_____

Judge of the Family Court

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:

❑ Order received in court on [specify date(s) and to whom given]:

F.C.A.§§ 346.1, 350.2, 352. 1,
352.2, 353.1, 353.3, 353.6, 353.7, 355.5;
S.S.L. §§393, 409-h

Form 3-30
(Juvenile Delinquency-
Order of Disposition
After Order of Removal–
No restrictive placement)[1]
9/2021

At a term of the Family Court of the
State of New York, held in and for the
County of
at New York
on

PRESENT:
Hon.
Judge

In the Matter of

A Person Alleged to be a
Juvenile Delinquent,

Respondent.

Docket No.

ORDER OF
DISPOSITION
(After Order of Removal
–No restrictive placement)

An Order of Removal pursuant to Article 725 of the Criminal Procedure Law having been duly filed with this Court on [specify date]: , and a finding having been made [check applicable box]:

❑ upon the above-named Respondent's plea of guilty

❑ after a juvenile delinquency fact-determination

❑ after a verdict of guilty

beyond a reasonable doubt that the above-named Respondent, while [specify]: years of age, committed an act which would constitute the crime(s) of [specify as to each count]:

as defined by section(s) of the ❑ Penal Law ❑ Other [specify]:
in that said Respondent did the following act(s)[specify as to each count]:

;and

Notice having been duly given to Respondent, the Presentment Agency and [check applicable box]: ❑ Respondent's parent(s) ❑ the person(s) legally responsible for the Respondent's care pursuant to section 341.2 of the Family Court Act;

And the Respondent having [check applicable box(es)]: ❑ appeared ❑ not appeared,

[1] For restrictive placements under F.C.A. §353.5, use Form 3-33.

and counsel for Respondent having ❑ appeared ❑ not appeared before this Court to answer the petition;

And the matter having thereafter duly come on for a dispositional hearing pursuant to sections 350.1- 350.4 of the Family Court Act before the Court;

The Court, after making an examination and inquiry into the facts and circumstances of the case and after making reports available to counsel in accordance with section 351.1 of the Family Court Act, finds upon a preponderance of the evidence that:

I. Dispositional Findings

A. Respondent requires supervision, treatment, or confinement; and

B. The Court, having fully considered the matter of a particular disposition pursuant to section 352.2 of the Family Court Act, has determined that the Respondent requires the following disposition for the following
reasons [specify; if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate]:

II. Required Findings in Cases in Which the Respondent is Placed:[2]

[The following determinations are required when order is placement; check applicable boxes and provide case-specific reasons]: And the Court has determined that:

A. Best Interests Finding: Continuation in, or return to, the Respondent's home ❑ would ❑ would not be contrary to Respondent's best interests based upon the following facts and for the following reasons [specify]:

This determination was based upon the following information [check applicable box(es)]:

❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Uniform Case Record, dated [specify]:
❑ Risk Assessment Instrument
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

[2] Note: These findings need not be made where the Respondent is placed restrictively pursuant to Family Court Act §353.5. In such cases, use Form 3-33.

B. Reasonable Efforts Findings:

1. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the child from the home [check applicable box (es); state reasons as indicated. If prior finding was made, so indicate, including date]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding pursuant to F.C.A. §352.2(2)(c) that the authorized agency was not required to make reasonable efforts to reunify the Respondent with the ❑ parent(s) ❑ guardian(s) [specify date of finding]:

❑ because of other reasons [specify other reasons]:

❑ were not made.

This determination was based upon the following information [check applicable box(es)]:

❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Uniform Case Record, dated [specify]:
❑ Risk Assessment Instrument
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

2. Reasonable efforts, where appropriate, to return the Respondent home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding pursuant to F.C.A. §352.2(2)(c) that the authorized agency was not required to make reasonable efforts to reunify the child with the ❑ parent(s) ❑ guardian(s) [specify date of finding]:

❑ because of other reasons [specify]:

❑ were not made.

This determination was based upon the following information [check applicable box(es)]:

❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Uniform Case Record, dated [specify]:
❑ Risk Assessment Instrument
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

3. Reasonable Efforts: Goal Other Than Return Home: [Applicable in cases in which the Respondent's permanency plan is adoption, guardianship or permanent living arrangement other than reunification]:

Reasonable efforts to make and finalize the Respondent's permanency plan of [specify]:

❑ have been made as follows [specify]:

❑ were not made based upon the following facts and for the following reasons [specify]:

This determination was based upon the following information [check applicable box(es)]:

❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Uniform Case Record, dated [specify]:
❑ Risk Assessment Instrument
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

C. Findings Regarding Transitional Services and Out-of-State Placements:

❑ [Required where Respondent is 14 years of age or older]: The services, if any, needed to assist the Respondent to make the transition from foster care to independent living are [specify]:

❑ [Required where the Respondent is placed outside New York State]: Placement outside New York State ❑ is ❑ is not appropriate and in the Respondent's best interests.

D. Findings Regarding Pre-dispositional Risk Assessment Instrument:

There ❑ is ❑ is not a validated pre-dispositional risk assessment instrument in use in this county that was developed by (or in New York City, approved by) the New York State Office of Children and Family Services.

[REQUIRED where there is a validated pre-dispositional risk assessment instrument in use]: Respondent has been assessed on the risk assessment instrument as a [check box for level of risk]:
[NYC cases only]: ❑ low ❑ medium ❑ high ❑ very high level of risk
[NON-NYC cases only]: ❑ low ❑ medium ❑ high level of risk .

[REQUIRED where validated pre-dispositional risk assessment instrument is in use and where placement is at a higher level of care than the assessed risk level; omit if inapplicable]:

❑ Placement, as directed below, is necessary and no less restrictive alternative is available, both for the protection of the community and to be consistent with the needs and best interests of the Respondent, notwithstanding the assessed risk level, for the following reasons {specify]:

III. Required Findings Where Placement in Qualified Residential Treatment Program is Requested:

❑ Required Findings if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]: ; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the child ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the child in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the child in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the child, as specified in the child's permanency plan because [specify facts and reasons]:

D. Where the Qualified Individual has determined that the placement of the above-named child in the Qualifies Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named child in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named child's needs in a less restrictive environment; **and**

❑ Continued placement serves the above-named child's needs and best interests or the need for protection of the community because [specify facts and reasons]:

NOW therefore, upon the Order of Removal and the findings made in the dispositional hearing, and upon all proceeding had herein, it is hereby

ORDERED and ADJUDGED that the above-named Respondent is a juvenile delinquent based on the Order of Removal and on the further ground that the Respondent requires supervision, treatment, or confinement; and it is therefore

ORDERED that [check applicable boxes]:

❑ Respondent is conditionally discharged for a period of [specify]: months upon the following terms and conditions [Attach additional sheets, if necessary]:

❑ Respondent is placed on probation under the supervision of the Probation Department of the County of for a period of upon the following terms and conditions [Attach additional sheets, if necessary]:

[Applicable where Respondent is directly placed with a suitable relative or other person]:

❑ This proceeding is continued and the Respondent is placed for a period of [specify]:
❑ less the period spent in detention pending disposition[3] in the custody of [specify suitable relative or other person]: , subject to the further orders of this Court.

[REQUIRED where Respondent is placed in non-secure or limited-secure level of care]:

❑ This proceeding is continued and Respondent is placed in a non-secure level of care for a period of [specify period]: ❑ less the period spent in detention pending disposition,[4] in the custody of the Commissioner of the [check applicable box]:
[Non-NYC cases only]: ❑ Department of Social Services of the County of [specify]:
❑ New York State Office of Children and Family Services
[NYC cases only]: ❑ New York City Administration for Children's Services.

❑ This proceeding is continued and Respondent is placed in a limited secure level of care for a period of [specify period]: ❑ less the period spent in detention pending disposition,[5] in the custody of the Commissioner of the [check applicable box]:
[Non-NYC cases only]: ❑ New York State Office of Children and Family Services
[NYC cases only]: ❑ New York City Administration for Children's Services.

❑ **[NYC cases only]:** This proceeding is continued, and Respondent is placed in the custody of the New York City Administration for Children's Services in a non-secure OR limited secure level of care, the level to be determined by the Commissioner, for a period of [specify period up to 12 months]:
❑ less the period spent in detention pending disposition.[6]

[NON-NYC cases only; applicable where Respondent is placed with Department of Social Services for non-secure placement in a specific agency or class of agency]:

❑ The position of the Commissioner of Social Services of the County of [specify]: having been considered by the Court, this proceeding is continued and Respondent is placed for a period of [specify period]: ❑ less the period spent in detention pending

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[3] Applicable unless all or part of such credit would not serve the needs and best interests of the Respondent or the need for protection of the community. *See* F.C.A §353.3(5).

[4] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5). Note that in all placement cases, the placement period may be tolled by reason of the Respondent's absence without leave.

[5] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5). Note that in all placement cases, the placement period may be tolled by reason of the Respondent's absence without leave.

[6] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5). Note that in all placement cases, the placement period may be tolled by reason of the Respondent's absence without leave.

disposition,[7] in the custody of the Commissioner of Social Services of the County of [specify]: , for non-secure placement with [specify agency or class of agency; note: if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate if Respondent should be placed in an available long-term safe house]: , subject to the further orders of this Court.

In the event that the Commissioner of Social Services is unable to so place the child, the Commissioner [check applicable box]:

❑ shall ❑ need not apply to the Court for an order to stay, modify, set aside or vacate the order pursuant to Family Court Act §355.1.

❑ shall ❑ need not return Respondent to this Court for a new dispositional hearing.

[NYC cases only; applicable where Respondent is placed with the NYC Administration for Children's Services for non-secure or limited-secure level of care where specific services are needed; check box if applicable]: ❑ The Commissioner of the New York City Administration for Children's Services is directed to provide the following services, authorized or required to be made available in the approved plan for the "Close to Home" program, to meet the needs of the Respondent [specify services; note: if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate if Respondent needs the services afforded by an available long-term safe house]:

[The following three paragraphs are applicable where Respondent is placed with the New York State Office of Children and Family Services; note: in New York City cases, these paragraphs are applicable only to placements in a secure level of care]:

❑ This proceeding is continued and the Respondent is placed for a period of [specify]:

❑ less the period spent in detention pending disposition,[8] in the custody of the New York State Office of Children and Family Services, which is authorized to place the Respondent in a [specify]:

❑ secure facility at any time or from time to time during the first 60 days of residency;[9]

❑ limited secure facility **[NON-NYC cases only]:**

❑ non-secure facility **[NON-NYC cases only]**

subject to further orders of this Court.

❑ **[NON-NYC cases only]:** The position of the New York State Office of Children and Family Services having been considered by the Court, this proceeding is continued and the Respondent is placed for a period of [specify]: ❑ less the period spent in detention pending

[7] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5)

[8] Applicable unless all or part of such credit would not serve the needs and best interests of the Respondent or the need for protection of the community. See F.C.A. §353.3(5).

[9] *See* F.C.A. §353.3(3)(a).

disposition,[10] in the custody of the New York State Office of Children and Family Services for placement with [specify agency or class of agency; note: if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate if Respondent should be placed in an available long-term safe house]: , subject to further orders of this Court. In the event that the New York State Office of Children and Family Services is unable to place the Respondent in accordance with the direction hereof, or discontinues the placement with the authorized agency, the Respondent shall be deemed to have been placed with the New York State Office of Children and Family Services pursuant to paragraph (b) or (c) of subdivision three of section 353.3 of the Family Court Act. In such cases, the New York State Office of Children and Family Services shall notify the court, Presentment Agency, counsel for the Respondent and parent or other person responsible for the Respondent's care, of the reason for discontinuing the placement with the authorized agency and the level and location of the youth's placement.

[Optional where Respondent is placed with the New York State Office of Children and Family Services; check box if applicable]:

❑ The New York State Office of Children and Family Services shall photograph the Respondent pursuant to Executive Law § 507-a(3).

[Optional where Respondent is 14 years of age or older and is placed with the New York State Office of Children and Family Services, the New York City Administration for Children's Services or Commissioner of Social Services; check box if applicable]:

❑ The placement agency is directed to provide the following services determined above to be needed to assist the child to make the transition from foster care to independent living [specify]:

[Optional where Respondent, upon adjudication for an act that would constitute a felony if committed by an adult, is placed with the New York State Office of Children and Family Services or the New York City Administration for Children's Services pursuant to F.C.A.§353.3(9); check box if applicable]:

❑ Respondent shall be confined in a residential facility for a minimum period of [specify minimum period not to exceed six months]:

[Required where Respondent is placed with the New York City Administration for Children's Services; optional for all other placement cases; check box if applicable]:

❑ The placement agency is directed to provide prior notice to the Respondent, attorney for the Respondent and Respondent's parent or guardian in the event that Respondent is transferred from one facility to another, unless an immediate change of placement is necessary, in which case the notice shall be transmitted on the next business day.

[10] Applicable unless all or part of such credit would not serve the needs and best interests of the Respondent or the need for protection of the community. See F.C.A. §353.3(5).

[Required where Respondent is placed with the New York State Office of Children and Family Services, the New York City Administration for Children's Services or a local social services district; check applicable boxes]:

❑ Respondent's parent or legal guardian was present in Court and consented to the provision of routine medical, dental and mental health services and treatment to the Respondent by the: ❑ New York State Office of Children and Family Services ❑ New York City Administration for Children's Services ❑ Department of Social Services, County of [specify]: ;

OR

❑ Consent has not been obtained from Respondent's parent or legal guardian, but this Order shall be deemed to grant consent for the : ❑ New York State Office of Children and Family Services ❑ New York City Administration for Children's Services ❑ Department of Social Services, County of [specify]: to provide routine medical, dental and mental health services and treatment to the Respondent.

REQUIRED Where Placement in Qualified Residential Treatment Program is Requested]:
❑ **Required Order if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]:**

after examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is GRANTED, and placement of the child in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]:
the above-named child shall be [check applicable box and specify]:
❑ returned to or placed with the following parent [specify]:
❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:
❑ returned to or placed in the following foster home [specify]:
❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:
❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older you in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named child's care and welfare that is in the best interests of the child and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

[Required where Respondent is placed non-securely with the Commissioner of a county Department of Social Services, the New York City Administration for Children's Services or the New York State Office of Children and Family Services, pursuant to F.C.A.§353.3 or §353.4; check box if applicable]:

❑ ORDERED that if the Respondent remains in foster care, the [check box]:

❑ New York State Office of Children and Family Services;

❑ Commissioner of Social Services of [specify]: County;

❑ New York City Administration for Children's Services

shall file a petition for the next permanency hearing NO LATER THAN [specify date not less than 60 days before permanency hearing must be completed]:
and the permanency hearing shall be completed by [specify date]:

And it is further ORDERED that:

Date: , . ENTER

Judge of the Family Court

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:

❑ Order received in court on [specify date(s) and to whom given]:

F.C.A.§§ 351.1, 352.1, 352.2,
353.1, 353.3,353.5, 353.6; 353.7
S.S.L. §§393, 409-h

Form 3-31
(Juvenile Delinquency-- Order of Disposition
Designated Felony; No Restrictive Placement)
9/2021

At a term of the Family Court of the
State of New York, held in and for the
County of ,
at , New York
on

P R E S E N T
Hon.
Judge

.....

In the Matter of

A Person Alleged to be a
Juvenile Delinquent,

Respondent.

.....

Docket No.

ORDER OF
DISPOSITION
(Designated Felony;
No Restrictive
Placement)

An Order of Fact-finding dated the day of , , having been entered in ❑ this Court ❑ the Family Court of [specify]: County, adjudging that the Respondent did the following act(s) that would, if committed by an adult, constitute the following crime(s) [specify as to each count]:

❑ designated felony act(s) pursuant to section 301.2 of the Family Court Act [specify, including section(s) of the Penal Law or other law violated]:

❑ non-designated felony act(s) [specify, including section(s) of the Penal Law or other law violated]:

And notice having been duly given to Respondent, the Presentment Agency and [check applicable box]: ❑ Respondent's parent(s) ❑ the person(s) legally responsible for the Respondent's care pursuant to section 341.2 of the Family Court Act;

And the Respondent having [check applicable box(es)]: ❑ appeared ❑ not appeared, and counsel for Respondent having ❑ appeared ❑ not appeared before this Court to answer the petition;

And the matter having thereafter duly come on for a dispositional hearing pursuant to section 350.2 of the Family Court Act before the Court;

The Court, after making an examination and inquiry into the facts and circumstances of the case and after making reports available to counsel in accordance with section 351.1 of the Family Court Act, finds upon a preponderance of the evidence that:

I. Dispositional Findings

A. Respondent requires supervision, treatment, or confinement; and

B. The Court, having fully considered the matter of restrictive placement in accordance with section 353.5 of the Family Court Act, finds that the Respondent does not require restrictive placement for the following reasons [specify]:

; and

C. The Court, having fully considered the matter of a particular disposition pursuant to section 352.2 of the Family Court Act, finds that the Respondent requires the following disposition [specify]:

for the following reasons [specify]:

II. Required Findings in Cases in Which the Respondent is Placed: 1

[The following determinations are required when order is placement; check applicable boxes and provide case-specific reasons]: And the Court has determined that:

A. Best Interests Finding: Continuation in, or return to, the Respondent's home ❑ would ❑ would not be contrary to Respondent's best interests based upon the following facts and for the following reasons [specify]:

This determination was based upon the following information [check applicable box(es)]:

❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Uniform Case Record, dated [specify]:
❑ Risk Assessment Instrument
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

[1] Note: These findings need not be made where the Respondent is placed restrictively pursuant to Family Court Act §353.5. In such cases, use Form 3-34.

B. Reasonable Efforts Findings:

1. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the child from the home [check applicable box (es); state reasons as indicated. If prior finding was made, so indicate, including date]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding pursuant to F.C.A. §352.2(2)(c) that the authorized agency was not required to make reasonable efforts to reunify the Respondent with the ❑ parent(s) ❑ guardian(s) [specify date of finding]:

❑ because of other reasons [specify other reasons]:

❑ were not made.

This determination was based upon the following information [check applicable box(es)]:

❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Uniform Case Record, dated [specify]:
❑ Risk Assessment Instrument
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

2. Reasonable efforts, where appropriate, to return the Respondent home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding pursuant to F.C.A. §352.2(2)(c) that the authorized agency was not required to make reasonable efforts to reunify the child with the ❑ parent(s) ❑ guardian(s) [specify date of finding]:

❑ because of other reasons [specify]:

❑ were not made.

This determination was based upon the following information [check applicable box(es)]:

❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Uniform Case Record, dated [specify]:
❑ Risk Assessment Instrument
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

3. Reasonable Efforts: Goal Other Than Return Home: [Applicable in cases in which the Respondent's permanency plan is adoption, guardianship or permanent living arrangement other than reunification]:

Reasonable efforts to make and finalize the Respondent's permanency plan of [specify]:

❑ have been made as follows [specify]:

❑ were not made based upon the following facts and for the following reasons [specify]:

This determination was based upon the following information [check applicable box(es)]:

❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Uniform Case Record, dated [specify]:
❑ Risk Assessment Instrument
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

C. Findings Regarding Transitional Services and Out-of-State Placements:

❑ [Required where Respondent is 14 years of age or older]: The services, if any, needed to assist the Respondent to make the transition from foster care to independent living are [specify]:

❑ [Required where the Respondent is placed outside New York State]: Placement outside New York State ❑ is ❑ is not appropriate and in the Respondent's best interests.

D. Findings Regarding Pre-dispositional Risk Assessment Instrument:

There ❑ is ❑ is not a validated pre-dispositional risk assessment instrument in use in this county that was developed by (or in New York City, approved by) the New York State Office of Children and Family Services.

[REQUIRED where there is a validated pre-dispositional risk assessment instrument in use]: Respondent has been assessed on the risk assessment instrument as a [check box for level of risk]:
[NYC cases only]: ❑ low ❑ medium ❑ high ❑ very high level of risk
[NON-NYC cases only]: ❑ low ❑ medium ❑ high level of risk .

[REQUIRED where validated pre-dispositional risk assessment instrument is in use and where placement is at a higher level of care than the assessed risk level; check box if applicable]:

❑ Placement, as directed below, is necessary and no less restrictive alternative is available, both for the protection of the community and to be consistent with the needs and best interests of the Respondent, notwithstanding the assessed risk level, for the following reasons {specify]:

III. Required Findings Where Approval of Placement in Qualified Residential Treatment Program is Requested:

❑ Required Findings if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]: ; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the Respondent ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the Respondent in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the Respondent in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the Respondent, as specified in the Respondent's permanency plan because [specify facts and reasons]:

D. Where the Qualified Individual has determined that the placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named Respondent's needs in a less restrictive environment; **and**

❑ Continued placement serves the above-named Respondent's needs and best interests or the need for protection of the community because [specify facts and reasons]:

NOW, therefore, upon the findings made in the fact-finding and dispositional hearings and upon all proceedings had herein, it is hereby

ORDERED and ADJUDGED that the above-named Respondent is a juvenile delinquent on the ground that the Respondent, while under 17 years of age [Starting Oct. 1, 2019: 18 years of age], did an act which if done by an adult would constitute the crime(s) of [specify each count]:

as defined by section(s) of the ❑ Penal Law ❑ Other law [specify]:
and on the further ground that Respondent requires supervision, treatment, or confinement; and it is therefore

ORDERED that [check applicable box(es)]:

❑ Respondent is conditionally discharged for a period of [specify]: months upon the following terms and conditions [Attach additional sheets, if necessary]:

❑ Respondent is placed on probation under the supervision of the Probation Department of the County of for a period of upon the following terms and conditions [Attach additional sheets, if necessary]:

[Applicable where Respondent is directly placed with a suitable relative or other person]:

❑ This proceeding is continued, and the Respondent is placed for a period of [specify]:
❑ less the period spent in detention pending disposition2 in the custody of [specify suitable relative or other person]: , subject to the further orders of this Court.

[Applicable where Respondent is placed in non-secure or limited-secure level of care]:

❑ This proceeding is continued. and Respondent is placed in a non-secure level of care for a period of [specify period]: ❑ less the period spent in detention pending disposition,3 in the custody of the Commissioner of the [check applicable box]:
[Non-NYC cases only]: ❑ Department of Social Services of the County of [specify]:
[NYC cases only]: ❑ New York City Administration for Children's Services.

❑ This proceeding is continued. and Respondent is placed in a limited secure level of care for a period of [specify period]: ❑ less the period spent in detention pending disposition,4 in the custody of the Commissioner of the [check applicable box]:
[Non-NYC cases only]: ❑ New York State Office of Children and Family Services
[NYC cases only]: ❑ New York City Administration for Children's Services.

❑ **[NYC cases only]:** This proceeding is continued. and Respondent is placed in the custody of the New York City Administration for Children's Services in a non-secure OR limited secure level of care, the level to be determined by the Commissioner, for a period of [specify period up to 12 months]:
❑ less the period spent in detention pending disposition.5

[NON-NYC cases only; applicable where Respondent is placed with Department of Social Services for non-secure level of care in a specific agency or class of agency]:

❑ The position of the Commissioner of Social Services of the County of [specify]:
having been considered by the Court, this proceeding is continued and Respondent is placed for a period of [specify period]: ❑ less the period

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[2] Applicable unless all or part of such credit would not serve the needs and best interests of the Respondent or the need for protection of the community. *See* F.C.A §353.3(5).

[3] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5). Note that in all placement cases, the placement period may be tolled by reason of the Respondent's absence without leave.

[4] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5). Note that in all placement cases, the placement period may be tolled by reason of the Respondent's absence without leave.

[5] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5). Note that in all placement cases, the placement period may be tolled by reason of the Respondent's absence without leave.

spent in detention pending disposition,6 in the custody of the Commissioner of Social Services of the County of [specify]: , for non-secure placement with [specify agency or class of agency; note: if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate if Respondent should be placed in an available long-term safe house]: , subject to the further orders of this Court.

In the event that the Commissioner of Social Services is unable to so place the child, the Commissioner [check applicable box]:

❑ shall ❑ need not apply to the Court for an order to stay, modify, set aside or vacate the order pursuant to Family Court Act §355.1.

❑ shall ❑ need not return Respondent to this Court for a new dispositional hearing.

[NYC cases only; applicable where Respondent is placed with the NYC Administration for Children's Services for non-secure or limited-secure level of care where specific services are needed; check box if applicable]:

❑ The Commissioner of the New York City Administration for Children's Services is directed to provide the following services, authorized or required to be made available in the approved plan for the "Close to Home" program, to meet the needs of the Respondent [specify services; note: if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate if Respondent needs the services afforded by an available long-term safe house]:

[The following three paragraphs are applicable where Respondent is placed with the New York State Office of Children and Family Services; note: in New York City cases, these paragraphs are applicable only to secure level of care]:

❑ This proceeding is continued and the Respondent is placed for a period of [specify]:

❑ less the period spent in detention pending disposition,7 in the custody of the New York State Office of Children and Family Services, which is authorized to place the Respondent in a [specify]:

❑ secure facility at any time or from time to time during the first 60 days of residency;8

❑ limited secure facility [non-NYC cases only]

❑ non-secure facility [non-NYC cases only]

subject to further orders of this Court.

[Applicable to non-NYC cases only]: ❑ The position of the New York State Office of Children and Family Services having been considered by the Court, this proceeding is continued and the Respondent is placed for a period of [specify]: ❑ less the period spent in detention pending

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[6] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5)

[7] Applicable unless all or part of such credit would not serve the needs and best interests of the Respondent or the need for protection of the community. See F.C.A. §353.3(5).

[8] *See* F.C.A. §353.3(3)(a).

disposition,9 in the custody of the New York State Office of Children and Family Services for placement with [specify agency or class of agency; note: if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate if Respondent should be placed in an available long-term safe house]: , subject to further orders of this Court. In the event that the New York State Office of Children and Family Services is unable to place the Respondent in accordance with the direction hereof, or discontinues the placement with the authorized agency, the Respondent shall be deemed to have been placed with the New York State Office of Children and Family Services pursuant to paragraph (b) or (c) of subdivision three of section 353.3 of the Family Court Act. In such cases, the New York State Office of Children and Family Services shall notify the court, Presentment Agency, counsel for the Respondent and parent or other person responsible for the Respondent's care, of the reason for discontinuing the placement with the authorized agency and the level and location of the youth's placement.

[Optional where Respondent is placed with the New York State Office of Children and Family Services; check box if applicable]:

❑ The New York State Office of Children and Family Services shall photograph the Respondent pursuant to Executive Law § 507-a(3).

[Optional where Respondent is 14 years of age and is placed with the New York State Office of Children and Family Services, the New York City Administration for Children's Services or Commissioner of Social Services; check box if applicable]:

❑ The placement agency is directed to provide the following services determined above to be needed to assist the child to make the transition from foster care to independent living [specify]:

[Optional where Respondent, upon adjudication for an act that would constitute a felony if committed by an adult, is placed with the New York State Office of Children and Family Services or the New York City Administration for Children's Services pursuant to F.C.A.§353.3(9); check box if applicable]:

❑ Respondent shall be confined in a residential facility for a minimum period of [specify minimum period not to exceed six months]:

[Required where Respondent is placed with the New York City Administration for Children's Services; optional for all other placement cases; check box if applicable]:

❑ The placement agency is directed to provide prior notice to the Respondent, attorney for the Respondent and Respondent's parent or guardian in the event that Respondent is transferred from one facility to another, unless an immediate change of placement is necessary, in which case the notice shall be transmitted on the next business day.

[Required where Respondent is placed with the New York State Office of Children and Family Services, the New York City Administration for Children's Services or a local social services district; check applicable boxes]:

❑ Respondent's parent or legal guardian was present in Court and consented to the provision of routine medical, dental and mental health services and treatment to the Respondent by the:

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[9] Applicable unless all or part of such credit would not serve the needs and best interests of the Respondent or the need for protection of the community. See F.C.A. §353.3(5).

❑ New York State Office of Children and Family Services ❑ New York City Administration for Children's Services ❑ Department of Social Services, County of [specify]: ;

OR

❑ Consent has not been obtained from Respondent's parent or legal guardian, but this Order shall be deemed to grant consent for the : ❑ New York State Office of Children and Family Services ❑ New York City Administration for Children's Services ❑ Department of Social Services, County of [specify]: to provide routine medical, dental and mental health services and treatment to the Respondent.

REQUIRED Where Placement in Qualified Residential Treatment Program is Requested]:
❑ Required Order if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]:

after examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the "Qualified Residential Treatment Program" is GRANTED, and placement of the Respondent in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]: the above-named Respondent shall be [check applicable box and specify]:

❑ returned or released to the following parent [specify]:

❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named Respondent's care and welfare that is in the best interests of the

child and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

[Required where Respondent is placed non-securely with the Commissioner of a County Department of Social Services, the New York City Administration for Children's Services or the New York State Office of Children and Family Services, pursuant to F.C.A.§353.3 or §353.4; check box if applicable]:

❑ ORDERED that if the Respondent remains in foster care, the [check box]:

❑ New York State Office of Children and Family Services;

❑ Commissioner of Social Services of [specify county]:

❑ New York City Administration for Children's Services

shall file a petition for the next permanency hearing NO LATER THAN [specify date not less than 60 days before permanency hearing must be completed]: and the permanency hearing shall be completed by [specify date]:

And it is further ORDERED that:

Date: , .

ENTER

_____

Judge of the Family Court

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:

❑ Order received in court on [specify date(s) and to whom given]:

F.C.A.§§ 350.2, 351.1, 352.1,
352.2, 353.1, 353.3, 353.5, 353.6, 353.7;
S.S.L. §§ 393, 409-h

Form 3-32
(Juvenile Delinquency - Order of Disposition - Designated Felony - After Order of Removal with Finding- No Restrictive Placement)[1]
9/2021

At a term of the Family Court of the State of New York, held in and for the County of , at New York on , .

PRESENT:
Hon.
Judge

In the Matter of

Docket No.

A Person Alleged to be a Juvenile Delinquent,

Respondent.

ORDER OF DISPOSITION
(Designated Felony - After Order of Removal with Finding - No Restrictive Placement)

An Order of Removal pursuant to Article 725 of the Criminal Procedure Law having been duly filed with this Court on [specify date]: , and a finding beyond a reasonable doubt having been made [check applicable box]:

❑ upon the above-named Respondent's plea of guilty

❑ after a juvenile delinquency fact-determination

❑ after a verdict of guilty

that the Respondent did the following act(s) that would, if committed by an adult, constitute the following crime(s) [specify as to each count]:

❑ designated felony act(s) pursuant to section 301.2 of the Family Court Act [specify, including section(s) of the Penal Law or other law violated]:

❑ non-designated felony act(s) [specify, including section(s) of the Penal Law or other law violated]:

; and

[Check box only if applicable]: ❑ The above crime included infliction of serious physical injury upon a person who is 62 years of age or older. *See* F.C.A. §355.5(3).

[1] For restrictive placements, use Form 3-33.

And these acts include the following:

❑ designated felony act(s) pursuant to section 301.2 of the Family Court Act [specify, including section(s) of the Penal Law or other law violated]:

❑ non-designated felony act(s) [specify, including section(s) of the Penal Law or other law violated]:

And notice having been duly given to Respondent, the Presentment Agency and [check applicable box]: ❑ Respondent's parent(s) ❑ the person(s) legally responsible for the Respondent's care pursuant to section 341.2 of the Family Court Act;

And the Respondent having [check applicable box(es)]: ❑ appeared ❑ not appeared, and counsel for Respondent having ❑ appeared ❑ not appeared before this Court to answer the petition;

And the matter having thereafter duly come on for a dispositional hearing pursuant to section 350.2 of the Family Court Act before the Court;

The Court, after making an examination and inquiry into the facts and circumstances of the case and after making reports available to counsel in accordance with section 351.1 of the Family Court Act, finds upon a preponderance of the evidence that:

I. Dispositional Findings

A. Respondent requires supervision, treatment, or confinement; and

B. The Court, having fully considered the matter of restrictive placement in accordance with section 353.5 of the Family Court Act, finds that the Respondent does not require restrictive placement for the following reasons [specify]:

; and

C. The Court, having fully considered the matter of a particular disposition pursuant to section 352.2 of the Family Court Act, finds that the Respondent requires the following disposition [specify; if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate]:
for the following reasons [specify]:

II. Required Findings in Cases in Which the Respondent is Placed: 2

[2] Note: These findings need not be made where the Respondent is placed restrictively pursuant to Family Court Act §353.5. In such cases, use Form 3-33.

[The following determinations are required when order is placement; check applicable boxes and provide case-specific reasons]: And the Court has determined that:

A. Best Interests Finding: Continuation in, or return to, the Respondent's home ❑ would ❑ would not be contrary to Respondent's best interests based upon the following facts and for the following reasons [specify]:

This determination was based upon the following information [check applicable box(es)]:

❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Uniform Case Record, dated [specify]:
❑ Risk Assessment Instrument
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

B. Reasonable Efforts Findings:

1. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the child from the home [check applicable box (es); state reasons as indicated. If prior finding was made, so indicate, including date]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding pursuant to F.C.A. §352.2(2)(c) that the authorized agency was not required to make reasonable efforts to reunify the Respondent with the ❑ parent(s) ❑ guardian(s) [specify date of finding]:

❑ because of other reasons [specify other reasons]:

❑ were not made.

This determination was based upon the following information [check applicable box(es)]:

❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:

❑ Uniform Case Record, dated [specify]:
❑ Risk Assessment Instrument
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

2. Reasonable efforts, where appropriate, to return the Respondent home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding pursuant to F.C.A. §352.2(2)(c) that the authorized agency was not required to make reasonable efforts to reunify the child with the ❑ parent(s) ❑ guardian(s) [specify date of finding]:

❑ because of other reasons [specify]:

❑ were not made.

This determination was based upon the following information [check applicable box(es)]:

❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Uniform Case Record, dated [specify]:
❑ Risk Assessment Instrument
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

3. Reasonable Efforts: Goal Other Than Return Home: [Applicable in cases in which the Respondent's permanency plan is adoption, guardianship or permanent living arrangement other than reunification]:

Reasonable efforts to make and finalize the Respondent's permanency plan of [specify]:

❑ have been made as follows [specify]:

❑ were not made based upon the following facts and for the following reasons [specify]:

This determination was based upon the following information [check applicable box(es)]:

❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Uniform Case Record, dated [specify]:
❑ Risk Assessment Instrument
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

C. Findings Regarding Transitional Services and Out-of-State Placements:

❑ [Required where Respondent is 14 years of age or older]: The services, if any, needed to assist the Respondent to make the transition from foster care to independent living are [specify]:

❑ [Required where the Respondent is placed outside New York State]: Placement outside New York State ❑ is ❑ is not appropriate and in the Respondent's best interests.

D. Findings Regarding Pre-dispositional Risk Assessment Instrument:

There ❑ is ❑ is not a validated pre-dispositional risk assessment instrument in use in this county that was developed by (or in New York City, approved by) the New York State Office of Children and Family Services.

[REQUIRED where there is a validated pre-dispositional risk assessment instrument in use]: Respondent has been assessed on the risk assessment instrument as a [check box for level of risk]:
[NYC cases only]: ❑ low ❑ medium ❑ high ❑ very high level of risk
[NON-NYC cases only]: ❑ low ❑ medium ❑ high level of risk .

[REQUIRED where validated pre-dispositional risk assessment instrument is in use and where placement is at a higher level of care than the assessed risk level; check box if applicable]:

❑ Placement, as directed below, is necessary and no less restrictive alternative is available, both for the protection of the community and to be consistent with the needs and best interests of the Respondent, notwithstanding the assessed risk level, for the following reasons {specify]:

III. Required Findings Where Approval of Placement in Qualified Residential Treatment Program is Requested:

❑ Required Findings if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]: ; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the Respondent ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the Respondent in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the Respondent in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the Respondent, as specified in the Respondent's permanency plan because [specify facts and reasons]:

D. Where the Qualified Individual has determined that the placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named Respondent's needs in a less restrictive environment; **and**

❑ Continued placement serves the above-named Respondent's needs and best interests or the

need for protection of the community because [specify facts and reasons]:

NOW, therefore, upon the Order of Removal and the findings made in the dispositional hearing, and upon all proceedings had herein, it is hereby

ORDERED and ADJUDGED that the above-named Respondent is a juvenile delinquent based on the Order of Removal and on the further ground that the Respondent requires supervision, treatment, or confinement; and it is therefore

ORDERED that [check applicable boxes]:

❑ Respondent is conditionally discharged for a period of [specify]: months upon the following terms and conditions [Attach additional sheets, if necessary]:

❑ Respondent is placed on probation under the supervision of the Probation Department of the County of for a period of upon the following terms and conditions [Attach additional sheets, if necessary]:

[Applicable where Respondent is directly placed with a suitable relative or other person]:

❑ This proceeding is continued and the Respondent is placed for a period of [specify]:

❑ less the period spent in detention pending disposition3 in the custody of [specify suitable relative or other person]: , subject to the further orders of this Court.

[Applicable where Respondent is directly placed with a suitable relative or other person]:

❑ This proceeding is continued and the Respondent is placed for a period of [specify]:

❑ less the period spent in detention pending disposition4 in the custody of [specify suitable relative or other person]: , subject to the further orders of this Court.

[REQUIRED where Respondent is placed in non-secure or limited-secure level of care]:

❑ This proceeding is continued and Respondent is placed in a non-secure level of care for a period of [specify period up to 12 months]: ❑ less the period spent in detention pending disposition,5 in the custody of the Commissioner of the [check applicable box]:

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[3] Applicable unless all or part of such credit would not serve the needs and best interests of the Respondent or the need for protection of the community. *See* F.C.A §353.3(5).

[4] Applicable unless all or part of such credit would not serve the needs and best interests of the Respondent or the need for protection of the community. *See* F.C.A §353.3(5).

[Non-NYC cases only]: ❑ Department of Social Services of the County of [specify]:
❑ New York State Office of Children and Family Services
[NYC cases only]: ❑ New York City Administration for Children's Services.

❑ This proceeding is continued and Respondent is placed in a limited secure level of care for a period of [specify period up to 12 months]: ❑ less the period spent in detention pending disposition,6 in the custody of the Commissioner of the [check applicable box]:
[Non-NYC cases only]: ❑ New York State Office of Children and Family Services
[NYC cases only]: ❑ New York City Administration for Children's Services.

❑ **[NYC cases only]:** This proceeding is continued and Respondent is placed in the custody of the New York City Administration for Children's Services in a non-secure OR limited secure level of care, the level to be determined by the Commissioner, for a period of [specify period up to 12 months]:

❑ less the period spent in detention pending disposition.7

[NON-NYC cases only; applicable where Respondent is placed with Department of Social Services for non-secure placement in a specific agency or class of agency]:

❑ The position of the Commissioner of Social Services of the County of [specify]: having been considered by the Court, this proceeding is continued and Respondent is placed for a period of [specify period]: ❑ less the period spent in detention pending disposition,8 in the custody of the Commissioner of Social Services of the County of [specify]: , for non-secure placement with [specify agency or class of agency; note: if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate if Respondent should be placed in an available long-term safe house]: , subject to the further orders of this Court.
In the event that the Commissioner of Social Services is unable to so place the child, the Commissioner [check applicable box]:

❑ shall ❑ need not apply to the Court for an order to stay, modify, set aside or vacate the order pursuant to Family Court Act §355.1.

❑ shall ❑ need not return Respondent to this Court for a new dispositional hearing.

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[5] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5). Note that in all placement cases, the placement period may be tolled by reason of the Respondent's absence without leave.

[6] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5). Note that in all placement cases, the placement period may be tolled by reason of the Respondent's absence without leave.

[7] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5). Note that in all placement cases, the placement period may be tolled by reason of the Respondent's absence without leave.

[8] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5)

[NYC cases only; applicable where Respondent is placed with the NYC Administration for Children's Services for non-secure or limited-secure level of care where specific services are needed; check box if applicable]: ❑ The Commissioner of the New York City Administration for Children's Services is directed to provide the following services, authorized or required to be made available in the approved plan for the "Close to Home" program, to meet the needs of the Respondent [specify services; note: if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate if Respondent needs the services afforded by an available long-term safe house]:

[The following two paragraphs are applicable where Respondent is placed with the New York State Office of Children and Family Services; note: in New York City cases, these paragraphs are applicable only to placements in a secure level of care]:

❑ This proceeding is continued and the Respondent is placed for a period of [specify]:

❑ less the period spent in detention pending disposition,[9] in the custody of the New York State Office of Children and Family Services, which is authorized to place the Respondent in a [check applicable box]:

❑ secure facility at any time or from time to time during the first 60 days of residency;[10]

❑ limited secure facility **[NON-NYC cases only]:**

❑ non-secure facility **[NON-NYC cases only]**

subject to further orders of this Court.

❑ **[NON-NYC cases only]:** The position of the New York State Office of Children and Family Services having been considered by the Court, this proceeding is continued and the Respondent is placed for a period of [specify]: ❑ less the period spent in detention pending disposition,[11] in the custody of the New York State Office of Children and Family Services for placement with [specify agency or class of agency; note: if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate if Respondent should be placed in an available long-term safe house]: , subject to further orders of this Court. In the event that the New York State Office of Children and Family Services is unable to place the Respondent in accordance with the direction hereof, or discontinues the placement with the authorized agency, the Respondent shall be deemed to have been placed with the New York State Office of Children and Family Services pursuant to paragraph (b) or (c) of subdivision three of section 353.3 of the Family Court Act. In such cases, the New York State Office of Children and Family Services shall notify the court, Presentment Agency, counsel for the Respondent and parent or other person responsible for the Respondent's care, of the reason for discontinuing the placement with the authorized agency and the level and location of the youth's placement.

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[9] Applicable unless all or part of such credit would not serve the needs and best interests of the Respondent or the need for protection of the community. See F.C.A. §353.3(5).

[10] *See* F.C.A. §353.3(3)(a).

[11] Applicable unless all or part of such credit would not serve the needs and best interests of the Respondent or the need for protection of the community. See F.C.A. §353.3(5).

[Optional where Respondent is placed with the New York State Office of Children and Family Services; check box if applicable]:

❑ The New York State Office of Children and Family Services shall photograph the Respondent pursuant to Executive Law § 507-a(3).

[Optional where Respondent is 14 years of age or older and is placed with the New York State Office of Children and Family Services, the New York City Administration for Children's Services or Commissioner of Social Services; check box if applicable]:

❑ The placement agency is directed to provide the following services determined above to be needed to assist the child to make the transition from foster care to independent living [specify]:

[Optional where Respondent, upon adjudication for an act which, if committed by an adult, would constitute a felony, is placed with the New York State Office of Children and Family Services or the New York City Administration for Children's Services pursuant to F.C.A.§353.3(9); check box if applicable]:

❑ Respondent shall be confined in a residential facility for a minimum period of [specify minimum period not to exceed six months]:

[Required where Respondent is placed with the New York City Administration for Children's Services; optional for all other placement cases; check box if applicable]:

❑ The placement agency is directed to provide prior notice to the Respondent, attorney for the Respondent and Respondent's parent or guardian in the event that Respondent is transferred from one facility to another, unless an immediate change of placement is necessary, in which case the notice shall be transmitted on the next business day.

[Required where Respondent is placed with the New York State Office of Children and Family Services, the New York City Administration for Children's Services or a local social services district; check applicable boxes]:

❑ Respondent's parent or legal guardian was present in Court and consented to the provision of routine medical, dental and mental health services and treatment to the Respondent by the: ❑ New York State Office of Children and Family Services ❑ New York City Administration for Children's Services ❑ Department of Social Services, County of [specify]: ;

OR

❑ Consent has not been obtained from Respondent's parent or legal guardian, but this Order shall be deemed to grant consent for the : ❑ New York State Office of Children and Family Services ❑ New York City Administration for Children's Services ❑ Department of Social Services, County of [specify]: to provide routine medical, dental and mental health services and treatment to the Respondent.

REQUIRED Where Placement in Qualified Residential Treatment Program is Requested]:

❑ Required Order if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]:

after examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the "Qualified Residential Treatment Program" is GRANTED, and placement of the Respondent in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]: the above-named Respondent shall be [check applicable box and specify]:

❑ returned or released to the following parent [specify]:

❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named Respondent's care and welfare that is in the best interests of the child and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

[Required where Respondent is placed non-securely with the Commissioner of a County Department of Social Services, the New York City Administration for Children's Services or the New York State Office of Children and Family Services, pursuant to F.C.A.§353.3 or §353.4; check box if applicable]:

❑ ORDERED that if the Respondent remains in foster care, the [check box]:

❑ New York State Office of Children and Family Services;

❑ **Commissioner of Social Services of [specify]: County;**

❑ **New York City Administration for Children's Services**

shall file a petition for the next permanency hearing NO LATER THAN [specify date not less than 60 days before permanency hearing must be completed]:
and the permanency hearing shall be completed by [specify date]:

And it is further **ORDERED** that:

Date: , .

ENTER:

Judge of the Family Court

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑Order mailed on [specify date(s) and to whom mailed]:

❑Order received in court on [specify date(s) and to whom given]:

F.C.A. §355.3, 355.5;
S.S.L.§§393, 409-h

Form 3-38
(Juvenile
Delinquency -Petition
for Extension of Placement and
Permanency Hearing)
9/2021

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF

In the Matter of

Docket No.

A Person Alleged to be a
Juvenile Delinquent,

Petition (Extension of Placement
And Permanency Hearing)

Respondent.

DEADLINES: THIS PETITION MUST BE FILED BY [Specify date]:[1] **AND THE PERMANENCY HEARING MUST BE COMPLETED BY [Specify date]:**

TO THE FAMILY COURT:

The undersigned Petitioner respectfully alleges upon information and belief that:

1. Petitioner [Specify name and title]: , is the [specify]:

❑ person

❑ official acting on behalf of the [check applicable box]:

- ❑ Commissioner of the N.Y.S. Office of Children and Family Services,
- ❑ Commissioner of Social Services of [specify]: County,
- ❑ Commissioner of the N.Y.C. Administration for Children's Services

with whom the Respondent in the above-entitled proceeding has been placed pursuant to section 353.3 of the Family Court Act. Petitioner's ❑ residence ❑ principal office is located at [specify address]: , New York.

2. a. Under the Order of Disposition of this Court, dated [specify]: , the above-named Respondent, born , was adjudicated to be a juvenile delinquent

[1] The petition must be filed at least 60 days prior to the date by which the hearing must be completed. The date should conform to the deadline indicated on the prior Permanency Order, if any, or on the dispositional order. The petition must be served upon all parties to the action, including the attorney for the child, as well as any foster parent or relative providing care to the Respondent and any prospective adoptive parent(s). *See* F.C.A. §355.5.

within the meaning of Article 3 of the Family Court Act, and was placed with Petitioner for a period of months, terminating on . A copy of the order is annexed as Exhibit A.

b. [Delete if inapplicable]: Placement was last extended on [specify date]: , terminating on [specify date]:

c. A permanency hearing is required at this time because [check applicable box(es)]:

❑ The last permanency hearing was held regarding this placement on [specify date]:

❑ No prior permanency hearing has been held.

❑ A finding by the Court pursuant to F.C.A. §352.2(2)(c) that reasonable efforts to reunify the Respondent with his or her parent(s) or person(s) legally responsible are not necessary was made on [specify date]:

3. Respondent is now in the care and custody of Petitioner and is residing in a [specify]:2

❑ non-secure facility or foster care program

❑ limited secure facility

❑ secure facility.

4. a. The following are the names and addresses of the parent(s) or other persons legally responsible for the care of the Respondent or with whom the Respondent resides:

Name	Residence	Relationship

b. In addition to the Respondent's parent(s) or other persons legally responsible for the Respondent's care, the following individuals must be notified of this proceeding:

❑ Attorney for the child [specify]:

❑ Prospective adoptive parent(s)[specify]:

❑ Foster parent(s)[specify]:

❑ Relative(s)[specify]:

❑ Other [specify]:

5. Continued placement is in the Respondent's best interests and it would not be in the Respondent's best interests to return home because [specify reasons, including safety considerations, if any]:

This conclusion is supported by the following information [check applicable box(es)]:

❑ Probation Department report, dated [specify]:

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[2] Family Court Act §355.5 requires a permanency hearing only regarding a juvenile who is placed in a non-secure facility, although all juveniles placed pursuant to Family Court Act §353.3 are subject to extensions of placement. *See* F.C.A. §355.3, 355.5.

❑ **Mental health evaluation, dated [specify]:**
❑ **Uniform Case Record, dated [specify]:**
❑ **Risk Assessment Instrument**
❑ **Summary of the Uniform Case Record, dated [specify]:**
❑ **Service Plan, dated [specify]:**
❑ **The report of [specify]: , dated [specify]:**
❑ **Testimony of [specify]:**
❑ **Other [specify]:**

6. a. The permanency plan for the Respondent is as follows [check applicable box(es) and indicate time frame(s)]:

❑ reunification with the ❑ parent(s) ❑ person(s) legally responsible for Respondent's care by [specify date]:

❑ placement for adoption upon filing of a petition to terminate parental rights by [specify date]:

❑ referral for legal guardianship by [specify name and date]:

❑ permanent placement with the following fit and willing relative [specify name]: by [specify date]: .

❑ **[Applicable ONLY to Respondents who are 16 years of age or older]**: permanent placement in the following alternative planned permanent living arrangement (APPLA) [specify]:

[REQUIRED in all APPLA plan cases]:[3]

(i) Documentation, made available to the Court, provides the following compelling reason(s) indicating that it would not be in the Respondent's best interests to return home, be referred for termination of parental rights and adoption, placed with a fit and willing relative, or placed with a legal guardian [specify compelling reason(s), indicating documentary sources of information, if any]:

(ii) APPLA is the best permanency plan for the Respondent because [specify]:

(iii). The following intensive, ongoing, and, as of the date of this petition, unsuccessful efforts were made to return the Respondent home or secure a placement for the Respondent with a fit and willing relative, including adult siblings, a legal guardian, or an adoptive parent, including

[3] Although applicable to all youth in care, the requirement for documentation regarding subparagraphs (v) and (vi) to be submitted to the Court applies only to youth with APPLA goals.

through efforts that utilize search technology including social media to find biological family members of Respondent [specify]:

(iv) The following individual, with whom Respondent has a significant connection, is willing and should be designated as the Respondent's permanency resource [specify]:

(v). The "reasonable and prudent parent" standard of care has been applied to Respondent in the facility or home in which he or she resides as follows [specify]:

(vi). Respondent has been provided with regular, ongoing opportunities to engage in age or developmentally appropriate activities and has been consulted in an age-appropriate manner about the opportunities to participate in activities as follows [specify]:

b. **The permanency plan** [check applicable box]:

❑ has not changed since the dispositional hearing or last permanency hearing;

❑ has changed as follows [specify, indicating documentary sources of information, if any]:

c. **The permanency plan should be approved because** [specify reasons, indicating documentary sources of information, if any]:

7. a. Reasonable efforts, where appropriate, to return the Respondent home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify reasonable efforts, including specific documents or evidence supporting findings]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding pursuant to F.C.A. §352.2(2)(c) that the Petitioner was not required to make reasonable efforts to reunify the Respondent with the ❑ parent(s) ❑ person(s) legally responsible [specify date of finding]:
❑ because of other reasons [specify]:

❑ were not made.

This assertion is based upon the following information [check applicable box(es)]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Uniform Case Record, dated [specify]:
❑ Risk Assessment Instrument
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

b. **[REQUIRED where the Respondent's permanency plan is adoption, guardianship or permanent living arrangement other than reunification]**: Reasonable efforts to make and finalize the permanency planning goal of [specify]:

❑ were made as follows [specify reasonable efforts, including specific documents or evidence supporting findings]:

❑ were not made based upon the following facts and for the following reasons [specify]:

This assertion is based upon the following information [check applicable box(es)]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Uniform Case Record, dated [specify]:
❑ Risk Assessment Instrument
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

c. The following impediments exist, if any, to the fulfillment of the Respondent's permanency plan [specify, indicating documentary sources of information, if any]:

8. **[Required where the Respondent is 14 years of age or older]:**
The services needed, if any, to assist the Respondent to make the transition from foster care to independent living are [specify]:

a. These services are being provided as follows [specify]:

b. These services are not being provided for the following reasons [specify, indicating documentary sources of information, if any; if no services are needed, so indicate]:

9. **[Required where the Respondent has been placed out-of-state]**
The placement of Respondent at [specify]:
[check applicable box]: ❑ continues to be ❑ is not appropriate and in the Respondent's best interests because [specify, indicating documentary sources of information, if any]:

10. The current service plan, which is annexed to this petition, should be approved for the following reasons [specify, indicating documentary sources of information, if any; if any information in service plan is not up-to-date, so indicate]:

11. a. The visitation plan for the Respondent and the ❑ parent(s) ❑ other person(s) legally responsible is as follows [describe plan(s); if visitation is supervised, so state]:

b. The visitation plan for the Respondent and the Respondent's sibling(s) or half-sibling(s) is as follows [describe plan(s)]:

12. **[REQUIRED where the Respondent has been in foster care for 15 out of the most recent 22 months]**: A termination of parental rights petition:
❑ was filed on [specify date]: in [specify court]:
The status of the case is as follows [specify]: .
❑ will be filed not later than [specify date]: in [specify court]:

❑ will not be filed for the following reason(s) [check applicable box(es) and cite documentary sources of information, if any]:4

❑ The Respondent is being cared for by a relative or relatives;

❑ The authorized agency has documented the following compelling reason for not filing a termination of parental rights petition:

❑ The Respondent was placed as a juvenile delinquent and the following facts and circumstances support a permanency plan of : ❑ return to the parent(s) or other person(s) legally responsible for the Respondent's care, or ❑ Alternative Planned Permanent Living Arrangement (APPLA; applicable only to youth 16 years or older): [specify facts and circumstances, citing documentary sources, if any]:

❑ The Respondent has a permanency plan other than adoption;

❑ The Respondent is 14 years of age or older and will not consent to adoption;

❑ There are insufficient grounds for filing a termination petition;

❑ The Respondent is the subject of a pending child abuse or neglect petition that has not yet reached disposition and the permanency plan is return to the parent(s) or other person(s) legally responsible for the Respondent's care.5

❑ The authorized agency has not provided the following legally required services to the parent(s) of the Respondent that it deems necessary for the safe return of the Respondent [specify, citing documentary sources, if any]:

13. The Respondent has the following conditions and special needs [specify]:

Area	Conditions/Special Needs	Services Needed	Services Provided	Last Evaluation
❑ **Medical**				
❑ **Developmental**				
❑ **Educational**				

[4] *See* Social Services Law §§384-b(3)(l)(i), 384-b(3)(l)(ii).

[5] This ground does not apply if the Respondent is already in the custody of the local commissioner of social services as a result of a proceeding other than the pending child abuse or neglect proceeding. *See* Social Services Law §§384-b(3)(l)(ii)(E).

❑ **Mental Health**

❑ **Other [specify]:**

14. The plan for the Respondent's ❑ release ❑ conditional release includes the following arrangements for the prompt enrollment of the Respondent in the following educational or vocational program [specify and attach a copy of the release plan pursuant to Family Court Act §353.3(7)]:

15. [REQUIRED for requests for approval of placement in Qualified Residential Treatment Program]:

a. The permanency plan for the Respondent is [specify]: .
This plan ❑ has ❑ has not changed since the most recent dispositional or permanency hearing.

b. The needs of the Respondent require a higher level of care than can be provided by a foster or therapeutic foster home because [specify]:

c. The Respondent has been ❑ placed❑ recommended for placement in [specify name]: a qualified residential treatment program (QRTP).

d. [**Applicable to application for approval of new placement in a QRTP**]: The needs of the Respondent have been assessed by a Qualified Individual as defined in Social Services Law, Section 409-h (5) and a copy of the Qualified Individual's report ❑ has been submitted separately ❑ is submitted herewith will be submitted within five days of completion but not less than (10) days prior to the date of the first-scheduled hearing on this motion.

e. [**Applicable to request for approval of continued placement in QRTP**]:
(i) The following circumstances exist that necessitate the continued placement of the

Respondent in the QRTP [specify]:

(ii). There is no alternative setting available that can meet the Respondent's needs in a less restrictive environment because [specify]:

(iii). Continued placement serves the Respondent's needs and best interests or the need for protection of the community because [specify]:

(iv) Continued placement is consistent with the short- and long-term goals of the Respondent, as specified in the Respondent's permanency plan, because [specify]:

(v) It is anticipated that the Respondent will require the following treatment and services in the QRTP for the following period of time [specify services, treatment and expected duration]:

(vi) The following efforts have been made to prepare the Respondent to return home, or to be placed with a fit and willing relative, foster family home, legal guardian or adoptive parent [specify]:

16. The Respondent ❑ is ❑ is not a Native-American Respondent subject to the Indian Child Welfare Act of 1978 (25 U.S.C. §§ 1901-1963).

17. No previous application has been made to any court or judge for relief herein requested (except [specify]:).

WHEREFORE, Petitioner requests that this Court conduct a permanency hearing [delete if inapplicable][6] **and enter an order of disposition as follows:**[7]

A. Approving Petitioner's implementation of the above permanency plan and release plan for the Respondent;

B. Extending the Respondent's placement for a period of [specify period of not more than one year]:

C. Directing that the ❑ parent(s) ❑ person(s) legally responsible for Respondent's care be notified of the planning conference(s) to be held, of (his)(her) right to attend such conference(s) and of (his)(her) right to attend with counsel or other person;

D. Directing that the ❑ parent(s) ❑ person(s) legally responsible for Respondent's care be given a copy of this Court's order and current service plan;

E. [DELETE if inapplicable]: ❑ Entering an Order approving placement of the Respondent in the following Qualified Residential Treatment Program:

F. Directing that, if the Respondent remains in foster care, the Petitioner must file a petition for a permanency hearing not later than [specify date 60 days prior to the date by which the permanency hearing must be completed]:[8] **and**

G. Granting such other and further relief as it deems appropriate, including, but not limited to the following [specify]:

Date:

_____
Commissioner

By _____
Name and Title

_____

_____

[6] In most cases, a combined permanency/extension of placement hearing should be requested. However, where the Respondent is not placed in a facility requiring a permanency hearing or where a permanency hearing has been held within the past 12 months –*e.g.*, where the Respondent had been placed for 18 months and a permanency hearing had been held at the 12 month juncture – an extension of placement hearing, without a permanency hearing, may be requested. Where the sole request is for a permanency hearing, without an extension of placement hearing, General Form GF-34 may be used instead of this form.

[7] Paragraphs A, B and E are required.

[8] *See Uniform Rules of the Family Court,* 22 N.Y.C.R.R. §205.17(b).

Individual Petitioner

_____

_____

_____

Address and Telephone Number

VERIFICATION

(Agency)

STATE OF NEW YORK)
)ss.:
COUNTY OF NEW YORK)

, being duly sworn, deposes and says:

The (s)he is the of , an agency authorized to originate the above-entitled proceeding, and is acquainted with the facts and circumstances therein; that (s)he has read the foregoing and knows the contents thereof; that the same is true to (his)(her) own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matter (s)he believes it to be true.

_____

Name

_____

Title

Sworn to before me this day of .

(Deputy)(Clerk of Court)
(Notary Public)

Form 3-38
Page 12

VERIFICATION

(Individual)

STATE OF NEW YORK)
)ss.:
COUNTY OF NEW YORK)

, being duly sworn, deposes and says:

That (s)he is the of , an agency authorized to originate the above-entitled proceeding, and is acquainted with the facts and circumstances therein; that (s)he has read the foregoing and knows the contents thereof; that the same is true to (his)(her) own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matter (s)he believes it to be true.

Sworn to before me this day of ,

Petitioner

(Deputy)(Clerk of Court)
(Notary Public)

F.C.A. §§355.3, 355.5;
S.S.L.§§393, 409-h

Form 3-39
Juvenile Delinquency-
Extension of Placement and
Permanency Hearing Order)
9/2021

At a term for the Family Court of the
State of New York, held in and for the
County of
at New York
on , .

PRESENT
Hon.
Judge

In the Matter of

A Person Alleged to be a
Juvenile Delinquent,

Respondent.

Docket No.

EXTENSION OF
PLACEMENT AND
PERMANENCY HEARING
ORDER1

DEADLINE: IF THE RESPONDENT REMAINS IN A NON-SECURE LEVEL OF CARE, A PETITION FOR THE NEXT PERMANENCY HEARING MUST BE FILED NOT LATER THAN [SPECIFY]:2 _____ .

The above-named Respondent having been adjudicated by this Court to be a juvenile delinquent within the meaning of Article 3 of the Family Court Act, and an Order of Disposition, dated [specify]: , having been issued placing Respondent with [check applicable box]:

❑ a suitable person ❑ the New York State Office of Children and Family Services

❑ [Non-NYC cases]: the Commissioner of Social Services of [specify]: County,

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[1] NOTE: Delete "Permanency Hearing" if this is solely an extension of placement order. Utilize General Form GF-35, instead of this form, if this is solely a permanency hearing order. Family Court Act §355.5(2) requires the permanency and extension of placement hearings to be combined. However, a permanency hearing may be required in advance of (and thus separately from) an extension of placement if a finding is made that reasonable efforts are not required (requiring a permanency hearing within 30 days) or if the Respondent was placed on a felony pursuant to F.C.A. §353.3 for 18 months (requiring a permanency hearing annually). Further, if the Respondent is placed in a facility not requiring a permanency hearing, an extension of placement hearing without a permanency hearing may be held. Although all juveniles placed pursuant to Family Court Act §§353.3 and 353.5 are subject to extensions of placement, F.C.A. §355.5 requires a permanency hearing only with respect to juveniles who, during the period of placement, are or may be placed in a non-secure level of care, that is, in facilities with capacities of 25 beds or fewer or are placed for re-placement with authorized agencies for foster or residential care.

[2] The petition must be filed at least 60 days prior to the date by which the hearing must be completed. *See Uniform Rules of the Family Court*, 22 N.Y.C.R.R. §205.17(b). Family Court Act §355.5 requires a permanency hearing regarding juveniles who are placed in non-secure facilities, although all juveniles placed pursuant to Family Court Act §353.3 are subject to extensions of placement. *See* F.C.A. §355.3, 355.5.

❑ [NYC cases]: the Commissioner of the New York City Administration for Children's Services

And the petition of [specify]: , for an extension of placement and permanency hearing , sworn to on [specify date]: , having been filed in this Court [check applicable box]:

❑ at least 60 days prior to the expiration of the period of placement;

❑ less than 60 days prior to the expiration of the period of placement, and good cause having [check applicable box] ❑ been ❑ not been found for the delay;

❑ in the case of a placement of 12 months or more, at least 60 days prior to the date the permanency hearing must be held;

❑ in the case of a placement of 12 months or more, less than 60 days prior to the date the permanency hearing must be held, and good cause having [check applicable box] ❑ been ❑ not been found for the delay;

And notice having been duly given to the following person(s), who appeared as follows: [specify; check applicable boxes]:

❑ Respondent ❑ with counsel ❑ without counsel

❑ Parent(s)[specify]:

❑ Other person(s) legally responsible for Respondent's care [specify]:

❑ Prospective adoptive parent(s)[specify]:

❑ Foster parent(s)caring for Respondent [specify]:

❑ Relative(s) caring for Respondent [specify]:

❑ Authorized Agency caring for Respondent [specify]:

❑ Parents of siblings of the respondent [specify]: 3

❑ Other [specify]:

And the matter having duly come on to be heard, and the above-named persons appearing having been given an opportunity to be heard,

And the position and information provided by the [check applicable box(es)]:

❑ NYS Office of Children and Family Services

❑ [Non-NYC cases]: the Commissioner of Social Services of [specify]: County,

❑ [NYC cases]: the Commissioner of the New York City Administration for Children's Services having been considered by the Court;

The Court, after having made an examination and inquiry into the facts and circumstances of the case and into the surroundings, conditions, and capacities of the persons involved, finds and determines the following [Note: judicial findings must be made pursuant to both I and II, below]:

I. Required "Best Interests" and "Reasonable Efforts" Findings [check applicable boxes and provide case-specific reasons in both A and B below]:

[3] Federal law [Public Law 113-183; 42 U.S.C. §675], requires permanency hearing notification to parents who have legal custody of the respondent's sibling or siblings. Siblings include those who would be siblings under NYS law, but for termination of parental rights or other disruption of parental rights, including death of a parent.

A. "Best Interests" Finding: Return of the Respondent to the home ❑ would ❑ would not be contrary to the best interests of the Respondent because [specify facts and reasons]:

This determination is based upon the following information [check applicable box(es)]:

❑ The Permanency Petition, dated [specify]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Uniform Case Record, dated [specify]:
❑ Risk Assessment Instrument
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

B. "Reasonable Efforts" Findings:

1. Reasonable efforts, where appropriate, to return the Respondent home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding pursuant to Family Court Act §352.2(2)(c)that the authorized agency was not required to make reasonable efforts to reunify the Respondent with the ❑ parent(s) ❑ person(s) legally responsible for Respondent's care [specify date of finding]:

❑ because of other reasons [specify]:

❑ were not made.

This determination is based upon the following information [check applicable box(es)]:

❑ The Permanency Petition, dated [specify]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:

❑ Uniform Case Record, dated [specify]:
❑ Risk Assessment Instrument
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:

❑ Testimony of [specify]:
❑ Other [specify]:

2. [Required in cases in which the Respondent's permanency plan is adoption, guardianship or permanent living arrangement other than reunification]: Reasonable efforts to make and finalize the permanency plan of [specify]:

❑ were made as follows [specify]:

❑ were not made based upon the following facts and for the following reasons [specify; if lack of efforts was reasonable, so indicate]:

This determination is based upon the following information [check applicable box(es)]:
❑ The Permanency Petition, dated [specify]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Uniform Case Record, dated [specify]:
❑ Risk Assessment Instrument
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

II. Required Findings Regarding Program Services, Transitional Services and Out-of-State Placements:

A. Required for Respondents 16 years of age or older with Alternative Planned Permanent Living Arrangement (APPLA) Goals [check applicable box(es)]:

1. ❑ Evidence ❑ has ❑ has not been provided to the Court that a "reasonable and prudent parent" standard of care has been applied to Respondent in the facility or home in which he or she resides;

2. ❑ Evidence ❑ has ❑ has not been provided to the Court that Respondent has been provided with regular, ongoing opportunities to engage in age or developmentally appropriate activities and has been consulted in an age-appropriate manner about the opportunities to participate in such activities;

3. ❑ Evidence ❑ has ❑ has not been provided to the Court, indicating compelling reason(s) that it would not be in the Respondent's best interests to return home, be referred for termination of parental rights and adoption, placed with a fit and willing relative, or placed with a legal guardian. These reasons are as follows [specify compelling reason(s)]:

4. ❑ Evidence ❑ has ❑ has not been provided to the Court, indicating that intensive, ongoing, and, as of the date of this petition, unsuccessful efforts were made to return the Respondent home or secure a placement for the Respondent with a fit and willing relative, including adult siblings, a legal guardian, or an adoptive parent, including through efforts that utilize search technology including social media to find biological family members of Respondent.

5. The Court inquired directly of the Respondent regarding the permanency plan.

6. The following individual, with whom Respondent has a significant connection, is willing and is designated to be the Respondent's permanency resource [specify]:

7. The Court has determined that APPLA with a significant connection to an adult willing to be a permanency resource for the Respondent is the best permanency plan for the Respondent because [specify]:

B. ❑ [Required where Respondent is 14 years of age or older]: The services, if any, needed to assist the Respondent to make the transition from foster care to independent living are [specify]:

C. ❑ [Required where the Respondent is placed outside New York State]: Placement outside New York State ❑ is ❑ is not appropriate and in the Respondent's best interests;

III. <u>Required Findings Where Placement in Qualified Residential Treatment Program is Requested</u>:

❑ Required Findings if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); [initial placements only]: the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]:
; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the Respondent ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the Respondent in a Qualified Residential Treatment Program (QRTP)

❑ does ❑ does not provide the most effective and appropriate level of care for the Respondent in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the Respondent, as specified in the Respondent's permanency plan because [specify facts and reasons]:

D. The following efforts, if any, have been made to prepare the Respondent to return home, or to be placed with a fit and willing relative, foster family home, legal guardian or adoptive parent [specify]:

E. [Applicable to initial placements in QRTP; delete if inapplicable]: Where the Qualified Individual has determined that the placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named Respondent's needs in a less restrictive environment; **and**

❑ Continued placement serves the above-named Respondent's needs and best interests or the need for protection of the community because [specify facts and reasons]:

NOW, after examination and inquiry into the facts and circumstances and after hearing the proof and testimony, it is therefore

A. <u>Temporary Order Extending Placement</u>

❑ ORDERED that, probable cause having been found for continuing the placement temporarily pending the hearing and that such temporary order is necessary, Respondent's placement is extended until [specify date not to exceed 30 days]:4

[4] The permanency hearing (required for Respondents placed in non-secure facilities, as defined by F.C.A. §355.5(1), residential care or foster homes) must be held and <u>the "best interests" and "reasonable efforts" findings above must be made on a timely basis, even if the placement is extended only temporarily</u>. One or more temporary extension of up to 30 days may be granted only upon satisfactory proof of probable cause and the necessity of each order. F.C.A. §355.3(5) provides that "[t]he court may order additional temporary extensions, not to exceed a total of 15 days, if the court is

B. Extension of Placement: Disposition of Petition (Required)

❑ ORDERED that the petition is **GRANTED** and the placement is extended to the following date [specify]: , subject to further orders of this Court.

❑ ORDERED that the petition is **DISMISSED** and the Respondent is discharged from the custody of [specify]: on [specify date no later than the date of expiration of the placement period]:

C. Permanency Plan (Required where permanency hearing was held under F.C.A. §355.5)5

ORDERED that Petitioner's permanency plan for the above-named Respondent [check applicable box]:
❑ is approved ❑ is modified,
as follows [check applicable box(es) and indicate time frame(s)]:

❑ reunification with the ❑ parent(s) ❑ person(s) legally responsible for Respondent's care by [specify date]:

❑ placement for adoption upon filing of a petition to terminate parental rights by [specify date]:

❑ referral for legal guardianship by [specify name and date]:

❑ permanent placement with the following fit and willing relative [specify name]: by [specify date]: .

❑ [Applicable ONLY to Respondents who are 16 years of age or older]: permanent placement in the following alternative permanent planned living arrangement [specify]:

D. Reasonable Efforts (Applicable where permanency hearing held under F.C.A. §355.5)6

[Optional in cases in which the Respondent's goal is reunification with the parent or guardian; check box if applicable]:

❑ ORDERED that following reasonable efforts shall be made to make and finalize the Respondent's goal of reunification [specify]:

; (and it is further)

[Optional in cases in which the Respondent's goal is adoption, guardianship or permanent living arrangement other than reunification; check box if applicable]:

---

unable to conclude the hearing within the 30 day temporary extension period. In no event shall the aggregate number of days in extensions granted or ordered under this subdivision total more than 45 days. The petition shall be dismissed if a decision is not rendered within the period of placement or any temporary extension thereof."

[5] *See* Note 1.

[6] *See* Note 1.

❑ ORDERED that following reasonable efforts shall be made to make and finalize the Respondent's goal of [specify goal and describe efforts]:

; (and it is further)

E. Service Plan (REQUIRED where permanency hearing held under F.C.A. §355.5)7

❑ ORDERED that the service plan submitted by the Petitioner [check applicable box]:
❑ is appropriate ❑ should be modified as follows [specify]: ;

and shall be given by Petitioner, along with a copy of this Order; to the [check applicable box]:
❑ parent(s) ❑ person(s) legally responsible for the Respondent's care,
; (and it is further)

F. Transitional Services [check applicable box(es)]:
[Applicable in cases where the Respondent is 14 years of age or older]:
❑ ORDERED that the Petitioner is directed to provide the following services determined above to be needed to assist the Respondent to make the transition from foster care to independent living [specify]:

; (and it is further)

[REQUIRED where release plan has been submitted pursuant to Family Court Act §353.3(7)]:
❑ ORDERED that the plan for the Respondent's ❑ release ❑ conditional release is [check applicable box]: ❑ approved ❑ modified as follows [specify]: 8

; (and it is further)
❑ ORDERED that Petitioner shall take the following steps to implement the plan for the Respondent's ❑ release ❑ conditional release [specify]:

[Required where placement is extended and release plan has not yet been submitted]:
❑ ORDERED that 30 days prior to the conclusion of the placement or, if an extension of placement will be sought, 60 days prior to the date by which a permanency hearing must be concluded, Petitioner shall submit a report to the Court, attorney for the child or attorney of record and

[7] *See* Note 1.
[8] *See* Family Court Act §353.3(7).

Presentment Agency containing a plan for the release or conditional release of the Respondent in accordance with section 353.3(7) of the Family Court Act; (and it is further)

G. Out-of-State Placement [REQUIRED where Respondent has been placed out-of-state]:

❑ ORDERED that the placement of the Respondent at [specify]:
❑ is appropriate and in the Respondent's best interests and is continued until [specify]:
❑ is not appropriate and in the Respondent's best interests and the Respondent shall, therefore, be returned to New York State to be :
❑ placed with [specify]: until [specify]:
❑ discharged to [specify]:
; (and it is further)

H. Reports, Notices, Visitation Plans and Services [check box(es) if applicable]:

❑ ORDERED that Petitioner shall make a progress report to the Court, the parties and the attorney for the child on the implementation of this order not later than 90 days from the date of this order and every [specify period]: days thereafter
; (and it is further)

❑ ORDERED that if the above permanency plan for the Respondent is changed, notice shall be provided to the Court, the parties and the attorney for the child forthwith; (and it is further)

❑ ORDERED that the ❑ parent(s) ❑ person(s) legally responsible for Respondent's care be notified of the planning conference(s) to be held and of (his)(her)right to attend such conference(s) with counsel or other person;
(and it is further)

❑ ORDERED that Petitioner shall provide the ❑ parent(s) ❑ person(s) legally responsible for Respondent's care with visitation with the Respondent as follows [describe visitation plan]:
; (and it is further)

❑ ORDERED that Petitioner shall provide the following sibling(s) [specify]:
with visitation with the Respondent as follows [describe visitation plan]:
; (and it is further)

[NYC cases only; applicable where Respondent is placed with the NYC Administration for Children's Services for non-secure or limited-secure level of care where specific services are needed]:

❑ The Commissioner of the New York City Administration for Children's Services is directed to provide the following services, authorized or required to be made available in the approved plan for the "Close to Home" program, to meet the needs of the Respondent [specify services; note: if the Respondent has been found to be sexually exploited, as defined in Social

Services Law §447-a, so indicate if Respondent needs the services afforded by an available long-term safe house]:

[Required where Respondent is placed with the New York City Administration for Children's Services; optional for all other placement cases; check box if applicable]:

❑ The placement agency is directed to provide prior notice to the Respondent, attorney for the Respondent and Respondent's parent or guardian in the event that Respondent is transferred

from one facility to another, unless an immediate change of placement is necessary, in which case the notice shall be transmitted on the next business day.

I. [REQUIRED Where Placement in Qualified Residential Treatment Program is Requested]:
❑ Required Order if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]:

after examination and inquiry into the facts and circumstances [check box if applicable]:
❑ and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the "Qualified Residential Treatment Program" is GRANTED, and placement of the Respondent in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]:
the above-named child shall be [check applicable box and specify]:
❑ returned or released to the following parent [specify]:
❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:
❑ returned to or placed in the following foster home [specify]:
❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:
❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:
❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named child's care and welfare that is in the best interests of the Respondent and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

J. Deadline for Filing Next Permanency Petition (Required if permanency hearing held pursuant to F.C.A. §355.5)9

ORDERED that if the Respondent remains in foster care, Petitioner shall file a petition for the next permanency hearing NO LATER THAN [specify date not less than 60 days before deadline for completion of hearing]:
and the permanency hearing shall be completed by [specify date]:

and it is further

ORDERED, that .

ENTERED

Judge of the Family Court

Dated:

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:

❑ Order received in court on [specify date(s) and to whom given]:

[9] *See* Note 1.

F.C.A. §§355, 5, 360.2, 360.3;
S.S.L. §§393, 409-h

Form 3-40
(Juvenile Delinquency--
Petition for Violation of Order
of Probation or Conditional
Discharge)
9/2021

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF
.....

In the Matter of

Docket No.

A Person Alleged to be
Juvenile Delinquent,

PETITION (Violation of
Order of Probation or
Conditional Discharge)

Respondent.
.....

TO THE FAMILY COURT:

The undersigned Petitioner respectfully alleges upon information and belief that:

1. Petitioner [specify name and title]:
is employed by the probation service of the County of , having its principal office at [specify address]:

2. a. Respondent was adjudicated by this Court to be a juvenile delinquent by an Order of Disposition of this Court, dated [specify]: , under the terms of which Respondent was [check applicable box]: ❑ placed on probation ❑ conditionally discharged, upon the following terms and conditions:

b. The order of ❑ probation ❑ conditional discharge expires on [specify]:

3. Respondent, without just cause, has willfully violated the terms and conditions of the order in that [describe time, place and manner in which violation occurred.]:

4. [Required where placement is requested; check applicable boxes and state facts and reasons]:

a. Continuation in the Respondent's home, or, where the Respondent was removed from the home, return to the Respondent's home [check applicable box]:

❑ would ❑ would not be contrary to Respondent's best interests based upon the following facts and for the following reasons [specify]:

This assertion is based upon the following information [check applicable box(es)]:

- ❑ Uniform Case Review, dated [specify]:
- ❑ Summary of the Uniform Case Record, dated [specify]:
- ❑ Service Plan, dated [specify]:
- ❑ Probation Department report, dated [specify]:
- ❑ Mental health evaluation, dated [specify]:
- ❑ The report of [specify]: , dated [specify]:
- ❑ Other [specify]:

b. Reasonable efforts, where appropriate and consistent with the protection of the community, to prevent or eliminate the need for removal of Respondent from the home, and, where the Respondent was removed from the home, to return the Respondent safely to his or her home:

- ❑ were made as follows [specify]:

- ❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:
  - ❑ because of a prior judicial finding pursuant to F.C.A. §352.2(2)(c) that the Petitioner was not required to make reasonable efforts to reunify the Respondent with the ☐ parent(s) ☐ person(s) legally responsible [specify date of finding]:
  - ❑ because of other reasons [specify]:

- ❑ were not made.

This assertion is based upon the following information [check applicable box(es)]:

- ❑ Uniform Case Review, dated [specify]:
- ❑ Summary of the Uniform Case Record, dated [specify]:
- ❑ Service Plan, dated [specify]:
- ❑ Probation Department report, dated [specify]:
- ❑ Mental health evaluation, dated [specify]:
- ❑ The report of [specify]: , dated [specify]:
- ❑ Other [specify]:

5. **[REQUIRED where placement in Qualified Residential Treatment Program is requested]:**

a. The permanency plan for the Respondent is [specify]: .

This plan ❑ has ❑ has not changed since the most recent dispositional or permanency hearing.

b. The needs of the Respondent require a higher level of care than can be provided by a foster or therapeutic foster home because [specify]:

c. The Respondent has been ❑ placed❑ recommended for placement in [specify name]: a qualified residential treatment program (QRTP).

d. [Applicable to requests for approval of initial placement in a QRTP]: The needs of the Respondent have been assessed by a Qualified Individual as defined in Social Services Law, Section 409-h (5) and a copy of the Qualified Individual's report :

❑ has been submitted separately

❑ is submitted herewith

❑ will be submitted within five days of completion but not less than (10) days prior to the date of the first-scheduled hearing on this motion.

e. The following circumstances exist that necessitate the continued placement of the Respondent in the QRTP [specify]:

f. There is no alternative setting available that can meet the Respondent's needs in a less restrictive environment because [specify]:

g. Continued placement serves the Respondent's needs and best interests or the need for protection of the community because [specify]:

6. No previous application has been made to any court or judge for the relief herein requested (except [specify]:

).

Form 3-40
Page 4

WHEREFORE, Petitioner requests that the order of ❑ conditional discharge ❑ probation be revoked and that the Court make such other and further disposition of the Respondent under Article 3 of the Family Court Act as it may deem proper.

Dated: , .

_____

_____
Title, Probation Service of [specify]: County

_____
Presentment Agency

VERIFICATION
(Agency)

STATE OF NEW YORK)
) ss.:
COUNTY OF)

, being duly sworn, deposes and says:

That (s) he is the of , an agency authorized to originate the above-entitled proceeding, and is acquainted with the facts and circumstances therein; that (s(he has read the foregoing and knows that contents thereof that the same is true to (his) (her) own knowledge, except as to matters therein stated to be alleged on information belief and as to those matters (s)he believes it to be true.

_____

_____
Title

Sworn to before me this
day of , .

_____
(Deputy) (Clerk of Court)
(Notary Public)

F.C.A. §§353.7, 355.5, 360.2, 360.3;
S.S.L. §§393, 409-h

Form 3-41
(Juvenile Delinquency -
Order on Violation of Probation
Or Conditional Discharge)
9/2021

At a term of the Family Court of the
State of New York, held in and for the
County of ,
at New York
on , .

PRESENT:
Hon.
Judge

In the Matter of

A Person Alleged to be a
Juvenile Delinquent,
or Conditional
Discharge)
Respondent.

Docket No.

ORDER (Violation
of Order of Probation

The above-named Respondent, having been adjudicated by this Court to be a juvenile delinquent within the meaning of Article 3 of the Family Court Act; and an Order of Disposition, dated , , having been made herein whereby Respondent was [check applicable box]:
❑ placed on probation ❑ conditionally discharged, upon certain terms and conditions;

And the Presentment Agency having appeared,
And the Respondent having ❑ appeared ❑ not appeared,
And Counsel for the Respondent having ❑ appeared ❑ not appeared,
And the Respondent having had an opportunity to be heard;

The Court, after hearing, being satisfied by competent proof that the Respondent, [check applicable box]: ❑ did ❑ did not
willfully and without just cause fail to comply with the terms and conditions in that:
[specify provisions of order violated and nature of violations]:

[Required where Order of Disposition is revoked]:

And the Court, having determined that the Order of Disposition should be revoked and having fully considered the matter of a new disposition pursuant to Family Court Act §§ 352.2 and 360.3, determines that the Respondent requires the following disposition for the following reasons

[specify; if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate]:

Required Findings in Cases in Which the Respondent is Placed [The following determinations are required when Respondent is placed pursuant to F.C.A. §353.3; check applicable boxes and provide case-specific reasons]: The Court finds and determines that:

A. Best Interests Finding: Continuation in or return to the Respondent's home ❑ would ❑ would not be contrary to Respondent's best interests based upon the following facts and for the following reasons [specify]:

This determination is based upon the following information [check applicable box(es)]:

❑ Uniform Case Record, dated [specify]:
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ Risk Assessment Instrument
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

B. Reasonable Efforts Findings:

1. Reasonable efforts, where appropriate and consistent with the need for protection of the community, to prevent or eliminate the need for removal of Respondent from the home, and, if the Respondent was removed prior to the date of the dispositional hearing regarding the violation, to return Respondent safely to his or her home:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding pursuant to Family Court Act §352.2(2)(c)that the authorized agency was not required to make reasonable efforts to reunify the Respondent with the ❑ parent(s) ❑ guardian(s) [specify date of finding]:

❑ because of other reasons [specify]:

❑ were not made.

This determination is based upon the following information [check applicable box(es)]:

❑ Uniform Case Record, dated [specify]:
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ Risk Assessment Instrument
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:

❑ Other [specify]:

2. [Applicable in cases in which the Respondent's permanency plan is adoption, guardianship or permanent living arrangement other than reunification]: Reasonable efforts to make and finalize the permanency plan of [specify]:

❑ were made as follows [specify]:

❑ were not made based upon the following facts and for the following reasons [specify; if lack of efforts was reasonable, so indicate]:

This determination was based upon the following information [check applicable box(es)]:

❑ Uniform Case Record, dated [specify]:
❑ Summary of the Uniform Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ Risk Assessment Instrument
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

C. <u>Findings Regarding Transitional Services and Out-of-State Placements</u>:

❑ [Required where Respondent is 14 years of age or older]: The services, if any, needed to assist the Respondent to make the transition from foster care to independent living are [specify]:

❑ [Required where the Respondent is placed outside New York State]: Placement outside New York State ❑ is ❑ is not appropriate and in the Respondent's best interests.

D. Findings Regarding Pre-dispositional Risk Assessment Instrument:

There ❑ is ❑ is not a validated pre-dispositional risk assessment instrument in use in this county that was developed by (or in New York City, approved by) the New York State Office of Children and Family Services.

[REQUIRED where there is a validated pre-dispositional risk assessment instrument in use]: Respondent has been assessed on the risk assessment instrument as a [check box for level of risk]:
[NYC cases only]: ❑ low ❑ medium ❑ high ❑ very high level of risk
[NON-NYC cases only]: ❑ low ❑ medium ❑ high level of risk .

[REQUIRED where validated pre-dispositional risk assessment instrument is in use and where placement is at a higher level of care than the assessed risk level; omit if inapplicable]:

❑ Placement, as directed below, is necessary and no less restrictive alternative is available, both for the protection of the community and to be consistent with the needs and best interests of the Respondent, notwithstanding the assessed risk level, for the following reasons {specify]:

[REQUIRED Where Approval of Placement in Qualified Residential Treatment Program is Requested]:

❑ Required Findings if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]: ; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the Respondent ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the Respondent in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the child in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the Respondent, as specified in the Respondent's permanency plan because [specify facts and reasons]:

D. [Applicable to initial QRTP placement]: Where the Qualified Individual has determined that the placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named Respondent's needs in a less restrictive environment; **and**

❑ Continued placement serves the above-named Respondent's needs and best interests or the need for protection of the community because [specify facts and reasons]:

NOW, therefore, it is hereby

ORDERED, that the Order of Disposition is ❑ vacated ❑ continued ; (and it is further)

ORDERED that [check applicable boxes]:
❑ Respondent is discharged with a warning.

❑ Respondent is conditionally discharged for a period of [specify]: months upon the following terms and conditions:

❑ Respondent is placed on probation under the supervision of the Probation Department of the County of [specify]: for a period of [specify]: upon the following terms and conditions:1

The probation service shall report to the court ☐ orally ☐ in writing on [specify date]: and every ___ days thereafter concerning Respondent's compliance with the terms and conditions of this order.

[Applicable where Respondent is directly placed with a suitable relative or other person]:

1

❑ This proceeding is continued and the Respondent is placed for a period of [specify]:
❑ less the period spent in detention pending disposition)2 in the custody of [specify suitable relative or other person]: , subject to the further orders of this Court.

[REQUIRED where Respondent is placed in non-secure or limited-secure level of care]:

❑ This proceeding is continued and Respondent is placed in a non-secure level of care for a period of [specify period]: ❑ less the period spent in detention pending disposition,3 in the custody of the Commissioner of the [check applicable box]:
[Non-NYC cases only]: ❑ Department of Social Services of the County of [specify]:
❑ New York State Office of Children and Family Services
[NYC cases only]: ❑ New York City Administration for Children's Services.

❑ This proceeding is continued and Respondent is placed in a limited secure level of care for a period of [specify period]: ❑ less the period spent in detention pending disposition,4 in the custody of the Commissioner of the [check applicable box]:
[Non-NYC cases only]: ❑ New York State Office of Children and Family Services
[NYC cases only]: ❑ New York City Administration for Children's Services.

❑ **[NYC cases only]:** This proceeding is continued and Respondent is placed in the custody of the New York City Administration for Children's Services in a non-secure OR limited secure level of care, the level to be determined by the Commissioner, for a period of [specify period up to 12 months]: ❑ less the period spent in detention pending disposition.5

[NON-NYC cases only; applicable where Respondent is placed with Department of Social Services for non-secure level of care in a specific agency or class of agency]:

❑ The position of the Commissioner of Social Services of the County of [specify]: having been considered by the Court, this proceeding is continued and Respondent is placed for a period of [specify period]: ❑ less the period spent in detention pending disposition,6 in the custody of the Commissioner of Social Services of the County of [specify]: , for non-secure placement with [specify agency or class of agency; note: if the Respondent has been

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[2] Applicable unless all or part of such credit would not serve the needs and best interests of the Respondent or the need for protection of the community. *See* F.C.A §353.3(5).

[3] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5). Note that in all placement cases, the placement period may be tolled by reason of the Respondent's absence without leave.

[4] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5). Note that in all placement cases, the placement period may be tolled by reason of the Respondent's absence without leave.

[5] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5). Note that in all placement cases, the placement period may be tolled by reason of the Respondent's absence without leave.

[6] Applicable unless all or part of such credit would not serve the best interests of the Respondent or the need for protection of the community. *See* F.C.A. §353.3(5)

found to be sexually exploited, as defined in Social Services Law §447-a, so indicate if Respondent should be placed in an available long-term safe house]: , subject to the further orders of this Court.

In the event that the Commissioner of Social Services is unable to so place the child, the Commissioner [check applicable box]:

❑ shall ❑ need not apply to the Court for an order to stay, modify, set aside or vacate the order pursuant to Family Court Act § 762.

❑ shall ❑ need not return Respondent to this Court for a new dispositional hearing.

[NYC cases only; applicable where Respondent is placed with the NYC Administration for Children's Services for non-secure or limited-secure level of care where specific services are needed]:

❑ The Commissioner of the New York City Administration for Children's Services is directed to provide the following services, authorized or required to be made available in the approved plan for the "Close to Home" program, to meet the needs of the Respondent [specify; note: if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate if Respondent needs the services afforded by an available long-term safe house]:

[The following three paragraphs are applicable where Respondent is placed with the New York State Office of Children and Family Services; note: in New York City cases, these paragraphs are applicable only to a Respondent placed in a secure level of care]:

❑ This proceeding is continued and the Respondent is placed for a period of [specify]: ❑ less the period spent in detention pending disposition,[7] in the custody of the New York State Office of Children and Family Services, which is authorized to place the Respondent in a [specify]:

❑ secure facility at any time or from time to time during the first 60 days of residency;[8]

❑ limited secure facility [non-NYC cases only]

❑ non-secure facility [non-NYC cases only]

subject to further orders of this Court.

❑ **[NON-NYC cases only]** The position of the New York State Office of Children and Family Services having been considered by the Court, this proceeding is continued and the Respondent is placed for a period of [specify]: ❑ less the period spent in detention pending disposition,[9] in the custody of the New York State Office of Children and Family Services for placement with [specify agency or class of agency; note: if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate if Respondent should be placed in an available long-term safe house]: , subject to further orders of this Court. In

[7] Applicable unless all or part of such credit would not serve the needs and best interests of the Respondent or the need for protection of the community. See F.C.A. §353.3(5).

[8] *See* F.C.A. §353.3(3)(a).

[9] Applicable unless all or part of such credit would not serve the needs and best interests of the Respondent or the need for protection of the community. See F.C.A. §353.3(5).

the event that the New York State Office of Children and Family Services is unable to place the Respondent in accordance with the direction hereof, or discontinues the placement with the authorized agency, the Respondent shall be deemed to have been placed with the New York State Office of Children and Family Services pursuant to paragraph (b) or (c) of subdivision three of section 353.3 of the Family Court Act. In such cases, the New York State Office of Children and Family Services shall notify the court, Presentment Agency, counsel for the Respondent and parent or other person responsible for the Respondent's care, of the reason for discontinuing the placement with the authorized agency and the level and location of the youth's placement.

[Optional where Respondent is placed with the New York State Office of Children and Family Services; check box if applicable]:

❑ The New York State Office of Children and Family Services shall photograph the Respondent pursuant to Executive Law § 507-a(3).

[Optional where Respondent is 14 years of age or older and is placed with the New York State Office of Children and Family Services, the New York City Administration for Children's Services or Commissioner of Social Services; check box if applicable]:

❑ The placement agency is directed to provide the following services determined above to be needed to assist the child to make the transition from foster care to independent living [specify]:

[Optional where Respondent, after adjudication for an act that would be a felony if committed by an adult, is placed with the New York State Office of Children and Family Services or the New York City Administration for Children's Services pursuant to F.C.A.§353.3(9); check box if applicable]:

❑ Respondent shall be confined in a residential facility for a minimum period of [specify minimum period not to exceed six months]:

[Required where Respondent is placed with the New York City Administration for Children's Services; optional for all other placement cases; check box if applicable]:

❑ The placement agency is directed to provide prior notice to the Respondent, attorney for the Respondent and Respondent's parent or guardian in the event that Respondent is transferred from one facility to another, unless an immediate change of placement is necessary, in which case the notice shall be transmitted on the next business day.

[Required where Respondent is placed with the New York State Office of Children and Family Services, the New York City Administration for Children's Services or a local social services district; check applicable boxes]:

❑ Respondent's parent or legal guardian was present in Court and consented to the provision of routine medical, dental and mental health services and treatment to the Respondent by the: ❑ New York State Office of Children and Family Services ❑ New York City Administration for Children's Services ❑ Department of Social Services, County of [specify]: ;

0R

❑ Consent has not been obtained from Respondent's parent or legal guardian, but this Order shall be deemed to grant consent for the : ❑ New York State Office of Children and Family Services ❑ New York City Administration for Children's Services ❑ Department of Social Services, County of [specify]: to provide routine medical, dental and mental health services and treatment to the Respondent.

[REQUIRED Where Placement in Qualified Residential Treatment Program is Requested]:
❑ Required Order if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]:

after examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the "Qualified Residential Treatment Program" is GRANTED, and placement of the Respondent in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]: the above-named Respondent shall be [check applicable box and specify]:

❑ returned or released to the following parent [specify]:

❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named Respondent's care and welfare that is in the best interests of the

Respondent and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

[Required where Respondent is placed non-securely with the Commissioner of a County Department of Social Services, the New York City Administration for Children's Services or the New York State Office of Children and Family Services, pursuant to F.C.A.§353.3 or §353.4; check box if applicable]:

❑ ORDERED that if the Respondent remains in foster care, the [check box]:

❑ New York State Office of Children and Family Services;

❑ Commissioner of Social Services of [specify]: County;

❑ New York City Administration for Children's Services

shall file a petition for the next permanency hearing NO LATER THAN [specify date not less than 60 days before permanency hearing must be completed]:

and the permanency hearing shall be completed by [specify date]:10

(and it is further)

❑ ORDERED

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

ENTER

_____

Judge of the Family Court

Dated: , .

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:_____

❑ Order received in court on [specify date(s) and to whom given]:_____

[10] A petition for a permanency hearing shall be filed 60 days prior to the expiration of the placement or 60 days prior to end of 12 months following the entry of the child into foster care, whichever is earlier. The Respondent shall be deemed to have entered foster care 60 days following removal from the home. *See* F.C.A. §355.5(4). Except in cases where the permanency hearing is required prior to an extension of placement –*e.g.*, 18-month felony placements or cases in which a determination is made that reasonable efforts are not required pursuant to F.C.A. §352.2(2)(c) – the permanency hearing petition shall be combined with the petition for extension of placement. *See* F.C.A. §355.5(2).

F.C.A. §§ 415, 416, 421, 422,
432, 424, 571; S.S.L. §§ 101, 102
C.P.L.R. 5242
[**NOTE**: Personal Information Form 4-5/5-1d,
containing social security numbers of parties and
dependents, must be filed with this Petition]

Form 4-3a
(Support)
9/2021

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF
.....

In the Matter of a Proceeding for

Docket No.

Support under Article 4 of the Family Court Act

(Commissioner of Social Services, Assignee
on behalf of , Assignor)

Petitioner,

PETITION
(Commissioner)

-against-

Respondent.

.....

TO THE FAMILY COURT:

The undersigned Petitioner respectfully alleges that:

1. Petitioner is Commissioner of Social Services whose official address is in the County of , State of New York and is authorized to originate this proceeding (as assignee) pursuant to the Social Services Law and the Family Court Act of the State of New York.

2. The assignor is authorized to originate a support proceeding but has assigned her/his right to do so to the Commissioner of Social Services pursuant to the Social Services Law of the State of New York. In the event the assignment ends the assignor may pursue support and may seek an order of support.

3. ❑ (Upon information and belief) (Assignor) and Respondent were married at on , .)

❑ (Specify for each child for whom this paragraph applies) An acknowledgment of paternity for (specify child) was signed by the Mother on (date) and the Respondent on (date) and filed with the Birth Register for the County/City of on (date) , pursuant to the applicable law of the state in which the birth was registered.

❑ (Specify for each child for whom this paragraph applies) An order of filiation was entered in the Court, County, in the State of on (date) which declared that the Respondent is a parent of (specify child)

4. Respondent is chargeable with the support of the following:

Name	Date of Birth
Spouse:	
Child(ren)	

5. The child(ren) became eligible for public assistance effective [specify date]: . Petitioner is seeking an order of support retroactive to the EARLIER OF the date of the filing of the petition or the date that the children became eligible for public assistance.

6. Respondent has the following source of income: ❑ employer ❑ income payor, as defined in CPLR Sec.5241(a), whose name and address are [specify]:

7. No previous application has been made to any judge or court, including a Native American tribunal, or is presently pending before any judge or court, for the relief requested in this petition (except

WHEREFORE, Petitioner requests an order for support[1] directing Respondent to pay fair and reasonable support payable to the Support Collection Unit or, in the event that the assignment ends, payable to the ex-assignor, requiring Respondent to exercise the option of additional coverage for health insurance in favor of (his) (her) above-named child(ren), and for such other and further relief as the law provides.

NOTE: (1) A COURT ORDER OF SUPPORT RESULTING FROM A PROCEEDING COMMENCED BY THIS APPLICATION (PETITION) SHALL BE ADJUSTED BY THE APPLICATION OF A COST OF LIVING ADJUSTMENT AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN TWENTY-FOUR MONTHS AFTER SUCH ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED, UPON THE REQUEST OF ANY PARTY TO THE ORDER OR PURSUANT TO PARAGRAPH (2) BELOW. SUCH COST OF LIVING ADJUSTMENT SHALL BE ON NOTICE TO BOTH PARTIES WHO, IF THEY OBJECT TO THE COST OF LIVING ADJUSTMENT, SHALL HAVE THE RIGHT TO BE HEARD BY THE COURT AND TO PRESENT EVIDENCE WHICH THE COURT WILL CONSIDER IN ADJUSTING THE CHILD SUPPORT ORDER IN ACCORDANCE WITH SECTION FOUR HUNDRED THIRTEEN OF THE FAMILY COURT ACT, KNOWN AS THE CHILD SUPPORT STANDARDS ACT.

(2) A PARTY SEEKING SUPPORT FOR ANY CHILD(REN) RECEIVING FAMILY ASSISTANCE SHALL HAVE A CHILD SUPPORT ORDER REVIEWED AND ADJUSTED AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN TWENTY-FOUR MONTHS AFTER SUCH ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED BY THE SUPPORT COLLECTION UNIT, WITHOUT FURTHER APPLICATION BY ANY PARTY. ALL PARTIES WILL RECEIVE A COPY OF THE ADJUSTED ORDER.

[1]Pursuant to Section 111-g of the Social Services Law, where an order of support directs that support payments be made to the support collection unit of a social services district, the petition in such proceeding shall be deemed to be an application for support services.

(3) WHERE ANY PARTY FAILS TO PROVIDE, AND UPDATE UPON ANY CHANGE, THE SUPPORT COLLECTION UNIT WITH A CURRENT ADDRESS, AS REQUIRED BY SECTION FOUR HUNDRED FORTY-THREE OF THE FAMILY COURT ACT, TO WHICH AN ADJUSTED ORDER CAN BE SENT, THE SUPPORT OBLIGATION AMOUNT CONTAINED THEREIN SHALL BECOME DUE AND OWING ON THE DATE THE FIRST PAYMENT IS DUE UNDER THE TERMS OF THE ORDER OF SUPPORT WHICH WAS REVIEWED AND ADJUSTED OCCURRING ON OR AFTER THE EFFECTIVE DATE OF THE ADJUSTED ORDER, REGARDLESS OF WHETHER OR NOT THE PARTY HAS RECEIVED A COPY OF THE ADJUSTED ORDER.

Petitioner

_____
Print or type name

_____
Signature of Attorney, if any

_____
Attorney's Name (Print or Type)

_____

_____

_____
Attorney's Address and Telephone Number

F.C.A. §§ 413, 416, 433, 438,
439, 440,442-447, 449, 471;Art.5-B

Form 4-7
(Order of Support)
9/2021

At a term of the Family Court of the
State of New York, held in and for the
County of ,
at New York
on , .

PRESENT :
Hon._____
Judge/Support Magistrate

.....

In the Matter of a Proceeding for Support
under Article of the Family Court Act

Docket No.

(Commissioner of Social Services , Assignee,
on behalf of , Assignor)

ORDER OF
SUPPORT

S.S.#: xxxx-xx-_____
Petitioner,

Check applicable box:
❑ Respondent Present
❑ By Default

-against-

Respondent.
S.S.#: xxxx-xx-

.....

NOTICE: YOUR WILLFUL FAILURE TO OBEY THIS ORDER MAY RESULT IN COMMITMENT TO JAIL FOR A TERM NOT TO EXCEED SIX MONTHS FOR CONTEMPT OF COURT OR PROSECUTION FOR CRIMINAL NON-SUPPORT. YOUR FAILURE TO OBEY THIS ORDER MAY RESULT IN SUSPENSION OF YOUR DRIVER'S LICENSE, STATE-ISSUED PROFESSIONAL, TRADE, BUSINESS AND OCCUPATIONAL LICENSES AND RECREATIONAL AND SPORTING LICENSES AND PERMITS; AND IMPOSITION OF REAL OR PERSONAL PROPERTY LIENS.

NOTICE: IF YOU WERE NOT IN COURT FOR THE HEARING AND THIS ORDER WAS ISSUED ON DEFAULT, YOU MAY OBJECT OR CHALLENGE THE ORDER BY FILING A MOTION TO VACATE THE ORDER.

IF YOU WERE IN COURT FOR THE HEARING AND THIS ORDER IS ENTERED BY A JUDGE, PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, OR 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, WHICHEVER IS EARLIEST.

IF YOU WERE IN COURT FOR THE HEARING AND THIS ORDER IS ENTERED BY A SUPPORT MAGISTRATE, SPECIFIC WRITTEN OBJECTIONS TO THIS ORDER MAY BE FILED WITH THIS COURT WITHIN 30 DAYS OF THE DATE THE ORDER WAS RECEIVED IN COURT OR BY PERSONAL SERVICE, OR IF THE ORDER WAS RECEIVED BY MAIL, WITHIN 35 DAYS OF THE MAILING OF THE ORDER.

The above-named Petitioner having filed a petition, dated , , alleging that the above-named Respondent is chargeable with the support of [specify child(ren)]:
(and) ;
and

[Check applicable box]:
❑ Respondent having appeared before this Court to answer the petition and to show why an order of Support and other relief requested in the petition should not be granted; and Respondent, after having been advised of the right to counsel, having ❑ denied ❑ admitted the allegations of the petition;

OR

❑ Respondent having failed to appear before this Court or to answer the petition after having been properly served; and

The matter having duly come on to be heard before this Court;

NOW, after examination and inquiry into the facts and circumstances of the case (and after hearing the proofs and testimony offered in relation thereto), the Court finds that:

The basic child support obligation for support of the following child(ren) is $_____

NAME	DATE OF BIRTH	SOCIAL SECURITY # (LAST 4 DIGITS)

The following parent [specify name]: _____ is the custodial parent, whose pro rata share of the basic child support obligation is _____;

The following parent [specify name]: _____ is the non-custodial parent, whose pro rata share of the basic child obligation is _____;

And the Court finds further that [check applicable box]:
❑ The non-custodial parent's pro rata share of the basic child support obligation is neither unjust nor inappropriate;

❑ Upon consideration of the following factors specified in Family Court Act §413(1)(f): the non-custodial parent's pro rata share of the basic child support obligation is ❑ unjust ❑ inappropriate for the following reasons [specify]: 1

[Applicable in cases in which the parties stipulated to an order of child support]:
And the Court finds further that the parties have voluntarily stipulated to child support for the following child(ren)[specify]: payable by [specify]: to [specify]: in the amount of $_____ ❑ weekly ❑ every two weeks ❑ monthly ❑ twice per month ❑ quarterly.

_____

❑ This stipulation has been entered into the record and recites, in compliance with Section 413(1)(h) of the Family Court Act, that:

a. The parties have been advised of the provisions of Section 413(1)of the Family Court Act;

b. The unrepresented party, if any, has received a copy of the child support standards chart promulgated by the Commissioner of the N.Y.S. Office of Temporary and Disability Assistance pursuant to Section 111-I of the Social Services Law;

c. The basic child support obligation as defined in Family Court Act Section 413(1) presumptively results in the correct amount of child support to be awarded;

d. The basic child support obligation in this case is $_____ ❑ weekly ❑ every two weeks ❑ monthly ❑ twice per month ❑ quarterly; and

e. The parties' reason(s) for agreeing to child support in an amount different from the basic child support obligation (is) (are) [specify]:

;

❑ The Court approves the parties' agreement to deviate from the basic child support obligation for the following reasons: [*See* Family Court Act§ 413(1)(f)]:

The name, address, and telephone number of Respondent's current employer(s), are:

NAME	ADDRESS	TELEPHONE

NOW, after examination and inquiry into the facts and circumstances of the case (and after hearing the proofs and testimony offered in relation thereto), it is

ORDERED AND ADJUDGED that the above-named Respondent is chargeable with the support of the following person(s) and is possessed of sufficient means and able to earn such means to provide the payment of the sum $ ❑ weekly ❑ every two weeks ❑ monthly ❑ twice per month ❑ quarterly, such payments to commence on , , allocated as follows for and toward the support of Respondent's spouse and children as follows:

Name	Date of Birth	Amount	Per Time Period 2
spouse, if any:			
child(ren):			
		Total:	

ORDERED that, pursuant to Domestic Relations Law §236(B)(1)(a), payments for the support of Respondent's spouse shall terminate upon the death of the spouse, upon the spouse's valid or invalid marriage or upon modification in accordance with Domestic Relations Law §236(B)(9) or 248; and it is further

[Non-IV-D cases only]: ❑ ORDERED AND ADJUDGED that the above-named Respondent is responsible for the support so ordered from the date of the filing of the petition to the date of this Order (less the amount of $ already paid);

[IV-D cases only]: ❑ ORDERED AND ADJUDGED that the above-named Respondent is responsible for the support so ordered from the EARLIER of [check applicable box]:

❑ the date of the filing of the petition to the date of this Order

OR

❑ the date [specify]: when the child(ren) became eligible for public assistance, (less the amount of $ already paid)

And it is further

❑ ORDERED that commencing on _____the above-named Respondent, upon notice of this Order, pay or cause the above amount(s) to be paid to [check applicable box]:
❑ Petitioner by cash, check or money order
❑ Non-IV-D cases: Payable to the Petitioner by check or money order and mailed to the NYS Child Support Processing Center, P. O. Box 15365, Albany, NY 12212-5365. The county name for the matter must be included with the payment for identification purposes.
❑ IV-D cases: Payable by check or money order made payable to and mailed to the NYS Child Support Processing Center, PO Box 15363, Albany, NY 12212-5363. The county name and New York Case Identifier number for the matter must be included with the payment for identification purposes; and it is further

[Check box if applicable]: ❑ ORDERED that, for the following reason(s)[specify]:

constituting good cause pursuant to Section 440(1)(b) of the Family Court Act, the ❑ IV-D cases: Support Collection Unit ❑ Non-IV-D cases: Court shall NOT issue an immediate income execution; however, in the event of default,3 this order shall be enforceable pursuant to section 5241 or 5242 of the Civil Practice Law and Rules, or in any other manner provided by law; and it is further

[IV-D cases only]: ❑ ORDERED that the Respondent, custodial parent and any other individual parties immediately notify the Support Collection Unit of any changes in the following information: residential and mailing addresses, social security number, telephone number, driver's license number; and name, address and telephone numbers of the parties' employers and any change in health insurance benefits, including any termination of benefits, change in the health insurance benefit carrier or premium, or extent and availability of existing or new benefits; and it is further

[Check if applicable]: ❑ ORDERED that pay to the attorney for the other party, the sum of $ as and for counsel fees in this proceeding, which payment may be made in installments of $ ❑ weekly ❑ every two weeks ❑ monthly □twice per month ❑ quarterly , commencing on [specify]: , , until the entire sum is paid; and it is further

ORDERED that this Order shall be enforceable pursuant to Section 5241 or 5242 of the Civil Practice Law and Rules, or in any other manner provided by law;

And the Court having determined that [check applicable box]:
❑ The child(ren) are currently covered by the following health insurance plan [specify]:
which is maintained by [specify party]:

_____

❑ Health insurance coverage is available to one of the parents or a legally-responsible relative [specify name]: under the following health insurance plan [specify, if known]: , which provides the following health insurance benefits [specify extent and type of benefits, if known, including any medical, dental, optical, prescription drug and health care services or other health care benefits]:

❑ Health insurance coverage is available to both of the parents as follows:

Name	Health Insurance Plan	Premium or Contribution	Benefits

❑ No legally-responsible relative has health insurance coverage available for the child(ren), but the child(ren) may be eligible for health insurance benefits under the New York "Child Health Plus" program or New York State Medical Assistance Program, or the publicly funded health insurance program in the State where the custodial parent resides,

❑ No legally-responsible relative has health insurance coverage available for the child(ren), but the child(ren) are currently enrolled in the New York State Medical Assistance Program,

IT IS THEREFORE ORDERED that [specify name(s) of legally-responsible relative(s)]:

❑ continue to maintain health insurance coverage for the following eligible dependent(s) [specify]: under the above-named existing plan for as long as it remains available;

❑ enroll the following eligible dependent(s) [specify]: under the following health insurance plan [specify]: immediately and without regard to seasonal enrollment restrictions and maintain such coverage as long as it remains available in accordance with

[IV-D cases]: ❑ the Medical Execution, which shall be issued immediately by the Support Collection Unit, pursuant to CPLR 5241

❑ the Medical Execution issued by this Court

[Non-IV-D cases]: ❑ the Qualified Medical Child Support Order.

Such coverage shall include all plans covering the health, medical, dental, optical and prescription drug needs of the dependents named above and any other health care services or benefits for which the legally-responsible relative is eligible for the benefit of such dependents; provided, however, that the group health plan is not required to provide any type or form of benefit or option not otherwise provided under the group health plan except to the extent necessary to meet the requirements of Section 1396(g-1) of Title 42 of the United States Code. The legally-responsible relative(s) shall assign all insurance reimbursement payments for health care expenses incurred for (his)(her) eligible dependent(s) to the provider of such services or the party having actually incurred and satisfied such expenses, as appropriate;

And the Court further finds that:

The following parent [specify name]: _____ is the custodial parent, whose pro rata share of the cost or premiums to obtain or maintain such health insurance coverage is _____,

The following parent [specify name]: _____ is the non-custodial parent, whose pro rata share of the cost or premiums to obtain or maintain such health insurance coverage is _____;

And the Court further finds that [check applicable box]:

❑ Each parent shall pay the cost of premiums or family contribution in the same proportion as each of their incomes are to the combined parental income as cited above;

❑ Upon consideration of the following factors [specify]:
pro-rating the payment would be unjust or inappropriate for the following reasons [specify]:
and, therefore, the payments shall be allocated as follows [specify]:

OR

❑ **IT IS THEREFORE ORDERED that** the custodial parent [specify name]:
shall immediately apply to enroll the eligible child(ren) in the "Child Health Plus" program (the NYS health insurance program for children) and the New York State Medical Assistance Program or the publicly funded health insurance program in the State where the custodial parent resides.

And the Court further finds that:
The mother is the ❑ custodial ❑ non-custodial parent, whose pro rata share of the cost or premiums to obtain or maintain such health insurance coverage is _____,
The father is the ❑ custodial ❑ non-custodial parent, whose pro rata share of the cost or premiums to obtain or maintain such health insurance coverage is _____;

And the Court further finds that [check applicable box]:
❑ Each parent shall pay the cost of premiums or family contribution in the same proportion as each of their incomes are to the combined parental income as cited above;

❑ Upon consideration of the following factors [specify]:
pro-rating the payment would be unjust or inappropriate for the following reasons [specify]:
and, therefore, the payments shall be allocated as follows [specify]:

OR

❑ [Where the child(ren) are recipients of managed care coverage under the New York State Medical Assistance Program] ORDERED that _____, the non-custodial parent herein, shall pay the amount of $_____ per _____ toward to the managed care premium under the New York State Medical Assistance Program;

❑ [Where the child(ren) are recipients of fee-for-service coverage under the New York State Medical Assistance Program] ORDERED that _____, the non-custodial parent herein, shall pay up to an annual maximum of $_____ for the current calendar year to the New York State Medical Assistance Program upon written notice that the program has paid health care expenses on behalf of the child(ren) for costs incurred during the current calendar year.

❑ [Where the child(ren) are recipients of fee-for-service coverage under the New York State Medical Assistance Program] ORDERED that _____, the non-custodial parent herein, pay as part of the cash medical support obligation up to an annual maximum of $_____ for the calendar year commencing January 1, _____ and for every year thereafter to the New York State Medical Assistance Program upon written notice that the Medicaid program has paid health care expenses on behalf of the child(ren).

❑ ORDERED that _____, the non-custodial parent herein, shall pay the amount of $_____, representing his/her share of premiums and/or costs incurred by the New York State Medical Assistance Program for the period of time from _____to the date of this order, which amount shall be support arrears/past due support;

❑ ORDERED that in the event that the child(ren) cease(s) to be enrolled in the New York State Medical Assistance Program, the non-custodial parent's obligation to pay his/her share of managed care coverage premiums and/or fee-for-service reimbursement shall terminate as of the date the child(ren) is/are no longer enrolled in Medicaid;

; and it is further

ORDERED that the legally responsible relative immediately notify the [check applicable box]: ❑ other party (non-IV-D cases) ❑ Support Collection Unit (IV-D cases) of any change in health insurance benefits, including any termination of benefits, change in the health insurance benefit carrier or premium, or extent and availability of existing or new benefits; and it is further

ORDERED, that [specify name]: shall execute and deliver to [specify name]: any forms, documents, or instruments to assure timely payment of any health insurance claim for the child(ren); and it is further

ORDERED that upon a finding that the above-named legally-responsible relative(s) willfully failed to obtain health insurance benefits in violation of [check applicable box(es)]: ❑ this order
❑ the medical execution ❑ the qualified medical child support order, such relative(s) will be presumptively liable for all health care expenses incurred on behalf of the above-named defendant(s) from the first date such dependent(s) ❑ was ❑ were eligible to be enrolled to receive health insurance benefits after the issuance of such order or execution directing the acquisition of such coverage; and it is further

ORDERED that [specify]: the legally-responsible relative(s) herein, shall pay (his)(her) pro rata share of future reasonable health expenses of the child(ren) not covered by insurance by [check applicable box]: ❑ direct payments to the health care provider ❑ other [specify]:
; and it is further

ORDERED that, if health insurance benefits for the above-named child(ren) not available at the present time become available in the future to the legally-responsible relative(s), such relative(s) shall enroll the dependent(s) who are eligible for such benefits immediately and without regard to seasonal enrollment restrictions and shall maintain such benefits so long as they remain available; and it is further

[Check applicable box(es):

❑ [Where the Court has made a finding that health insurance is <u>not</u> available] ORDERED that an execution for medical support enforcement shall not be issued by the support collection unit unless a subsequent determination is made by the Court that such health insurance benefits are available; and it is further

❑ ORDERED that , the non-custodial parent herein, pay the sum of $ as ❑ his ❑ her proportionate share of reasonable child care expenses, to be paid as follows:

; and it is further

❑ ORDERED that , the non-custodial parent herein, pay the sum of
$ as educational expenses by ❑ direct payment to the educational provider ❑ other [specify]:
; and it is further

❑ ORDERED that [specify party or parties; check applicable box(es):
❑ purchase and maintain ❑ life and/or ❑ accident insurance policy in the amount of [specify]: _____ and/or
❑ maintain the following existing ❑ life and/or ❑ accident insurance policy in the amount of [specify]: _____and/or
❑ assign the following as ❑ beneficiary ❑ beneficiaries [specify]: to the following existing ❑ life and/or ❑ accident insurance policy or policies [specify policy or policies and amount(s)]: _____.

In the case of life insurance, the following shall be designated as irrevocable beneficiaries [specify]: _____ during the following time period [specify]:
.

In the case of accident insurance, the insured party shall be designated as irrevocable beneficiary during the following time period [specify]: _____.

The obligation to provide such insurance shall cease upon the termination of the duty of [specify party]: _____ to provide support for each child;. and it is further

[IV-D Cases]: ❑ ORDERED that when the person or family to whom family assistance is being paid no longer receives family assistance, support payments shall continue to be made to the Support Collection Unit, unless such person or family requests otherwise; and it is further

❑ ORDERED that the support obligor, the non-custodial parent, is directed to:4
❑ seek employment
❑ participate in job training, employment counseling, or other programs designed to lead to employment [specify program]:

[JUDICIAL ORDERS ONLY]: ❑ ORDERED that Respondent shall have the following rights of visitation with respect to the child(ren)[specify]:

[REQUIRED] IT IS FURTHER ORDERED that a copy of this order be provided promptly by [check applicable box]: ❑ Support Collection Unit ((IV-D cases:) ❑ Clerk of Court (non-IV-D cases) to the New York State Case Registry of Child Support Orders established pursuant to Section 111-b(4-a) of the Social Services Law; and it is further

ORDERED that [specify]:

ENTER

Dated: , . _____
(Judge of the Family Court)(Support Magistrate)

Check applicable box:
❑ Order mailed on [specify date)s) and to whom mailed]:_____
❑ Order received in court on [specify date(s) and to whom given]:_____

_____

INFORMATION CONCERNING COST OF LIVING ADJUSTMENTS AND MODIFICATIONS

(1) THIS ORDER OF CHILD SUPPORT SHALL BE ADJUSTED BY THE APPLICATION OF A COST OF LIVING ADJUSTMENT AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN TWENTY-FOUR MONTHS AFTER THIS ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED, UPON THE REQUEST OF ANY PARTY TO THE ORDER OR PURSUANT TO PARAGRAPH (2) BELOW. UPON APPLICATION OF A COST OF LIVING ADJUSTMENT AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT, AN ADJUSTED ORDER SHALL BE SENT TO THE PARTIES WHO, IF THEY OBJECT TO THE COST OF LIVING ADJUSTMENT, SHALL HAVE THIRTY-FIVE (35) DAYS FROM THE DATE OF MAILING TO SUBMIT A WRITTEN OBJECTION TO THE COURT INDICATED ON SUCH ADJUSTED ORDER. UPON RECEIPT OF SUCH WRITTEN OBJECTION, THE COURT SHALL SCHEDULE A HEARING AT WHICH THE PARTIES MAY BE PRESENT TO OFFER EVIDENCE WHICH THE COURT WILL CONSIDER IN ADJUSTING THE CHILD SUPPORT ORDER IN ACCORDANCE WITH THE CHILD SUPPORT STANDARDS ACT.

(2) A RECIPIENT OF FAMILY ASSISTANCE SHALL HAVE THE CHILD SUPPORT ORDER REVIEWED AND ADJUSTED AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN TWENTY-FOUR MONTHS AFTER SUCH ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED WITHOUT FURTHER APPLICATION OF ANY PARTY. ALL PARTIES WILL RECEIVE NOTICE OF ADJUSTMENT FINDINGS.

(3) WHERE ANY PARTY FAILS TO PROVIDE, AND UPDATE UPON ANY CHANGE, THE SUPPORT COLLECTION UNIT WITH A CURRENT ADDRESS, AS REQUIRED BY SECTION 443 OF THE FAMILY COURT ACT, TO WHICH AN ADJUSTED ORDER CAN BE SENT, THE SUPPORT OBLIGATION AMOUNT CONTAINED THEREIN SHALL BECOME DUE AND OWING ON THE DATE THE FIRST PAYMENT IS DUE UNDER THE TERMS OF THE ORDER OF SUPPORT WHICH WAS REVIEWED AND ADJUSTED OCCURRING ON OR AFTER THE EFFECTIVE DATE OF THE ORDER, REGARDLESS OF WHETHER OR NOT THE PARTY HAS RECEIVED A COPY OF THE ADJUSTED ORDER.

(4) IN ADDITION TO A COST OF LIVING ADJUSTMENT, EACH PARTY HAS A RIGHT TO SEEK A MODIFICATION OF THE CHILD SUPPORT ORDER UPON A SHOWING OF: (I) A SUBSTANTIAL CHANGE IN CIRCUMSTANCES; OR (II) THAT THREE YEARS HAVE PASSED SINCE THE ORDER WAS ENTERED, LAST MODIFIED OR ADJUSTED; OR (III) THERE HAS BEEN A CHANGE IN EITHER PARTY'S GROSS INCOME BY FIFTEEN PERCENT OR MORE SINCE THE ORDER WAS ENTERED, LAST MODIFIED, OR ADJUSTED; HOWEVER, IF THE PARTIES HAVE SPECIFICALLY OPTED OUT OF SUBPARAGRAPH (II) OR (III) OF THIS PARAGRAPH

IN A VALIDLY EXECUTED AGREEMENT OR STIPULATION, THEN THAT BASIS TO SEEK MODIFICATION DOES NOT APPLY.

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT. AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF THE COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

[Type here]

F.C.A.§ 439(e); Art.5-B

Form 4-7a
(Order-After Filing
of Objections)
9/2021

At a term of the Family Court of the
State of New York, held in and for the
County of ,
at New York
on , .

PRESENT:
Hon.
Judge

.....

In the Matter of a Proceeding for Support
Under Article of the Family Court Act

Docket No.

ORDER
(After Filing
of Objections)

Petitioner,

S.S.#: xxxx-xx-

-against-

Respondent

S.S.#: xxxx-xx- _____

.....

NOTICE: YOUR WILLFUL FAILURE TO OBEY THIS ORDER MAY RESULT IN COMMITMENT TO JAIL FOR A TERM NOT TO EXCEED SIX MONTHS FOR CONTEMPT OF COURT OR PROSECUTION FOR CRIMINAL NON-SUPPORT. YOUR FAILURE TO OBEY THIS ORDER MAY RESULT IN SUSPENSION OF YOUR DRIVER'S LICENSES, STATE- ISSUED PROFESSIONAL, TRADE, BUSINESS AND OCCUPATIONAL LICENSES AND RECREATIONAL AND SPORTING LICENSES AND PERMITS; AND IMPOSITION OF REAL OR PERSONAL PROPERTY LIENS.

The Petitioner, having filed a petition, dated alleging that the Respondent [check applicable box(es)]:

❑ failed to obey an order, dated

❑ seeks to: ❑ terminate ❑ extend ❑ modify an order, dated

which order alleges that the Respondent is chargeable with the support of [specify]:

Name(s) of child(ren) Date(s) of Birth Last 4 Digits of Soc. Sec. #

And Respondent having appeared before a Support Magistrate of this Court to answer the petition and to show why an order of Support and other relief requested in the petition should not be granted; and Respondent, after having been advised of the right to counsel, having

❑ denied ❑ admitted the allegations of the petition; and

The matter having been heard before a Support Magistrate of this Court and the Support Magistrate having made findings of fact and having entered a final order [recite terms of order]:

And specific written objections to the order of support having been timely filed with this Court by [specify]: after entry of the order, and this Court having reviewed the objections, and a new hearing [check applicable box]: ❑ having been ❑ not having been held;

And the name, address and telephone number of ❑ Respondent's current employer is/are:

NAME	ADDRESS	TELEPHONE

❑ **(Modification only)**: The name, address and telephone number of Petitioner's current employer(s) is/are:

NAME	ADDRESS	TELEPHONE

NOW, after examination and inquiry into the facts and circumstances of the case (and after hearing the proofs and testimony offered); it is hereby

❑ ORDERED that the objections filed are hereby DENIED.

OR

❑ ORDERED that the following issues of fact are hereby REMANDED to the Support Magistrate for determination:

OR

❑ ORDERED and ADJUDGED that the objections are SUSTAINED to the extent set forth in the following new findings [recite new findings of fact]:

and are DENIED in all other respects.

And it is further ORDERED that: The basic child support obligation for support of the following child(ren) is $_____
❑ weekly, ❑ every two weeks, ❑ monthly, ❑ twice per month, ❑ quarterly:

NAME	DATE OF BIRTH	LAST 4 DIGITS OF SOC. SEC. #	AMOUNT

The following parent [specify name]: _____ is the ❑ custodial ❑ non-custodial parent, whose pro rata share of the basic child support obligation is $_____;

The following parent [specify name]: _____ is the ❑ custodial ❑ non-custodial parent, whose pro rata share of the basic child obligation is $ _____ ❑ weekly, ❑ every two weeks, ❑ monthly, ❑ twice per month, ❑ quarterly;

And the Court finds further that:

❑ The non-custodial parent's pro rata share of the basic child support obligation is neither unjust nor inappropriate; 1

OR

❑ Upon consideration of the following factors specified in Family Court Act §413(1)(f):

the non-custodial parent's pro rata share of the basic child support obligation is:
❑ unjust inappropriate;2

NOW, therefore, it is hereby

❑ ORDERED AND ADJUDGED that the above-named Respondent is chargeable with the support of the following person(s) and is possessed of sufficient means and able to earn such means to provide the payment of the sum $ □ weekly □ every two weeks
❑ monthly □twice per month ❑ quarterly, such payments to commence on , , allocated as follows for and toward the support of Respondent's spouse and children as follows:

Name	Date of Birth	Last 4 Digits of Soc. Sec. #	Amount	Per Each Time Period 3
spouse:				
child(ren):				
Total:				

[Non-IV-D cases only]: ❑ ORDERED AND ADJUDGED that the above-named Respondent is responsible for the support so ordered from the date of the filing of the petition to the date of this Order (less the amount of $ already paid);

[IV-D cases only]: ❑ ORDERED AND ADJUDGED that the above-named Respondent is responsible for the support so ordered from the EARLIER of [check applicable box]:
the date of the filing of the petition to the date of this Order

---

[1]This paragraph is to be used if the basic child support obligation is applied without deviation.
[2]This paragraph is to be used only if the court's order deviates from the basic child support obligation, pursuant to F.C.A.§ 413(1)(g).
[3] Specify whether support amount is weekly, every two weeks, monthly, twice per month or quarterly.

OR

❑ the date [specify]: when the child(ren) became eligible for public assistance, (less the amount of $ already paid)

And it is further

❑ ORDERED that the ❑ judgment ❑ order, dated , , is terminated;

❑ ORDERED that the ❑ judgment ❑ order dated , , is continued until further order of this Court;

❑ ORDERED that the ❑ judgment ❑order, dated , , is modified and in the following respects:

❑ AND the defaulting party having ❑ shown ❑failed to show good cause for failure to make an application for relief from the judgment or order directing payment prior to the accrual of the arrears, it is

❑ ORDERED that arrears in the amount of $ are ❑ annulled ❑ reduced to $ ❑ fixed at the full amount of $; and it is further

[Applicable to IV-D cases only]: ❑ORDERED that the Respondent pay the additional sum of $ ❑ weekly ❑ every two weeks ❑ monthly ❑ twice per month ❑ quarterly. towards arrears of $; and with respect to such arrears payments, the Court finds that any anticipated tax refunds have been considered by the Court and taken into account in determining the amount of periodic payments to be paid toward said arrears and further directs that such arrears are not to be certified to the State Tax Commission pursuant to section 171-c of the Tax Law; and it is further

❑ ORDERED that judgment be entered in favor of the Petitioner against the Respondent in the amount of $, ❑ plus interest [CPLR 5004] from , , in the amount of $, ❑ plus costs and disbursements in the amount of $, for a total sum of $; and it is further

□ ORDERED and ADJUDGED that the above-named ❑ Respondent ❑ Petitioner is responsible for the support so ordered from the earlier of the date of the filing of the petition or the date that the children became eligible for public assistance to the date of this Order ❑ less the amount of $ already paid, and that the ❑ Respondent ❑ Petitioner shall pay the sum of $ as follows: $ immediately, $ ❑ weekly, ❑ every two weeks, ❑ twice per monthly, ❑ quarterly, to [check applicable box]:

❑Respondent by cash, check or money order ❑ Petitioner by cash, check or money order

❑ Non-IV-D cases: Payable to the Petitioner by check or money order and mailed to the NYS Child Support Processing Center, P. O. Box 15365, Albany, NY 12212-5365. The county name for the matter must be included with the payment for identification purposes.

❑ IV-D cases: Payable by check or money order made payable to and mailed to the NYS Child Support Processing Center, PO Box 15363, Albany, NY 12212-5363. The county name and New

York Case Identifier number for the matter must be included with the payment for identification purposes; and it is further

❑ ORDERED that, for the following reason(s) constituting good cause pursuant to Section 440(1)(b) of the Family Court Act, the ❑ IV-D cases: Support Collection Unit ❑ Non-IV-D cases: Court shall NOT issue an immediate income execution; however, in the event of default,[4] this order shall be enforceable pursuant to section 5241 or 5242 of the Civil Practice Law and Rules, or in any other manner provided by law; and it is further

[IV-D cases only]: □ ORDERED that the Respondent, custodial parent and any other individual parties immediately notify the Support Collection Unit of any changes in the following information: residential and mailing addresses, social security number, telephone number, driver's license number; and name, address and telephone numbers of the parties' employers and any change in health insurance benefits, including any termination of benefits, change in the health insurance benefit carrier or premium, or extent and availability of existing or new benefits;

And the Court having determined that [check applicable box]:

❑ The child(ren) are currently covered by the following health insurance plan [specify]:
which is maintained by [specify party]:

❑ Health insurance coverage is available to one of the parents or a legally-responsible relative [specify name]:
under the following health insurance plan [specify, if known]: , which provides the following health insurance benefits [specify extent and type of benefits, if known, including any medical, dental, optical, prescription drug and health care services or other health care benefits]:

❑ Health insurance coverage is available to both of the parents as follows:

Name	Health Insurance Plan	Premium or Contribution	Benefits

❑ No legally-responsible relative has health insurance coverage available for the child(ren), but the child(ren) may be eligible for health insurance benefits under the New York "Child Health Plus" program or New York State Medical Assistance Program, or the publicly funded health insurance program in the State where the custodial parent resides,

❑ No legally-responsible relative has health insurance coverage available for the child(ren), but the child(ren) are currently enrolled in the New York State Medical Assistance Program,

IT IS THEREFORE ORDERED that [specify name(s) of legally-responsible relative(s)]:

[4] "Default", as defined in CPLR 5241, means the failure to make three payments on the date due in the full amount directed in this order, or the accumulation of arrears, including amounts arising from retroactive support, that are equal to or greater than the amount directed to be paid for one month, whichever occurs first.

❑ continue to maintain health insurance coverage for the following eligible dependent(s) [specify]: under the above-named existing plan for as long as it remains available;

❑ enroll the following eligible dependent(s) [specify]:

under the following health insurance plan [specify]: immediately and without regard to seasonal enrollment restrictions and maintain such coverage as long as it remains available in accordance with

[IV-D cases]: ❑ the Medical Execution, which shall be issued immediately by the Support Collection Unit, pursuant to CPLR 5241

❑ the Medical Execution issued by this Court

[Non-IV-D cases]: ❑ the Qualified Medical Child Support Order.

Such coverage shall include all plans covering the health, medical, dental, optical and prescription drug needs of the dependents named above and any other health care services or benefits for which the legally-responsible relative is eligible for the benefit of such dependents; provided, however, that the group health plan is not required to provide any type or form of benefit or option not otherwise provided under the group health plan except to the extent necessary to meet the requirements of Section 1396(g-1) of Title 42 of the United States Code. The legally-responsible relative(s) shall assign all insurance reimbursement payments for health care expenses incurred for (his)(her) eligible dependent(s) to the provider of such services or the party having actually incurred and satisfied such expenses, as appropriate;

OR

IT IS THEREFORE ORDERED that the custodial parent [specify name]: shall immediately apply to enroll the eligible child(ren) in the "Child Health Plus" program (the NYS health insurance program for children) and the New York State Medical Assistance Program or the publicly funded health insurance program in the State where the custodial parent resides.

And the Court further finds that:

The following parent [specify name]: _____ is the custodial parent, whose pro rata share of the cost or premiums to obtain or maintain such health insurance coverage is _____,

The following parent [specify name]: _____ is the non-custodial parent, whose pro rata share of the cost or premiums to obtain or maintain such health insurance coverage is _____;

And the Court further finds that [Check applicable box]:

❑ Each parent shall pay the cost of premiums or family contribution in the same proportion as each of their incomes are to the combined parental income as cited above;

❑ Upon consideration of the following factors [specify]: pro-rating the payment would be unjust or inappropriate for the following reasons [specify]:

Therefore, the payments shall be allocated as follows [specify]:

; and it is further

OR

❑ [Where the child(ren) are recipients of managed care coverage under the New York State Medical Assistance Program] ORDERED that _____, the non-custodial parent herein, shall pay the amount of $_____ per _____ toward to the managed care premium under the New York State Medical Assistance Program;

❑ [Where the child(ren) are recipients of fee-for-service coverage under the New York State Medical Assistance Program] ORDERED that _____, the non-custodial parent herein, shall pay up to an annual maximum of $ _____ for the current calendar year to the New York State Medical Assistance Program upon written notice that the program has paid health care expenses on behalf of the child(ren) for costs incurred during the current calendar year.

❑ [Where the child(ren) are recipients of fee-for-service coverage under the New York State Medical Assistance Program] ORDERED that _____, the non-custodial parent herein, pay as part of the cash medical support obligation up to an annual maximum of $ for the calendar year commencing January 1, _____ and for every year thereafter to the New York State Medical Assistance Program upon written notice that the Medicaid program has paid health care expenses on behalf of the child(ren).

❑ ORDERED that _____, the non-custodial parent herein, shall pay the amount of $ _____, representing his/her share of premiums and/or costs incurred by the New York State Medical Assistance Program for the period of time from _____ to the date of this order, which amount shall be support arrears/past due support;

❑1 ORDERED that in the event that the child(ren) cease(s) to be enrolled in the New York State Medical Assistance Program, the non-custodial parent's obligation to pay his/her share of managed care coverage premiums and/or fee-for-service reimbursement shall terminate as of the date the child(ren) is/are no longer enrolled in Medicaid;

ORDERED that the legally responsible relative immediately notify the [check applicable box]: ❑ other party (non-IV-D cases) ❑ Support Collection Unit (IV-D cases) of any change in health insurance benefits, including any termination of benefits, change in the health insurance benefit carrier or premium, or extent and availability of existing or new benefits; and it is further

ORDERED, that [specify name]:
shall execute and deliver to [specify name]: any forms, documents, or instruments to assure any timely payment of any health insurance claim for said defendant(s); and it is further

ORDERED that upon a finding that the above-named legally-responsible relative(s) willfully failed to obtain health insurance benefits in violation of [check applicable box(es)]:

❑ this order ❑ the medical execution ❑ the qualified medical child support order, such relative(s) will be presumptively liable for all health care expenses incurred on behalf of the above-named defendant(s) from the first date such dependent(s) was ❑ were eligible to be enrolled to receive health insurance benefits after the issuance of such order or execution directing the acquisition of such coverage; and it is further

ORDERED that [specify]: the legally-responsible relative(s) herein, shall pay ❑ his ❑ her pro rata share of future reasonable health expenses of the child(ren) not covered by insurance by [check applicable box]: ❑ direct payments to the health care provider ❑ other [specify]:

; and it is further

ORDERED that, if health insurance benefits for the above-named child(ren) not available at the present time become available in the future to the legally-responsible relative(s), such relative(s) shall enroll the dependent(s) who are eligible for such benefits immediately and without regard to seasonal enrollment restrictions and shall maintain such benefits so long as they remain available; and it is further

[Check applicable box(es):

❑ [Where the Court has made a finding that health insurance is not available] ORDERED that an execution for medical support enforcement shall not be issued by the support collection unit unless a subsequent determination is made by the Court that such health insurance benefits are available; and it is further

❑ ORDERED that , the non-custodial parent herein, pay the sum of $ as ❑ his ❑ her proportionate share of reasonable child care expenses, to be paid as follows:

; and it is further

❑ ORDERED that , the non-custodial parent herein, pay the sum of $ as educational expenses by □ direct payment to the educational provider □ other [specify]:

; and it is further

❑ ORDERED that [specify party or parties; check applicable box(es):

❑ purchase and maintain ❑ life and/or ❑ accident insurance in the amount of [specify]: _____ (and/or)

❑ maintain the following existing ❑ life and/or ❑ accident insurance in the amount of [specify]: _____(and/or)

❑ assign the following as (beneficiary)(beneficiaries) [specify]: to the following existing (life)(and/or)(accident)insurance policy or policies [specify policy or policies and amount(s)]: _____.

In the case of life insurance, the following shall be designated as irrevocable beneficiaries [specify]: _____ during the following time period [specify]:
.

In the case of accident insurance, the insured party shall be designated as irrevocable beneficiary during the following time period [specify]: _____.

The obligation to provide such insurance shall cease upon the termination of the duty of [specify party]: _____ to provide support for each child;. and it is further

[IV-D Cases]: ❑ ORDERED that when the person or family to whom family assistance is being paid no longer receives family assistance, support payments shall continue to be made to the Support Collection Unit, unless such person or family requests otherwise; and it is further

❑ ORDERED that the support obligor, the non-custodial parent, is directed to:5
❑ seek employment
❑ participate in job training, employment counseling, or other programs designed to lead to employment [specify program]:

[JUDICIAL ORDERS ONLY] ❑ ORDERED that Respondent shall have the following rights of visitation with respect to the child(ren)[specify]:

[REQUIRED] IT IS FURTHER ORDERED that a copy of this order be provided promptly by [check applicable box]:
❑ Support Collection Unit ((IV-D cases:) ❑ Clerk of Court (non-IV-D cases) to the New York State Case Registry of Child Support Orders established pursuant to Section 111-b(4-a) of the Social Services Law; and it is further

ORDERED that [specify]:

ENTER

_____
Dated: , , Judge of the Family Court

Check applicable box:
❑ Order mailed on [specify date(s) and to whom mailed:
❑ Order received in court on [specify date(s) and to whom given]

[5] Inapplicable where support obligor is receiving SSI or social security disability benefits. *See* FCA §437-a.

INFORMATION CONCERNING COST OF LIVING ADJUSTMENTS AND MODIFICATIONS

(1) THIS ORDER OF CHILD SUPPORT SHALL BE ADJUSTED BY THE APPLICATION OF A COST OF LIVING ADJUSTMENT AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN TWENTY-FOUR MONTHS AFTER THIS ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED, UPON THE REQUEST OF ANY PARTY TO THE ORDER OR PURSUANT TO PARAGRAPH (2) BELOW. UPON APPLICATION OF A COST OF LIVING ADJUSTMENT AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT, AN ADJUSTED ORDER SHALL BE SENT TO THE PARTIES WHO, IF THEY OBJECT TO THE COST OF LIVING ADJUSTMENT, SHALL HAVE THIRTY-FIVE (35) DAYS FROM THE DATE OF MAILING TO SUBMIT A WRITTEN OBJECTION TO THE COURT INDICATED ON SUCH ADJUSTED ORDER. UPON RECEIPT OF SUCH WRITTEN OBJECTION, THE COURT SHALL SCHEDULE A HEARING AT WHICH THE PARTIES MAY BE PRESENT TO OFFER EVIDENCE WHICH THE COURT WILL CONSIDER IN ADJUSTING THE CHILD SUPPORT ORDER IN ACCORDANCE WITH THE CHILD SUPPORT STANDARDS ACT.

(2) A RECIPIENT OF FAMILY ASSISTANCE SHALL HAVE THE CHILD SUPPORT ORDER REVIEWED AND ADJUSTED AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN TWENTY-FOUR MONTHS AFTER SUCH ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED WITHOUT FURTHER APPLICATION OF ANY PARTY. ALL PARTIES WILL RECEIVE NOTICE OF ADJUSTMENT FINDINGS.

(3) WHERE ANY PARTY FAILS TO PROVIDE, AND UPDATE UPON ANY CHANGE, THE SUPPORT COLLECTION UNIT WITH A CURRENT ADDRESS, AS REQUIRED BY SECTION 443 OF THE FAMILY COURT ACT, TO WHICH AN ADJUSTED ORDER CAN BE SENT, THE SUPPORT OBLIGATION AMOUNT CONTAINED THEREIN SHALL BECOME DUE AND OWING ON THE DATE THE FIRST PAYMENT IS DUE UNDER THE TERMS OF THE ORDER OF SUPPORT WHICH WAS REVIEWED AND ADJUSTED OCCURRING ON OR AFTER THE EFFECTIVE DATE OF THE ORDER, REGARDLESS OF WHETHER OR NOT THE PARTY HAS RECEIVED A COPY OF THE ADJUSTED ORDER.

(4) IN ADDITION TO A COST OF LIVING ADJUSTMENT, EACH PARTY HAS A RIGHT TO SEEK A MODIFICATION OF THE CHILD SUPPORT ORDER UPON A SHOWING OF: (I) A SUBSTANTIAL CHANGE IN CIRCUMSTANCES; OR (II) THAT THREE YEARS HAVE PASSED SINCE THE ORDER WAS ENTERED, LAST MODIFIED OR ADJUSTED; OR (III) THERE HAS BEEN A CHANGE IN EITHER PARTY'S GROSS INCOME BY FIFTEEN PERCENT OR MORE SINCE THE ORDER WAS ENTERED, LAST MODIFIED, OR ADJUSTED; HOWEVER, IF THE PARTIES HAVE SPECIFICALLY OPTED OUT OF SUBPARAGRAPH (II) OR (III) OF THIS PARAGRAPH IN A VALIDLY EXECUTED AGREEMENT OR STIPULATION, THEN THAT BASIS TO SEEK MODIFICATION DOES NOT APPLY.

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT. AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF THE COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

F.C.A. §§413-1, 424-a; Art. 5-B
D.R.L. §§236-B, 240

Form 4-17
(Financial Disclosure Affidavit)
9/2021

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF

.....

In the Matter of a Proceeding for Support

Docket No.

(Commissioner of Social Services, Assignor,
on behalf of , Assignee)

Petitioner

FINANCIAL
DISCLOSURE
AFFIDAVIT

-against-

Respondent.

.....

Notice: **Your signature on this form must be notarized. You are required to attach to this form the following documents:**

- **Current and representative paycheck stub(s);**
- **Copies of your most recently filed state and federal income tax returns, including all forms;**
- **A copy of the W-2 wage and tax statement(s) submitted with the returns OR, if you did not file tax returns, a copy of your W-2 form for the most recent year for which you filed tax returns;**
- **Information relating to health insurance plans available to you for the provision of insurance, health care, dental care, optical care, prescription drug and other pharmaceutical and health-related benefits for the child(ren) for whom support is sought, including the costs for adding the child(ren) to such plans; and**
- **Information relating to accident and life insurance plans.**

STATE OF NEW YORK)
):ss.:
COUNTY OF)

I, _____, the (Petitioner) (Respondent) herein, residing at _____ _____,[1] being duly sworn, depose and say that the following is an accurate statement of my income from all sources, my liabilities, my assets and my net worth, from whatever sources, and whatever kind and nature, and wherever situated:

I. INCOME FROM ALL SOURCES: The correct amount of the child support obligation is presumed to be a percentage of income as defined by law. The percentages are set forth in Addendum A. Other pertinent information is set forth in Addenda B and C. List your income from all sources as follows:

a. Wages and Salaries (as reportable on Federal and State income tax returns):
1 Employer and address

_____

[1] Unless ordered confidential, pursuant to Family Court Act §154-b, because of a risk that disclosure would place the health, safety or liberty of the party at risk. *See* Form GF-21 and GF-21a, available at www.nycourts.gov.

2. Hours worked per week _____
3. Gross salary/wages (□ Weekly □ Bi-weekly □ Monthly □ Semi–monthly □ Annual) $_____
4. Deductions:
   a. Social Security/Medicare Tax a. $_____
   b. Federal Income Tax b. $_____
   c. New York State Tax c. $_____
   d. NYC/Yonkers Tax d. $_____
   e. Other payroll deductions
   _____ e. $_____
   _____ $_____
   _____ $_____
5. Number of members in household _____
6. Number of dependents _____
7. Income of other members of household $_____ per _____
   $_____ per _____

NOTE: ATTACH INFORMATION FOR ADDITIONAL EMPLOYERS ON SEPARATE PAGES.

b. Self-Employment Income (Describe and list self- employment income; attach to this form the most recently filed Federal and State income tax returns, including all schedules):
_____

c. Interest/Dividend Income:
_____

d. Other Income/ Benefits:

1.	Workers Compensation	1. $_____ per _____
2.	Disability Benefits	2. $_____ per _____
3.	Unemployment Insurance Benefits	3. $_____ per _____
4.	Social Security Benefits	4. $_____ per _____
5.	Veterans Benefits	5. $_____ per _____
6.	Pensions and Retirement Benefits	6. $_____ per _____
7.	Fellowships/Stipends/Annuities	7. $_____ per _____
8.	Supplemental Security Income (SSI)	8. $_____ per _____
9.	Public Assistance	9. $_____ per _____
10.	SNAP (Food Stamps)	10. $_____ per _____

e. Income from other sources: (List here and explain any other income including but not limited to: non-income producing assets; employment "perks" and reimbursed expenses to the extent that they reduce personal expenses; fringe benefits as a result of employment; periodic income, personal injury settlements; non-reported income; and money, goods and services provided by relatives and friends):
_____

II. **ASSETS:** The Court can consider the assets of the custodial parent and/or the non-custodial parent in its award of child support. List your assets as follows:

a. Savings account balance (Name of bank: _____) a. $_____
b. Checking account balance (Name of bank: _____) b. $_____

c. Automobile(s) (Year and make: _____) c. $_____
Loan information _____
d. Residence owned (Address: _____) d. $_____
e. Other real estate owned _____ e. $_____
f. Other assets (For example: stocks, bonds, trailers, boat, etc.) _____ f. $_____
_____
g. Driver's, professional, recreational, sporting and other licenses and permits held (provide name of issuing agency, license number and attach a copy if possible)
_____
_____
h. Individual Retirement Plan (IRA), Deferred compensation plan (401[k], 403[b], 457), annuities
_____

NOTE: ATTACH TO THIS FORM ANY INFORMATION AS TO ANY ADDITIONAL ASSETS.

III. DEDUCTIONS FROM INCOME: The Court allows certain deductions from income prior to applying the child support percentages. List the deductions that apply to you as follows:

a. Unreimbursed employee business expenses a. $_____
b. Maintenance actually paid to spouse not a party to this action* b. $_____
c. Maintenance actually paid to spouse who is a party to this action c. $_____
d. Child support actually paid on behalf of non- subject child(ren)* d. $_____
e. Public Assistance and Food Stamps e. $_____
f. Supplemental Security Income f. $_____
g. NYC/Yonkers Income Tax g. $_____
h. Social Security/Medicare Taxes h. $_____
***Attach to this form a copy of the appropriate Court Order**

IV. HEALTH INSURANCE, UNREIMBURSED HEALTH-RELATED EXPENSES, CHILD CARE EXPENSES, EDUCATIONAL EXPENSES AND LIFE AND ACCIDENT INSURANCE POLICIES:
As part of the child support obligation, parents must be directed to provide health insurance coverage if available, pay a pro-rated share of the cost of premiums to obtain or maintain the health insurance coverage, a pro-rated share of unreimbursed health-related expenses, pro-rated share of child care expenses and, in the Court's discretion, educational expenses. The Court may direct you to purchase and maintain life and/or accident insurance benefits or assign benefits on existing policies for the benefit of your children. List your information as follows and cross out or delete inapplicable provisions:

a. **[Check applicable box]:**
□ I do NOT have health insurance coverage **[If this box is checked, SKIP to section IV(b), below]**

□ I HAVE health insurance coverage through [specify]:
□ Employer or organization □ Private purchase □ Medicaid
□ "Child Health Plus" program; my monthly premium is $ _____
1. My coverage includes □ medical □ dental □ prescription drugs □ optical
□ other health care services or benefits [specify]:
_____
2. The cost of the insurance paid by me is $_____per _____
3. The person(s) covered by my insurance is/are:
_____
_____
4. My policy number is _____ .
5. Coverage □ does □ does not presently include my child(ren). The additional cost to me to include my child(ren) would be [specify cost for each type of benefit; if benefit unavailable, so indicate]:

Medical: $_____ per _____ Optical: $_____ per _____
Dental: $_____ per _____ Prescription drugs: $_____ per _____
Other Health Services or Benefits [specify]:_____ $_____ per _____

6. The name and address of my primary (and secondary) health insurer is/are: _____
_____

7. My primary (and secondary) health plan administrator is/are: (indicate name, address and telephone number of contact person for employer or organization): _____
_____

8. There are □ medical □ dental □ prescription drugs □ optical □ other health care benefits [specify]: _____ benefits available to the child(ren) through an individual who is not a party to this action. This individual is [indicate name and relationship]: _____.
The cost is: $_____ per _____.

b. My child care provider is: _____
The average number of hours of child care incurred per week are: _____

c. My child's educational needs and expenses are:
_____
_____

d. I have the following life and accident insurance policies:
1. Life insurance: (Name of insurer):_____ $_____
(Beneficiary/Beneficiaries):_____

(Name of insurer):_____ $_____
(Beneficiary/Beneficiaries):_____

2. Accident insurance: (Name of insurer):_____ $_____
(Name of insurer):_____ $_____

This information is current as of (specify date) _____.

V. VARIANCE FROM THE PERCENTAGES: The Family Court Act allows the Court to order support different from the percentages if the Court finds that the support based upon the percentages would be unjust or inappropriate due to certain factors. The factors are set forth in Addendum D. The following is/are the factor(s) that the Court should consider in this case: _____
_____
_____
_____

VI. EXPENSES: In ordering support by the percentages the Court is not obligated to consider your expenses. However, if the Court varies from the percentages, your expenses may be considered. List your expenses as follows: List all expenses on a weekly or monthly basis; however, you must be consistent.
If any items are paid monthly, divide by 4.3 to obtain the weekly payment. If any items are paid weekly, multiply by 4.3 to obtain the monthly payment.
Check applicable box: I am listing my expenses on a □ weekly □ monthly basis:

EXPENSE ITEM	**COST [check box]: □ weekly □ monthly**
a) Rent or mortgage payment	a. $
b) Mortgage interest and amortization	b. $

c) Realty taxes(if not included in mortgage payment)	c. $
d) Insurance on realty	d. $
e) Utilities: gas____ electric____ water____ telephone____ cable	e. $
f) Garbage collection	f. $
g) Household repairs (specify)	g. $
h) Food	h. $
i) Charge accounts, loans, etc. **(from Section VII below)**	i. $
1)	
2)	
3)	
j) Auto expense: gas____ maintenance____ insurance & fees	j. $
loan	
k) Public transportation	k. $
l) Life insurance	l. $
m) Health insurance	m. $
n) Clothing: self $_____ others $	n. $
(Explain: _____)	
o) Laundry and dry cleaning	o. $
p) Education and tuition (explain: _____)	p. $
q) Child care	q. $
r) Contributions	r. $
s) Union dues (Are dues mandatory? ☐ yes ☐No)	s. $
t) Entertainment	t. $
u) Miscellaneous personal expenses (specify): _____	u. $
v) Other (specify): _____	v. $
w) **TOTAL: ☐ weekly ☐Monthly Expenses**	**w. $**

VII. LIABILITIES, LOANS AND DEBTS: In ordering support by the percentages the Court is not obligated to consider liabilities, loans, and debts. However, if the Court varies from the percentages, they may be considered. List your liabilities, loans and debts as follows:

Creditor _____	Creditor _____	Creditor _____
Purpose _____	Purpose _____	Purpose _____
Date incurred _____	Date incurred _____	Date incurred _____
Total balance due $_____	Total balance due $_____	Total balance due $_____
Monthly payment $ _____	Monthly payment $ _____	Monthly payment $ _____

NOTE: ATTACH TO THIS FORM INFORMATION REGARDING ANY ADDITIONAL DEBTS.

I have carefully read the foregoing statement and attest to its truth and accuracy.

[Notarization of your signature is REQUIRED].

_____
(Petitioner)(Respondent)

_____
Print or Type Name

_____
Signature of Attorney, if any

_____
Attorney's Name (Print or Type)

_____
_____
_____
Attorney's Address and Telephone Number

Sworn to before me this _____
day of _____, _____.

_____
Notary Public
(Deputy)Clerk of the Court

ADDENDUM A
CHILD SUPPORT PERCENTAGES

The child support percentages that shall be applied by the Court unless the Court makes a finding that the non-custodial parent's share is unjust or inappropriate are as follows: 17% for one child; 25% for two children; 29% for three children; 31% for four children; and no less than 35% for five or more children.

ADDENDUM B
COMBINED PARENTAL INCOME "CAP"

Where combined parental income exceeds the amount published by the New York State OTDA pursuant to Social Services Law 111-i(2)a, the Court shall determine the amount of child support for the amount of the combined parental income in excess of such dollar amount through consideration of the factors set forth in Addendum D and/or the support percentage set forth in Addendum A. The combined parental income amount will be revised every two years, beginning on January 31, 2012, and the revised amount will be posted on-line at www.childsupport.ny.gov.

ADDENDUM C
SELF-SUPPORT RESERVE

Where the annual amount of the basic child support obligation would reduce the non-custodial parent's income below the poverty income guidelines amount for a single person as reported by the federal Department of Health and Human Services, the basic child support obligation shall be twenty-five dollars ($25) per month unless the interests of justice dictate otherwise. Where the annual amount of the basic child support obligation would reduce the non-custodial parent's income below the self-support reserve but not below the poverty income guidelines amount of a single person as reported by the federal Department of Health and Human Services, the basic child support obligation shall be fifty dollars ($50) per month or the difference between the non-custodial parent's income and the self-support reserve, whichever is greater.

ADDENDUM D
VARIANCE FROM THE PERCENTAGES

The Court has the discretion to vary from the percentages if it finds that the non-custodial parent's pro-rata share of the basic child support obligation is unjust or inappropriate. This finding shall be based upon consideration of the following factors:

1. The financial resources of the custodial and non-custodial parent, and those of the child.
2. The physical and emotional health of the child and his/her special needs and aptitudes.
3. The standard of living the child would have enjoyed had the marriage or household not been dissolved.
4. The tax consequences to the parties.
5. The non-monetary contributions that the parents will make toward the care and well-being of the child.
6. The educational needs of either parent.
7. A determination that the gross income of one parent is substantially less than the other parent's gross income.
8. The needs of the children of the non-custodial parent for whom the non-custodial parent is providing support who are not subject to the instant action and whose support has not been deducted from income, and the financial resources of any person obligated to support such children, provided, however, that this factor may apply only if the resources available to support such children are less than the resources available to support the children who are subject to the instant action.
9. Provided that the child is not on public assistance (i) extraordinary expenses incurred by the non-custodial parent in exercising visitation, or (ii) expenses incurred by the non-custodial parent in extended visitation provided that the custodial parent's expenses are substantially reduced as a result thereof.

10. Any other factors the Court determines are relevant in each case.

NOTE: The language in the above Addenda is paraphrased from the statute for the purposes of simplification. For statutory language, see Family Court Act Sections 413(1), 416 and 424-a and Domestic Relations Law Sections 236-B and 240.

F.C.A. §§ 413-1, 424-a; Art. 5-B
D.R.L. §§ 236-B, 240

Form 4-17a
9/2021

Financial Disclosure Affidavit (Short Form)

Notice to Parties in a Support Proceeding

You are required to bring this form to Court. Fill it out before you come in on the next court date.

In addition to this form, you must bring with you a copy of:

- Your two (2) most recent pay stubs
- Your most recent Federal and state tax returns,
- Your W-2s and/or 1099 statements
- All documents which prove the amount of other income and/or debt and loans
- Proof of health insurance coverage and cost
- Proof of public assistance

State of New York

County of _____

File #: _____
Docket #: _____
Court Date, Time, and Part: _____

I, _____ (print name), being duly sworn, depose and say that the following is an accurate statement of my income, my assets, my expenses, and my liabilities:

Income Are you self-employed? □ Yes □ No
Employer: _____ Hours worked per week _____
Address: _____

Gross income (all jobs): $_____ per _____ Take-home income (all jobs): $_____ per _____

Other income (Public Assistance, SNAP (Food Stamps), Rent, Tips, Unemployment Insurance benefits, Workers' Compensation, Social Security Disability (SSD), Supplemental Security Income (SSI), Pensions and Retirement Benefits, Fellowships/Stipends/Annuities, Investment Income, etc)

Amount	Source
$_____ per _____	_____
$_____ per _____	_____
$_____ per _____	_____

How many people are in your household? Me + _____ others
Income from other household members: $_____per _____

Are you paying additional child support orders? □ Yes □ No. If yes, attach copies of all support orders.
How much? $ _____ To whom? _____

Health Insurance Coverage You must bring in proof of your insurance coverage and the cost. If you have health insurance available through employment, but have not signed up for it, you still must bring proof of the coverage and cost.

My insurance coverage is □ through my job □ privately purchased □ Medicaid □ Medicare

F.C.A. §§ 413-1, 424-a; Art. 5-B
D.R.L. §§ 236-B, 240

Form 4-17a
9/2021

□ I don't have health insurance coverage

My coverage includes □ Medical □ Dental □ Vision □ Prescription

Insurance Plan Name: _____ Policy #: _____

The cost of my health insurance is
$_____ per _____ for a Family Plan.
$_____ per _____ for an Individual Plan.

The child(ren)'s health insurance is covered by: □ my plan □ the other parent's plan □ Child Health Plus
□ Medicaid □ Other: _____

Child Care (Provide receipts)
My child care provider is _____
The average number of hours per week that I need child care is ___. The cost is $_____ per _____

Assets (Include additional page of other assets, if needed)

Savings Account:	Bank name: _____	Balance: $ _____
Checking Account:	Bank name: _____	Balance: $ _____
Automobile:	Year: _____ Make: _____ Model: _____	Value: $ _____
House/Apt Owned:	Address: _____ Market value: $_____	Mortgage: $_____
Other assets: (other real estate, car, boat, snowmobile, stocks, bonds, IRA's etc.)	Details: _____	Value: $ _____
	Details: _____	Value: $ _____

Expenses The following are my monthly expenses

Rent or mortgage:	$ _____	Health insurance:	$ _____
Utilities Gas:	$ _____	Other insurance Life:	$ _____
Phone/TV/internet:	$ _____	Auto:	$ _____
Electric:	$ _____	Home/Fire:	$ _____
Other: _____	$ _____	Other: _____	$ _____
Child care:	$ _____	Transportation	
School tuition and expenses:	$ _____	Auto payment:	$ _____
Food:	$ _____	Gasoline:	$ _____
Clothing:	$ _____	Public transportation:	$ _____
Medical/Dental/Prescription:	$ _____	Other: _____	$ _____
Contributions	$ _____	Total :	$ _____

Loans and Debt (Include additional page of other loans and debt, if needed)

Owed to: _____ For: _____
Balance: $_____ Payment: $_____ ☐ monthly ☐ weekly

Owed to: _____ For: _____
Balance: $_____ Payment: $_____ ☐ monthly ☐ weekly

F.C.A. §§ 413-1, 424-a; Art. 5-B
D.R.L. §§ 236-B, 240

Form 4-17a
9/2021

I swear that the above information is true and correct as of (date) _____.

_____
Signature

Sworn to before me on _____

_____
Notary Public / (Deputy) Clerk of the Court

F.C.A. § 523
[**NOTE**: Personal Information Form 4-5/5-1-d, containing social security numbers of parties and dependents, must be filed with this Petition]

Form 5-3
(Paternity)
9/2021

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF
.....
In the Matter of a Paternity Proceeding Under Article _____ of the Family court Act

Docket No.

(Commissioner of Social Services, Assignee, on behalf of , Assignor)

Petitioner,

PATERNITY PETITION
(Social Services Official)

-against-

Respondent.

.....
TO FAMILY COURT:

The undersigned Petitioner respectfully shows that:

1. Petitioner is a Social Services official of the ❑ County ❑ City of [specify]: , whose official address is [specify]:

2. The assignor is authorized to originate a paternity proceeding but has assigned her right to do so to the Commissioner of Social Services pursuant to the Social Services Law of the State of New York. In the event the assignment ends, the assignor may seek a declaration of paternity, order of filiation and order of support.

3. Upon information and belief, [specify name of mother or mother-to-be]: , who resides at [1]

❑ gave birth to a ❑ male ❑ female child out of wedlock on or about [specify date] , at .
The child resides with

at [specify, unless ordered confidential]:
.

[1] Unless ordered confidential, pursuant to Family Court Act § 154-b, because disclosure would pose an unreasonable risk to the health or safety of the mother or mother-to-be. See Forms GF-21 and 21a, available at www.nycourts.gov.

❑ is pregnant with a child which is likely to be born out of wedlock.

4. The name and date of birth of the child are:

Name	Date of Birth

5. Upon information and belief, the above-named Respondent, who resides at [specify]: [2] , is the father of the child.

6. At the time of conception of the child, the mother ❑ was not married ❑ was married to [name] , whose last known address is [specify]:

7. Upon information and belief,
a) the mother and/or child [check applicable box]:
❑ is ❑ is likely to become a public charge on the ❑ County [specify]: ❑ City of [specify]: ; and
b) ❑ the child(ren) became eligible for public assistance effective [specify date]: . Petitioner is seeking an order of support retroactive to the EARLIER OF the date of the filing of the petition or the date that the children became eligible for public assistance.

8. No individual has been adjudicated father of this child, either in this court, or any other court, including a Native American court; and no individual has signed an Acknowledgment of Parentage admitting paternity for this child, (except) [specify]:

9. The subject child ❑ is ❑ is not a Native-American child subject to the Indian Child Welfare Act of 1978 (25 U.S.C. § 1961-1963).

10. Upon information and belief, no previous application has been made to any court or judge for the relief requested herein except [specify]:

WHEREFORE, Petitioner requests that this Court issue a summons or warrant requiring the Respondent to show cause why the Court should not enter a declaration of paternity, order of filiation, order of support[3] payable to the Support Collection Unit or, in the event the assignment ends, payable to the ex-assignor, and such other and further relief as the law provides.

NOTE: (1) A COURT ORDER OF SUPPORT RESULTING FROM A PROCEEDING COMMENCED BY THIS APPLICATION (PETITION) SHALL BE ADJUSTED BY THE APPLICATION OF A COST OF LIVING ADJUSTMENT AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN TWENTY-FOUR MONTHS AFTER SUCH ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED, UPON THE REQUEST OF ANY PARTY TO THE ORDER OR PURSUANT TO PARAGRAPH (2) BELOW. SUCH COST OF LIVING ADJUSTMENT SHALL BE ON NOTICE TO BOTH PARTIES WHO, IF THEY OBJECT TO THE COST OF LIVING ADJUSTMENT, SHALL HAVE THE RIGHT TO BE HEARD BY

[2] Unless ordered confidential, pursuant to Family Court Act § 154-b, because disclosure would pose an unreasonable risk to the health or safety of the Respondent. See Forms GF-21 and 21a, available at www.nycourts.gov.

[3] Pursuant to Section 111-g of the Social Services Law, where an order of support directs that support payments be made to the support collection unit of a social services district, the petition in such proceedings shall be deemed to be an application for support services.

THE COURT AND TO PRESENT EVIDENCE WHICH THE COURT WILL CONSIDER IN ADJUSTING THE CHILD SUPPORT ORDER IN ACCORDANCE WITH SECTION FOUR HUNDRED THIRTEEN OF THE FAMILY COURT ACT, KNOWN AS THE CHILD SUPPORT STANDARDS ACT.

(2) A PARTY SEEKING SUPPORT FOR ANY CHILD(REN) RECEIVING FAMILY ASSISTANCE SHALL HAVE A CHILD SUPPORT ORDER REVIEWED AND ADJUSTED AT THE DIRECTION OF THE SUPPORT COLLECTION UNIT NO EARLIER THAN TWENTY-FOUR MONTHS AFTER SUCH ORDER IS ISSUED, LAST MODIFIED OR LAST ADJUSTED BY THE SUPPORT COLLECTION UNIT, WITHOUT FURTHER APPLICATION BY ANY PARTY. ALL PARTIES WILL RECEIVE A COPY OF THE ADJUSTED ORDER.

(3) WHERE ANY PARTY FAILS TO PROVIDE, AND UPDATE UPON ANY CHANGE, THE SUPPORT COLLECTION UNIT WITH A CURRENT ADDRESS, AS REQUIRED BY SECTION FOUR HUNDRED FORTY-THREE OF THE FAMILY COURT ACT, TO WHICH AN ADJUSTED ORDER CAN BE SENT, THE SUPPORT OBLIGATION AMOUNT CONTAINED THEREIN SHALL BECOME DUE AND OWING ON THE DATE THE FIRST PAYMENT IS DUE UNDER THE TERMS OF THE ORDER OF SUPPORT WHICH WAS REVIEWED AND ADJUSTED OCCURRING ON OR AFTER THE EFFECTIVE DATE OF THE ADJUSTED ORDER, REGARDLESS OF WHETHER OR NOT THE PARTY HAS RECEIVED A COPY OF THE ADJUSTED ORDER.

Dated: _____ , _____ .

_____
Petitioner

_____
Print or type name

_____
Signature of Attorney, if any

_____
Attorney's Name (Print or Type)

_____
Attorney's Address and Telephone Number

VERIFICATION IN PROCEEDING
BY GOVERNMENTAL AGENCY

STATE OF NEW YORK)
: ss.:
COUNTY OF)

being duly sworn, deposes and says:

That (s)he is and is acquainted with the facts and circumstances of the above-entitled proceeding; that (s)he has read the foregoing petition and knows the contents thereof; that the same is true to (his)(her) own knowledge except as to those matters therein stated to be alleged upon information and belief, and that as to those matters (s)he believes it to be true.

_____
Petitioner

Sworn to before me this
day of , .

_____
(Deputy) Clerk of the Court
Notary Public

F.C.A. §§ 712, 732, 733, 736

Form 7-4
(Person in Need of Supervision–Petition)
(9/2021)

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF
.....
In the Matter of

Docket No.

A Person Alleged to be a Person
In Need of Supervision,

PETITION

Respondent
.....

TO THE FAMILY COURT:

The undersigned Petitioner respectfully alleges upon information and belief that:

1. Petitioner, , resides at

.

2. Petitioner is a person authorized to institute a proceeding under Article 7 of the Family Court Act by reason of the fact that (s)he is [specify relationship to Respondent]:

3. The Respondent is a □ male □ female □ non-binary child, who was born on [specify]:

.

4. The Respondent [check applicable box]: □ is □ is not a Native American child subject to the Indian Child Welfare Act of 1978 (25 U.S.C. §§ 1901-1963). If so, the following have been notified [check applicable box(es)]:
❑ parent/custodian [specify name and give notification date]:
❑ tribe/nation [specify name and give notification date]:
❑ United States Secretary of the Interior [where tribe/nation undetermined; give notification date]:

5. a. The following are the names and addresses, unless ordered confidential pursuant to Family Court Act §154-b, of the parent(s) or other person(s) legally responsible for the care of Respondent or with whom Respondent resides:

Name	Residence	Relationship

b. The following are the names and addresses, unless ordered confidential pursuant to Family Court Act §154-b, of Respondent's non-custodial parent(s), if any:

Name	Residence	Relationship

6. Respondent [check applicable boxes]:
❑ does not attend school in accord with the provisions of part one of Article 65 of the Education Law
❑ is ungovernable or habitually disobedient and beyond the lawful control of parent or other lawful authority
❑ violates the provisions of section 230.00 of the Penal Law.

[For EACH of the above grounds alleged, set forth a concise statement of the acts alleged and the time and place they allegedly occurred]:

7. Respondent was under eighteen years of age at the time of foregoing acts and is now under eighteen years of age.

8. Petitioner has complied with the requirements of Family Court Act §735. [Attach notice from designated diversion services agency].

9. Respondent requires supervision or treatment.

10. As to the allegations herein made upon information and belief, the sources of Petitioners' information and grounds of belief are [check applicable boxes]:

❑ the statements and admissions of Respondent
❑ the statements and depositions of witnesses now on file with this Court
❑ other [specify]:

WHEREFORE, Petitioner requests that the Respondent be adjudged a person in need of supervision and dealt with in accordance with the provisions of Article 7 of the Family Court Act.

Dated: ,

_____
Petitioner

_____
Petitioner

_____
Print or type name

_____
Signature of Attorney, if any

_____
Attorney's Name (Print or Type)

_____

_____
Attorney's Address and Telephone Number

NOTICE: [APPLICABLE WHERE PETITIONER IS THE PARENT OR OTHER PERSON LEGALLY RESPONSIBLE FOR THE RESPONDENT CHILD]:
UPON PLACEMENT OF THE RESPONDENT CHILD WITH THE DEPARTMENT OF SOCIAL SERVICES OR ANY OTHER AGENCY, THE PETITIONER MAY BE NAMED AS THE RESPONDENT IN A CHILD SUPPORT PETITION BROUGHT PURSUANT TO

ARTICLE 4 OF THE FAMILY COURT ACT AND MAY BE LIABLE FOR THE SUPPORT OF THE CHILD.

VERIFICATION
(Individual)

STATE OF NEW YORK)
) ss.:
COUNTY OF)

_____, being duly sworn, deposes and says:

That (s)he is the
in the above-entitled proceeding and is acquainted with the facts and circumstances thereof; that (s)he has read the foregoing and knows the contents thereof; that the same is true to (his) (her) own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters (s)he believes it to be true.

_____
Petitioner

Sworn to before me this
day of ,

_____
(Deputy) (Clerk of the Court)
(Notary Public)

VERIFICATION
(Agency)

STATE OF NEW YORK)
)ss.:
COUNTY OF)

_____, being duly sworn, deposes and says:

That (s)he is the of
, an agency authorized to originate the above-entitled proceeding, and is acquainted with the facts and circumstances therein; that (s)he has read the foregoing and knows the contents thereof; that the same is true to (his)(her) own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters (s)he believes it to be true.

_____
Name

_____
Title

Sworn to before me this
day of ,

_____
Notary Public

F.C.A. §§ 744, 752

Form 7-5
(Person in Need of Supervision--Determination Upon Fact-finding Hearing)
(9//2021)

At a term of the Family Court of the State of New York, held in and for the County of , at , New York on

P R E S E N T
Hon.
Judge

.....

In the Matter of

Docket No.

A Person Alleged to be a Person In Need of Supervision,

DETERMINATION UPON FACT-FINDING HEARING

Respondent.

.....

The petition of under Article 7 of the Family Court Act, sworn to on , , was filed in this Court, alleging that the above-named Respondent is a person in need of supervision; and

Notice was given to Respondent and [check applicable box]:
❑ parent ❑ custodian, pursuant to section 741 of the Family Court Act; and

Respondent [check applicable box]: ❑ appeared ❑ did not appear before this Court to answer the petition; and an attorney for the Respondent having ❑ appeared ❑ not appeared; and

Respondent [check applicable box]:
❑ voluntarily, intelligently and knowingly admitted in open Court that (s)he [specify]:
;

❑ denied the allegations of the petition, and the matter came on for a fact-finding hearing before this Court, and the Court, after hearing the proof and testimony offered in relation to the case, found beyond a reasonable doubt that the Respondent did the following act(s) [specify]:

NOW therefore, upon the findings made in the fact-finding and upon all papers and proceedings filed and had herein, it is

ORDERED and ADJUDGED that the above-named Respondent, while under eighteen years of age [check applicable boxes]:

❑ does not attend school in accordance with the provisions of part one of Article 65 of the Education Law;

❑ is ungovernable or habitually disobedient and beyond the lawful control of parent or other lawful authority;

❑ violated the provisions of section § 230.00 of the Penal Law; and it is further

(ORDERED

.)

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

ENTER

_____
Judge of the Family Court

Dated: ,

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]: _____

❑ Order received in court on [specify date(s) and to whom given]:_____

F.C.A. §§750, 752, 754-757,
756-a, 756-b, 758-a, 759;
S.S.L. §§393, 409-h

Form 7-8
(Person in Need of Supervision --
Order of Fact-finding and Disposition)
9/2021

At a term of the Family Court of the
State of New York, held in and for the
County of ,
at New York
on , .

P R E S E N T :
Hon.
Judge

In the Matter of

Docket No.

A Person Alleged to be
In Need of Supervision

ORDER OF
FACT-FINDING
AND DISPOSITION

Respondent

The petition of [specify]: under Article 7 of the Family Court Act, sworn to on [specify date]: , , having been filed in this Court alleging that the above-named Respondent is a Person in Need of Supervision; and

[Check applicable box(es)]:

Notice having been duly given to Respondent and ❑ parent(s) ❑ person(s) legally responsible for the Respondent's care, pursuant to section 741 of the Family Court Act; and

[Required if Respondent is Native-American; check if applicable]:

❑ And the following having been duly notified [check applicable box(es)]:

❑ parent/custodian ❑ tribe/nation ❑ United States Secretary of the Interior;

And the tribe/nation having: ❑ appeared and participated as a party;

❑ appeared and declined to assume jurisdiction;

❑ appeared and requested transfer of jurisdiction;

❑ not appeared;

And Respondent having: ❑ appeared ❑ not appeared; and
Counsel for the Respondent having: ❑ appeared ❑ not appeared
before this Court to answer the petition;

And Respondent having:

❑ voluntarily, intelligently and knowingly admitted in open court that he or she committed the following act(s) [specify]:

OR

❑ denied the allegations of the petition and the matter having duly come on for a fact-finding hearing before this Court;

The Court, after hearing the proof and testimony offered in relation to the case, finds beyond a reasonable doubt that: ❑ the Respondent did the following [specify]:

OR

❑ the Respondent did not engage in the acts alleged.

[Applicable where one or more allegations were proven beyond a reasonable doubt]:

The matter having thereafter duly come on for a dispositional hearing before the Court, the Court, after having made the examination and inquiry into the facts and circumstances of the case and into the surroundings, conditions and capacities of the persons involved and having made any reports available to counsel in accordance with section 750 of the Family Court Act, finds upon a preponderance of the evidence that :

I. Dispositional Findings

A. Respondent requires supervision or treatment; and

B. Having fully considered the matter of a particular disposition pursuant to section 754 of the Family Court Act, Respondent requires the following disposition for the following reasons [specify; if the Respondent has been found to be sexually exploited, as defined in Social Services Law §447-a, so indicate]:

II. Required "Best Interests" and "Reasonable Efforts" Findings [The following determinations are required when order is placement; check applicable boxes and provide case-specific reasons and sources in A, B, C and, if applicable, D, below]: The Court finds and determines that:

A. Continued placement in, or return to, the Respondent's home [check applicable box]:

❑ would ❑ would not be contrary to the Respondent's best interests, based upon the following facts and for the following specific reasons [specify]:

This determination is based upon the following specific documents and evidence:

❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Case record, dated (specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

; AND

B. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the Respondent from the home:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding that the authorized agency was not required to make reasonable efforts to reunify the Respondent with the ❑ parent(s) ❑ person(s) legally responsible for Respondent's care [specify date of finding]:

❑ because of other reasons [specify]:

❑ were not made.

This determination is based upon the following specific documents and evidence:

❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Case record, dated (specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

C. Reasonable efforts, where appropriate, to return the Respondent home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

☐ because of a prior judicial finding pursuant to F.C.A. §754 that the authorized agency was not required to make reasonable efforts to reunify the child with the ❑ parent(s) ❑ guardian(s) [specify date of finding]:
❑ because of other reasons [specify]:

❑ were not made.

This determination was based upon the following information [check applicable box(es)]:

❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

D. Reasonable Efforts: Goal Other Than Return Home: [REQUIRED in cases in which the Respondent's permanency plan is adoption, guardianship or permanent living arrangement other than reunification]:

Reasonable efforts to make and finalize the Respondent's permanency plan of [specify]:

❑ have been made as follows [specify]:

❑ were not made based upon the following facts and for the following reasons [specify]:

This determination is based upon the following specific documents and evidence:

❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Case record, dated (specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

D. Transitional Services Finding [REQUIRED where Respondent is 14 or older]:
The services needed, if any, to assist the Respondent to make the transition from foster care to independent living are [specify]:

III. Special Circumstances Findings [REQUIRED where Respondent is 16 years or older and is placed]: ❑ The following special circumstances warrant placement [specify]:

IV. ❑ REQUIRED findings if approval of placement in Qualified Residential Treatment Program is requested [DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]: ;

and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the Respondent ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the Respondent in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the Respondent in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the Respondent, as specified in the Respondent's permanency plan because [specify facts and reasons]:

D. Where the Qualified Individual has determined that the placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the placement or continued placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named Respondent's needs in a less restrictive environment; **and**

❑ It would be contrary to the welfare of the above-named Respondent to be placed in a less restrictive setting and continued placement in the QRTP is in the Respondent's best interests because [specify facts and reasons]:

NOW, therefore, upon the findings made in the fact-finding and dispositional hearings and upon all papers and proceedings filed and had herein, it is hereby

ADJUDGED that the above-named Respondent is a Person in Need of Supervision who

[check all applicable box(es)]:

❑ does not attend school in accordance with Article 65 of the Education Law[1]

❑ is ungovernable or habitually disobedient and beyond the lawful control of the parent or other lawful authority

❑ violates the provisions of section 230.00 of the Penal Law; and

ADJUDGED that Respondent requires supervision or treatment;

IT IS, THEREFORE, ORDERED that [check applicable boxes]:

❑ Respondent is discharged with a warning.

❑ Judgment herein is suspended for a period of [specify]: months upon the following terms and conditions [specify]:[2]

❑ Respondent is placed on probation under the supervision of the Probation Department of the County of [specify]: for a period of [specify]: upon the following terms and conditions:[3]

The probation service shall report to the court ❑ orally ❑ in writing on [specify date]: and every ___ days thereafter concerning Respondent's compliance with the terms and conditions of this order.

❑ This proceeding is continued, and the Respondent is placed for a period of [specify period of up to 60 days]: . Such placement shall be in [check applicable box]:

❑ the Respondent's own home;

❑ the custody of the following suitable relative or other suitable private person [specify]:

❑ the custody of the Commissioner of Social Services of the County of [specify]: for placement in [check applicable box]:

❑ a family boarding home;

❑ an authorized agency or class of authorized agency [specify]:

❑ an available long-term safe-house where the Court found in I-A, above, that Respondent is a sexually exploited child.

❑ **[REQUIRED if the Respondent is placed in the custody of the Commissioner of**

---

[1] Note: If truancy is the sole charge found, Respondent may NOT be placed. *See* Family Court Act §756.

[2] *See* 22 NYCRR §205.66(a), attached as Appendix A.

[3] *See* 22 NYCRR§205.66(b), attached as Appendix B.

Social Services]:

A. ❑ ORDERED that, if the Commissioner of Social Services is unable to so place the child, the Commissioner [check applicable box]:

❑ shall ❑ need not apply to the Court for an order to stay, modify, set aside or vacate the order pursuant to Family Court Act § 762.

❑ shall ❑ need not return Respondent to this Court for a new dispositional hearing.

B. ❑ ORDERED that if the child absconds from the above-named custodial person or facility, written notice shall be given within 48 hours to the Clerk of Court by the custodial person or by an authorized representative of the facility, stating the name of the child, the docket number of this procedure, and the date on which the child ran away; (and it is further)

C. ❑ ORDERED that, if the Respondent remains in placement in the custody of the Commissioner of Social Services, the Commissioner of Social Services shall file a petition for a permanency hearing NO LATER THAN [specify date not more than 15 days prior to expiration of the placement]:

❑ **REQUIRED order if placement in Qualified Residential Treatment Program is requested] [DELETE if inapplicable]: After examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore** [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the "Qualified Residential Treatment Program" is GRANTED, and placement of the Respondent in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]: the above-named Respondent shall be [check applicable box and specify]:

❑ returned or released to the following parent [specify]:

❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in

Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named Respondent's care and welfare that is in the best interests of the Respondent and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

[Applicable Where Respondent is Native-American]:

❑ ORDERED that the following should be notified of this proceeding [specify]:
the ❑ custodian of the child; ❑ tribe/nation; ❑ United States Secretary of the Interior

❑ ORDERED that in light of the assumption of jurisdiction by the tribe/nation, this petition is DISMISSED WITHOUT PREJUDICE.

AND IT IS FURTHER ORDERED that [specify; delete if inapplicable]:

Enter

_____
Judge of the Family Court

Dated:

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:_____

❑ Order received in court on [specify date(s) and to whom given]:_____

APPENDIX A
PERMISSIBLE TERMS AND CONDITIONS OF A SUSPENDED JUDGMENT
[22 N.Y.C.R.R. § 205.66(a)]

(a) An order placing a juvenile on probation, suspending judgment entered pursuant to section 757 of the Family Court Act, shall be reasonably related to the adjudicated acts or omissions of the respondent and shall contain at least one of the following terms and conditions applicable to suspended judgments and at least on of the following additional terms and condition of probation, directing the respondent to:

1. attend school regularly and obey all rules and regulations of the school;
2. obey all reasonable commands of the parent or other person legally responsible for the respondent's care;
3. avoid injurious or vicious activities;
4. abstain from associating with named individuals;
5. abstain from visiting designated places;
6. abstain from the use of alcoholic beverages, hallucinogenic drugs, habit forming drugs not lawfully prescribed for the respondent's use, or any other harmful or dangerous substance;
7. cooperate with a mental health or other appropriate community facility to which the respondent is referred;
8. make restitution or perform services for the public good;
9. restore property taken from the petitioner, complainant or victim, or replace property taken from the petitioner, complainant or victim, the cost of said replacement not to exceed $1,000;
10. repair any damage to, or defacement of, the property of the petitioner, complainant or victim, the cost of said repair not to exceed $1,000;
11. abstain from disruptive behavior in the home and in the community;
12. cooperate in accepting medical or psychiatric diagnosis and treatment, alcoholism or drug abuse treatment or counseling services, and permit an agency delivering that service to furnish the court with information concerning the diagnosis, treatment or counseling;
13. attend and complete an alcohol awareness program established pursuant to section 19.25 of the mental hygiene law;
14. comply with such other reasonable terms and conditions as the court shall determine to be necessary or appropriate to ameliorate the conduct which gave rise to the filing of a petition.

APPENDIX B
PERMISSIBLE TERMS AND CONDITIONS OF PROBATION
[22 NYCRR 205.66(b)]

(b) An order placing the respondent on in accordance with section 757 of the Family Court Act shall contain at least one of the following terms and conditions, in addition to any of the terms and conditions set forth in subdivision (a) of this section [Appendix A] directing the respondent:

1. meet with the assigned probation officer when directed to do so by that officer;
2. permit the assigned probation officer to visit the respondent at home or at school
3. permit the assigned probation officer to obtain information from any person or agency from whom the respondent is receiving or was directed to receive diagnosis, treatment or counseling;

4. permit the assigned probation officer to obtain information from the respondent's school;

5. cooperate with the assigned probation officer in seeking to obtain and in accepting employment and employment counseling services;

6. submit records and reports of earnings to the assigned probation officer when requested to do so by that officer;

7. obtain permission from the assigned probation officer for any absence from the county or residence in excess of two weeks;

8. attend and complete an alcohol awareness program established pursuant to section 19.25 of the mental hygiene law;

9. do or refrain from doing any other specified act of omission or commission that, in the opinion of the court, is necessary and appropriate to implement or facilitate the order placing the respondent on probation.

F.C.A. §§ 756-a, 756-b, 776, 777, 778, 779;
S.S.L. §§393, 409-h

Form 7-15
(Person in Need of Supervision-Petition for Violation of Order of Disposition)
9/2021

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF
.....

In the Matter of

Docket No.

A Person Alleged to be a Person in Need of Supervision,

PETITION
(Violation of Order of Disposition)

Respondent.
.....

TO THE FAMILY COURT:

The undersigned Petitioner respectfully alleges upon information and belief that:

1. Petitioner is [specify name and title]:

2. The above-named Respondent was adjudicated by this Court to be a person in need of supervision by an order of Fact-finding and Disposition of this Court, dated [specify]:
A copy of the order is annexed as Exhibit A.

3. Under the terms of the order, [check applicable box]:

❑ judgment against the Respondent was suspended upon certain terms and conditions;

❑ the Respondent was placed on probation upon certain terms and conditions;

❑ the Respondent was placed with the Commissioner of Social Services of County.

The order expires on [specify]:

4. The Respondent, without just cause, has willfully violated the terms and provisions of the order in that [specify]:

5. [Required where placement is requested; check applicable boxes and state facts and reasons]:

A. Continuation in or, if the Respondent had been removed prior to the hearing, return to, the Respondent's home ❑ would ❑ would not be contrary to Respondent's best interests based upon the following facts and for the following reasons [specify]:

This assertion is based upon the following specific documents and evidence:

❑ Report of placement or other agency [specify]: , dated [specify]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Other [specify]:

AND

B. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the Respondent from the home, and, if the Respondent was removed prior to the date of the hearing, to return the Respondent safely to his or her home:

❑ were made as follows [specify]:

were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding pursuant to Family Court Act §754(2) that the authorized agency was not required to make reasonable efforts to reunify the Respondent with the ❑ parent(s) ❑ person(s) legally responsible for Respondent's care [specify date of finding]:
❑ because of other reasons [specify]:

❑ were not made.

This assertion is based upon the following specific documents and evidence:

❑ Report of placement or other agency [specify]: , dated [specify]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Other [specify]:

6. [Required where Respondent is 16 years of age or older and placement is requested]: The following special circumstances warrant placement of the Respondent [specify]:

7. **[REQUIRED where placement in Qualified Residential Treatment Program is requested; DELETE if inapplicable]:**

a. The permanency plan for the Respondent is [specify]: .

This plan ❑ has ❑ has not changed since the most recent dispositional or permanency hearing.

b. The needs of the Respondent require a higher level of care than can be provided by a foster or therapeutic foster home because [specify]:

c. The Respondent has been ❑ placed ❑ recommended for placement in [specify name]: a qualified residential treatment program (QRTP).

d. The needs of the child have been assessed by a Qualified Individual as defined in Social Services Law, Section 409-h (5) and a copy of the Qualified Individual's report ❑ has been submitted separately ❑ is submitted herewith ❑ will be submitted within five days of completion but not less than (10) days prior to the date of the first-scheduled hearing on this motion.

e. The following circumstances exist that necessitate the continued placement of the Respondent in the QRTP [specify]:

f. There is no alternative setting available that can meet the Respondent's needs in a less restrictive environment because [specify]:

g. It would be contrary to the welfare of the Respondent to be placed in a less restrictive setting and that continued placement in a QRTP is in the Respondent Respondent's best interests because [specify]:

8. The Respondent ❑ is ❑ is not a Native-American child subject to the Indian Child Welfare Act of 1978 (25 U.S.C. §§ 1901-1963). If so, the following have been notified [check applicable box(es)]:

❑ parent/custodian [specify name and give notification date]:
❑ tribe/nation [specify name and give notification date]:
❑ United States Secretary of the Interior [give notification date]:

9. No previous application has been made to any court or judge for the relief herein requested (except [specify; delete if inapplicable]:).

WHEREFORE, Petitioner requests that the Order of Disposition be revoked and that the Court make such other and further disposition of the Respondent under Article 7 of the Family Court Act as it may deem proper.

Dated:

_____
Petitioner

VERIFICATION
(Individual)

STATE OF NEW YORK)
) ss.:
COUNTY OF)

being duly sworn,
deposes and says:

That (s)he is the in the above-entitled proceeding and is acquainted with the facts and circumstances thereof; that (s)he has read the foregoing and knows the contents thereof; that the same is true to (his) (her) own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters (s)he believes it to be true.

_____
Petitioner

Sworn to before me this
day of

_____
(Deputy) (Clerk of the Court)
(Notary Public)

Form 7-15
Page 5

VERIFICATION
(Agency)

STATE OF NEW YORK)
) ss.:
COUNTY OF)

being duly sworn,
deposes and says:

That (s)he is the of , an agency authorized to originate the above-entitled proceeding, and is acquainted with the facts and circumstances therein; that (s)he has read the foregoing and knows the contents thereof; that the same is true to (his) (her) own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters (s)he believes it to be true.

_____
Name

_____
Title and Agency

Sworn to before me this
day of

_____
(Deputy) (Clerk of the Court)
(Notary Public)

F.C.A.§§ 756-a, 756-b, 776, 777, 778, 779;
S.S.L. §§393, 409-h

Form 7-16
Person in Need of Supervision--Order on Violation of Suspended Judgment or Probation Disposition)
9/2021

At a term of the Family Court of the State of New York, held in and for the County of , at New York on .

P R E S E N T:
Hon.
Judge

In the Matter of

A Person Alleged to be a Person In Need of Supervision,

Respondent.

Docket No.

ORDER (Violation of Order of Disposition-Probation or Suspended Judgment)

The above-named Respondent having been adjudicated by this Court to be a person in need of supervision as defined in Article 7 of the Family Court Act, and an Order of Fact-finding and Disposition, dated [specify]: , having been made whereby [check applicable box]: ❑ judgment was suspended upon certain terms and conditions;

❑ Respondent was placed on probation on certain terms and conditions; and

The Court, after hearing, finds and determines by competent proof that the Respondent, [check applicable box]: ❑ did ❑ did not
willfully and without just cause fail to comply with the terms and conditions in that:
[specify provisions of order violated and nature of violations]:

[Required where Order of Disposition is revoked]:
The Court, having determined that the Order of Disposition should be revoked and having fully considered the matter of a new disposition pursuant to Family Court Act §§ 754, 776 and 779, finds and determines that the Respondent requires the following disposition for the following reasons [specify]:

Required Findings in Cases in Which the Respondent is Placed:

[The following determinations are required when order is placement; check applicable boxes and provide case-specific reasons in A, B and, if applicable, C and D]:

The Court finds and determines that:

A. Best Interests Finding: Continuation in, or return to, the Respondent's home ❑ would ❑ would not be contrary to Respondent's best interests based upon the following facts and for the following reasons [specify]:

This determination is based upon the following specific documents and evidence:

❑ Report of placement or other agency [specify]: , dated [specify]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

B. Reasonable Efforts Findings:

1. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the Respondent from the home, and, if the Respondent was removed prior to the date of the hearing, to return the Respondent safely to his or her home:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding pursuant to Family Court Act §754(2) that the authorized agency was not required to make reasonable efforts to reunify the Respondent with the ☐ parent(s) ☐ person(s) legally responsible for Respondent's care [specify date of finding]:

❑ because of other reasons [specify]:

❑ were not made.

This determination is based upon the following specific documents and evidence:

❑ Report of placement or other agency [specify]: , dated [specify]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

2. [Applicable in cases in which the Respondent's permanency plan is adoption, guardianship or permanent living arrangement other than reunification]:

Reasonable efforts to make and finalize the Respondent's permanency plan of [specify]:

❑ have been made as follows [specify reasonable efforts, including specific documents or evidence supporting findings]:

❑ were not made based upon the following facts and for the following reasons [specify]:

This determination is based upon the following specific documents and evidence:

❑ Report of placement or other agency [specify]: , dated [specify]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

C. Special Circumstances Finding [Required where Respondent is 16 or older and is placed]:
The following special circumstances warrant placement of the Respondent [specify]:

D. Transitional Services Finding [Required where Respondent is 14 or older and is placed]:
The services needed, if any, to assist the Respondent to make the transition from foster care to independent living are [specify]:

❑ Required Findings if Approval of Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]: ; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the Respondent ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the Respondent in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the child in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:

❑ is ❑ is not consistent with the short-term and long-term goals for the Respondent , as specified in the child's permanency plan because [specify facts and reasons]:

D. Where the Qualified Individual has determined that the placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named Respondent's needs in a less restrictive environment; **and**

❑ It would be contrary to the welfare of the above-named Respondent to be placed in a less restrictive setting and continued placement in the QRTP is in the Respondent's best interests because [specify facts and reasons]:

NOW, therefore, it is hereby

ORDERED, that the Order of Disposition is ❑ vacated ❑ continued; (and it is further)

ORDERED that [check applicable boxes]:

❑ Respondent is discharged with a warning.

❑ Judgment herein is suspended for a period of [specify]: months upon the following terms and conditions [specify]:[1]

❑ Respondent is placed on probation under the supervision of the Probation Department of the County of [specify]: for a period of [specify]: upon the following terms and conditions:[2]

The probation service shall report to the court ❑ orally ❑ in writing on [specify date]: and every ___ days thereafter concerning Respondent's compliance with the terms and conditions of this order.

❑ This proceeding is continued and the Respondent is placed for a period of [specify period of up to 60 days]: . Such placement shall be in [check applicable box]:

❑ the Respondent's own home; ❑

[1] *See* 22 NYCRR §205.66(a), attached as Appendix A.

[2] *See* 22 NYCRR§205.66(b), attached as Appendix B.

❑ the custody of the following suitable relative or other suitable private
❑ person [specify]:

❑ the custody of the Commissioner of Social Services of the County of [specify]: for placement in [check applicable box]:

❑ a family boarding home;

❑ an authorized agency or class of authorized agency [specify]:

❑ an available long-term safe-house where the Court found in I-A, above, that Respondent is a sexually exploited child.

[REQUIRED if the Respondent is placed in the custody of the Commissioner of Social Services]:

A. ❑ ORDERED that, if the Commissioner of Social Services is unable to so place the child, the Commissioner [check applicable box]:

❑ shall ❑ need not apply to the Court for an order to stay, modify, set aside or vacate the order pursuant to Family Court Act § 762.

❑ shall ❑ need not return Respondent to this Court for a new dispositional hearing.

B. ❑ ORDERED that if the child absconds from the above-named custodial person or facility, written notice shall be given within 48 hours to the Clerk of Court by the custodial person or by an authorized representative of the facility, stating the name of the child, the docket number of this procedure, and the date on which the child ran away; (and it is further)

C. ❑ ORDERED that, if the Respondent remains in placement in the custody of the Commissioner of Social Services, the Commissioner of Social Services shall file a petition for a permanency hearing NO LATER THAN [specify date not more than 15 days prior to expiration of the placement]:

❑ **Required Order if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]: After examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore** [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the "Qualified Residential Treatment Program" is GRANTED, and placement of the Respondent in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]:

the above-named Respondent shall be [check applicable box and specify]:

❑ returned to or placed with the following parent [specify]:

❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named Respondent's care and welfare that is in the best interests of the Respondent and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

[Applicable Where Respondent is Native-American]:

❑ ORDERED that the following should be notified of this proceeding [specify]:
the ❑ custodian of the child; ❑ tribe/nation; ❑ United States Secretary of the Interior

❑ ORDERED that in light of the assumption of jurisdiction by the tribe/nation, this petition is DISMISSED WITHOUT PREJUDICE.

AND IT IS FURTHER ORDERED that [specify; delete if inapplicable]:

Enter

_____
Judge of the Family Court

Dated:

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:_____

❑ Order received in court on [specify date(s) and to whom given]:_____

APPENDIX A

PERMISSIBLE TERMS AND CONDITIONS OF A SUSPENDED JUDGMENT
[22 N.Y.C.R.R. § 205.66(a)]

(a) An order placing a juvenile on probation, suspending judgment entered pursuant to section 757 of the Family Court Act, shall be reasonably related to the adjudicated acts or omissions of the respondent and shall contain at least one of the following terms and conditions applicable to suspended judgments and at least on of the following additional terms and condition of probation, directing the respondent to:

1. attend school regularly and obey all rules and regulations of the school;
2. obey all reasonable commands of the parent or other person legally responsible for the respondent's care;
3. avoid injurious or vicious activities;
4. abstain from associating with named individuals;
5. abstain from visiting designated places;
6. abstain from the use of alcoholic beverages, hallucinogenic drugs, habit forming drugs not lawfully prescribed for the respondent's use, or any other harmful or dangerous substance;
7. cooperate with a mental health or other appropriate community facility to which the respondent is referred;
8. make restitution or perform services for the public good;
9. restore property taken from the petitioner, complainant or victim, or replace property taken from the petitioner, complainant or victim, the cost of said replacement not to exceed $1,000;
10. repair any damage to, or defacement of, the property of the petitioner, complainant or victim, the cost of said repair not to exceed $1,000;
11. abstain from disruptive behavior in the home and in the community;
12. cooperate in accepting medical or psychiatric diagnosis and treatment, alcoholism or drug abuse treatment or counseling services, and permit an agency delivering that service to furnish the court with information concerning the diagnosis, treatment or counseling;
13. attend and complete an alcohol awareness program established pursuant to section 19.25 of the mental hygiene law;
14. comply with such other reasonable terms and conditions as the court shall determine to be necessary or appropriate to ameliorate the conduct which gave rise to the filing of a petition.

APPENDIX B

PERMISSIBLE TERMS AND CONDITIONS OF PROBATION
(22 NYCRR 205.66(b))

(b) An order placing the respondent on in accordance with section 757 of the Family Court Act shall contain at least one of the following terms and conditions, in addition to any of the terms and conditions set forth in subdivision (a) of this section [Appendix A], directing the respondent:

1. meet with the assigned probation officer when directed to do so by that officer;
2. permit the assigned probation officer to visit the respondent at home or at school
3. permit the assigned probation officer to obtain information from any person or agency from whom the respondent is receiving or was directed to receive diagnosis, treatment or counseling;
4. permit the assigned probation officer to obtain information from the respondent's school;
5. cooperate with the assigned probation officer in seeking to obtain and in accepting employment and employment counseling services;
6. submit records and reports of earnings to the assigned probation officer when requested to do so by that officer;
7. obtain permission from the assigned probation officer for any absence from the county or residence in excess of two weeks;
8. attend and complete an alcohol awareness program established pursuant to section 19.25 of the mental hygiene law;
9. do or refrain from doing any other specified act of omission or commission that, in the opinion of the court, is necessary and appropriate to implement or facilitate the order placing the respondent on probation.

F.C.A.§§ 756-a, 756-b, 777, 778;
S.S.L. §§393, 409-h

Form 7-17
(Person in Need of Supervision - Order on Violation of Order of Placement Disposition)
9/2021

At a term of the Family Court of the State of New York, held in and for the County of ,
at New York
on

P R E S E N T:
Hon.
Judge

In the Matter of

Docket No.

ORDER (Violation of Order of Placement Disposition)

A Person Alleged to be a Person In Need of Supervision,

Respondent.

The above-named Respondent having been adjudicated by this Court to be a person in need of supervision as defined in Article 7 of the Family Court Act; and an Order of Fact-finding and Disposition having been made, dated , placing the Respondent in the custody of [specify]:

The Court, after hearing, being satisfied by competent proof that the Respondent, [check applicable box]: ❑ did ❑ did not willfully and without just cause fail to comply with the terms and conditions of the placement in that: [specify provisions of order violated and nature of violations]:

[Required where Order of Disposition is revoked]:

The Court, having determined that the Order of Disposition should be revoked and having fully considered the matter of a new disposition pursuant to Family Court Act §§ 754, 777 and 778, finds and determines that the Respondent requires the following disposition for the following reasons [specify]:

Required Findings in Cases in Which the Respondent is Placed:

[The following determinations are required when order is placement; check applicable boxes and provide case-specific reasons in A, B and, if applicable, C and D]:

And the Court finds and determines that:

A. Best Interests Finding: Continuation in, or return to, the Respondent's home ❑ would ❑ would not be contrary to Respondent's best interests based upon the following facts and for the following reasons [specify]:

This determination is based upon the following specific documents and evidence:

❑ Report of placement or other agency [specify]: , dated [specify]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

B. Reasonable Efforts Findings:

1. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the Respondent from the home, and, if the Respondent was removed prior to the date of the hearing, to return the Respondent safely to his or her home:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding pursuant to Family Court Act §754(2) that the authorized agency was not required to make reasonable efforts to reunify the Respondent with the ❑ parent(s) ❑ person(s) legally responsible for Respondent's care [specify date of finding]:

❑ because of other reasons [specify]:

❑ were not made.

This determination is based upon the following specific documents and evidence:

❑ Report of placement or other agency [specify]: , dated [specify]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

2. [Applicable in cases in which the Respondent's permanency plan is adoption,

guardianship or permanent living arrangement other than reunification]:

Reasonable efforts to make and finalize the Respondent's permanency plan of [specify]:

❑ have been made as follows [specify reasonable efforts, including specific documents or evidence supporting findings]:

❑ were not made based upon the following facts and for the following reasons [specify]:

This determination is based upon the following specific documents and evidence:

❑ Report of placement or other agency [specify]: , dated [specify]:

❑ Probation Department report, dated [specify]:

❑ Mental health evaluation, dated [specify]:

❑ Testimony of [specify]:

❑ Other [specify]:

C. Special Circumstances Finding [Required where Respondent is 16 or older and is placed]:

The following special circumstances warrant placement of the Respondent [specify]:

D. Transitional Services Finding [Required where Respondent is 14 or older]:

The services needed, if any, to assist the Respondent to make the transition from foster care to independent living are [specify]:

❑ Required Findings if Approval of Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]: This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]:
; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the Respondent ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the Respondent in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the Respondent in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:

❑ is ❑ is not consistent with the short-term and long-term goals for the Respondent, as specified in the Respondent's permanency plan because [specify facts and reasons]:

D. [Applicable to initial QRTP placements only]: The Qualified Individual has determined that the placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named Respondent's needs in a less restrictive environment; **and**

❑ It would be contrary to the welfare of the above-named Respondent to be placed in a less restrictive setting and continued placement in the QRTP is in the child's best interests because [specify facts and reasons]:

NOW, therefore, it is hereby

ORDERED, that the Order of Disposition is ❑ vacated ❑ continued; (and it is further)

ORDERED that [check applicable boxes]:

❑ Respondent is discharged with a warning.

❑ Judgment herein is suspended for a period of [specify]: months upon the following terms and conditions [specify]:[1]

❑ Respondent is placed on probation under the supervision of the Probation Department of the County of [specify]: for a period of [specify]: upon the following terms and conditions:[2]

The probation service shall report to the court ❑ orally ❑ in writing on [specify date]: and every ___ days thereafter concerning Respondent's compliance with the terms and conditions of this order.

[1] *See* 22 NYCRR §205.66(a), attached as Appendix A.
[2] *See* 22 NYCRR§205.66(b), attached as Appendix B.

❑ This proceeding is continued and the Respondent is placed for a period of [specify period of up to 60 days]: . Such placement shall be in [check applicable box]:

❑ the Respondent's own home;

❑ the custody of the following suitable relative or other suitable private person [specify]:

❑ the custody of the Commissioner of Social Services of the County of [specify]: for placement in [check applicable box]:

❑ a family boarding home;

❑ an authorized agency or class of authorized agency [specify]:

❑ an available long-term safe-house where the Court found in I-A, above, that Respondent is a sexually exploited child.

❑ **[REQUIRED if the Respondent is placed in the custody of the Commissioner of Social Services]**:

A. ❑ ORDERED that, if the Commissioner of Social Services is unable to so place the child, the Commissioner [check applicable box]:

❑ shall ❑ need not apply to the Court for an order to stay, modify, set aside or vacate the order pursuant to Family Court Act § 762.

❑ shall ❑ need not return Respondent to this Court for a new dispositional hearing.

B. ❑ ORDERED that if the child absconds from the above-named custodial person or facility, written notice shall be given within 48 hours to the Clerk of Court by the custodial person or by an authorized representative of the facility, stating the name of the child, the docket number of this procedure, and the date on which the child ran away; (and it is further)

C. ❑ ORDERED that, if the Respondent remains in placement in the custody of the Commissioner of Social Services, the Commissioner of Social Services shall file a petition for a permanency hearing NO LATER THAN [specify date not more than 15 days prior to expiration of the placement]:

❑ **REQUIRED Order if placement in a Qualified Residential Treatment Program is requested; DELETE if inapplicable]: After examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore** [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the "Qualified Residential Treatment Program" is GRANTED, and placement of the Respondent in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the

"Qualified Residential Treatment Program" is DENIED, and on or before [specify date]:
the above-named Respondent shall be [check applicable box and specify]:

❑ returned or released to the following parent [specify]:

❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named Respondent's care and welfare that is in the best interests of the Respondent and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

[Applicable Where Respondent is Native-American]:

❑ ORDERED that the following should be notified of this proceeding [specify]:
the ❑ custodian of the child; ❑ tribe/nation; ❑ United States Secretary of the Interior

❑ ORDERED that in light of the assumption of jurisdiction by the tribe/nation, this petition is DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that [specify; delete if inapplicable]:

Dated: , .

ENTER

_____
Judge of the Family Court

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:_____ _
❑ Order received in court on [specify date(s) and to whom given]:_____

APPENDIX A
PERMISSIBLE TERMS AND CONDITIONS OF A SUSPENDED JUDGMENT
[22 N.Y.C.R.R. § 205.66(a)]

(a) An order placing a juvenile on probation, suspending judgment entered pursuant to section 757 of the Family Court Act, shall be reasonably related to the adjudicated acts or omissions of the respondent and shall contain at least one of the following terms and conditions applicable to suspended judgments and at least one of the following additional terms and condition of probation, directing the respondent to:

1. attend school regularly and obey all rules and regulations of the school;
2. obey all reasonable commands of the parent or other person legally responsible for the respondent's care;
3. avoid injurious or vicious activities;
4. abstain from associating with named individuals;
5. abstain from visiting designated places;
6. abstain from the use of alcoholic beverages, hallucinogenic drugs, habit forming drugs not lawfully prescribed for the respondent's use, or any other harmful or dangerous substance;
7. cooperate with a mental health or other appropriate community facility to which the respondent is referred;
8. make restitution or perform services for the public good;
9. restore property taken from the petitioner, complainant or victim, or replace property taken from the petitioner, complainant or victim, the cost of said replacement not to exceed $1,000;
10. repair any damage to, or defacement of, the property of the petitioner, complainant or victim, the cost of said repair not to exceed $1,000;
11. abstain from disruptive behavior in the home and in the community;
12. cooperate in accepting medical or psychiatric diagnosis and treatment, alcoholism or drug abuse treatment or counseling services, and permit an agency delivering that service to furnish the court with information concerning the diagnosis, treatment or counseling;
13. attend and complete an alcohol awareness program established pursuant to section 19.25 of the mental hygiene law;
14. comply with such other reasonable terms and conditions as the court shall determine to be necessary or appropriate to ameliorate the conduct which gave rise to the filing of a petition.

APPENDIX B
PERMISSIBLE TERMS AND CONDITIONS OF PROBATION
(22 NYCRR 205.66(b))

(b) An order placing the respondent on in accordance with section 757 of the Family Court Act shall contain at least one of the following terms and conditions, in addition to any of the terms and conditions set forth in subdivision (a) of this section [Appendix A], directing the respondent:

1. meet with the assigned probation officer when directed to do so by that officer;
2. permit the assigned probation officer to visit the respondent at home or at school
3. permit the assigned probation officer to obtain information from any person or agency from whom the respondent is receiving or was directed to receive diagnosis, treatment or counseling;
4. permit the assigned probation officer to obtain information from the respondent's school;
5. cooperate with the assigned probation officer in seeking to obtain and in accepting employment and employment counseling services;
6. submit records and reports of earnings to the assigned probation officer when requested to do so by that officer;
7. obtain permission from the assigned probation officer for any absence from the county or residence in excess of two weeks;
8. attend and complete an alcohol awareness program established pursuant to section 19.25 of the mental hygiene law;
9. do or refrain from doing any other specified act of omission or commission that, in the opinion of the court, is necessary and appropriate to implement or facilitate the order placing the respondent on probation.

F.C.A.§§756-a, 756-b;
S.S.L. §393, 409-h

Form 7-18
(Person in Need of Supervision-Petition for Extension of Placement and Permanency Hearing)
9/2021

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF

In the Matter of

Docket No.

A Person Alleged to be a Person in Need of Supervision,

PETITION
(Petition for Extension of Placement and Permanency Hearing)

Respondent

DEADLINES: THIS PETITION MUST BE FILED BY [Specify date]:[1] AND THE PERMANENCY HEARING MUST BE COMPLETED BY [Specify date]: .

TO THE FAMILY COURT:

The undersigned Petitioner respectfully alleges upon information and belief that:

1. Petitioner [specify name and title]: , is the [specify]:
❑ person
❑ official acting on behalf of an agency or institution duly authorized for the placement of persons in need of supervision under Article 7 of the Family Court Act.
Petitioner's ❑ residence ❑ principal office is located at [specify address]:
, New York.

2. a. Under an Order of Fact-finding and Disposition of this Court, dated , the above-named Respondent, born [specify]: , , was adjudicated to be a person in need of supervision within the meaning of Article 7 of the Family Court Act, and was placed with Petitioner pursuant to section 756 of the Family Court Act for a period of months, terminating on .
b. Placement was last extended on [specify date]: , terminating on [specify date]:

3. A permanency hearing is required at this time because [check applicable box(es)]:
❑ A finding by the Court that reasonable efforts to reunify the child with his or her
❑ parent(s) ❑ person(s) legally responsible for his or her care are not necessary was made on [specify date]:
❑ The last permanency hearing with respect to this child was held on [specify]:
❑ No permanency hearing has been held since the child was deemed to have entered foster care.

4. a. The following are the names and addresses of the parents or other persons legally responsible for the care of the Respondent:

Name	Residence	Relationship

[1]This petition must be filed not less than 15 days prior to the date of expiration of the placement or, if this is a petition for a subsequent extension of placement and permanency hearing, not less than 30 days prior to the expiration of the extended placement, except for good cause shown, but in no event beyond the date of expiration of the placement.

b. In addition to the persons named in ¶a, the following individuals must be notified of this proceeding:

❑ Attorney for the Respondent [specify]:
❑ Prospective adoptive parent(s)[specify]:
❑ Foster parent(s)[specify]:
❑ Relative(s)[specify]:
❑ Other [specify]:

5. Return of Respondent to the home would be contrary to the Respondent's best interests and the placement should be extended because [specify facts and reasons, including safety considerations, if any]:

This conclusion is supported by the following information [check applicable box(es)]:

❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Other [specify]:

6. a. **The permanency plan for the Respondent is as follows** [check applicable box(es) and indicate time frame(s)]:

❑ reunification with the ❑ parent(s) ❑ person(s) legally responsible for Respondent's care by [specify date]:
❑ placement for adoption upon filing of a petition to terminate parental rights by [specify date]:
❑ referral for legal guardianship by [specify name and date]:
❑ permanent placement with the following fit and willing relative [specify name]: by [specify date]: .
❑ **[Applicable ONLY to Respondents who are 16 years of age or older]**: permanent placement in the following alternative planned living arrangement [specify]:

[REQUIRED in all APPLA plan cases]:[2]

(i) Documentation, made available to the Court, provides the following compelling reason(s) indicating that it would not be in the Respondent's best interests to return home, be referred for termination of parental rights and adoption, placed with a fit and willing relative, or placed with a legal guardian [specify compelling reason(s), indicating documentary sources of information, if any]:

(ii) APPLA is the best permanency plan for the Respondent because [specify]:

[2] Although applicable to all youth in care, the requirement for documentation regarding subparagraphs (v) and (vi) to be submitted to the Court applies only to youth with APPLA goals.

(iii) The following intensive, ongoing, and, as of the date of this petition, unsuccessful efforts were made to return the Respondent home or secure a placement for the Respondent with a fit and willing relative, including adult siblings, a legal guardian, or an adoptive parent, including through efforts that utilize search technology including social media to find biological family members of Respondent [specify]:

(iv) The following individual, with whom Respondent has a significant connection, is willing and should be designated as the Respondent's permanency resource [specify]:

(v) The "reasonable and prudent parent" standard of care has been applied to Respondent in the facility or home in which he or she resides as follows [specify]:

(vi) Respondent has been provided with regular, ongoing opportunities to engage in age or developmentally appropriate activities and has been consulted in an age-appropriate manner about the opportunities to participate in activities as follows [specify]:

b. **This permanency plan** [check applicable box]:
❑ has not changed since the dispositional hearing or last permanency hearing;
❑ has changed as follows [specify, indicating documentary sources of information, if any]:

c. **This permanency plan is appropriate without modification because** [specify reasons, indicating documentary sources of information, if any]:

d. **The service plan for the Respondent is appropriate without modification because** [specify reasons, indicating documentary sources of information, if any]:

7. a. Reasonable efforts, where appropriate, to return the Respondent home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:
❑ because of a prior judicial finding pursuant to F.C.A. §754(2) that the authorized agency was not required to make reasonable efforts to reunify the Respondent with the

❑ parent(s) ❑ person(s) legally responsible for Respondent's care [specify date of finding]:

❑ because of other reasons [specify other reasons, indicating documentary sources of information, if any]:

❑ were not made.

This assertion is based upon the following information [check applicable box(es)]:
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Other [specify]:

b. [Required in cases in which the Respondent's permanency plan is adoption, guardianship or permanent living arrangement other than reunification]: Reasonable efforts to make and finalize the permanency plan of [specify]:

❑ were made as follows [specify]:

❑ were not made based upon the following facts and for the following reasons [specify]:

This assertion is based upon the following information [check applicable box(es)]:
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Other [specify]:

c. The following impediments exist, if any, to the fulfillment of the Respondent's permanency plan [specify, indicating documentary sources of information, if any]:

8. [Required in cases where the Respondent has attained the age of 16]: The following special circumstances warrant continued placement of the Respondent [specify]:

9. [Required in cases where the Respondent has attained the age of 14]: The services needed, if any, to assist the child to make the transition from foster care to independent living are [specify]:

a. These services are being provided as follows [specify]:

b. These services are not being provided for the following reasons [specify, indicating documentary sources of information, if any; if no services are needed, so indicate]:

10. [Required where the Respondent has been placed out-of-state] The placement of the Respondent at [specify]: [check applicable box]:
❑ continues to be ❑ is not appropriate and in the child's best interests because [specify, indicating documentary sources of information, if any]:

11. a. The visitation plan, if any, for the Respondent and the ❑ parent(s) ❑ other person(s) legally responsible for Respondent's care is as follows [describe plan(s); if visitation is supervised, so state]:

b. The visitation plan, if any, for the child and the child's sibling(s) or half-sibling(s) is as follows [describe plan(s)]:

12. [Applicable where the Respondent has been in foster care for 15 out of the most recent 22 months]: A termination of parental rights petition:
❑ was filed on [specify date]: in [specify court]:
The status of the case is as follows [specify]:
❑ will be filed not later than [specify date]: in [specify court]:
❑ will not be filed for the following reason(s) [check applicable box(es) and cite documentary sources of information, if any]:[3]
❑ The Respondent is being cared for by a relative or relatives;
❑ The authorized agency has documented the following compelling reason for not filing a termination of parental rights petition:
❑ The Respondent was placed as a person in need of supervision and the following facts and circumstances support a permanency plan of : ❑ return to the parent(s) or other person(s) legally responsible for the Respondent's care, or ❑ independent living: [specify facts and circumstances, citing documentary sources, if any]:

❑ The Respondent has a permanency plan other than adoption;
❑ The Respondent is 14 years of age or older and will not consent to adoption;
❑ There are insufficient grounds for filing a termination petition;
❑ The Respondent is the subject of a pending child abuse or neglect petition that has not yet reached disposition and the permanency plan is return to the parent(s) or other person(s) legally responsible for the Respondent's care.[4]

[3] *See* Social Services Law §§384-b(3)(l)(i), 384-b(3)(l)(ii).
[4] This ground does not apply if the Respondent is already in the custody of the local commissioner of

❑ The authorized agency has not provided the following legally required services to the parent(s) of the Respondent that it deems necessary for the safe return of the Respondent [specify, citing documentary sources, if any]:

13. The Respondent has the following conditions and special needs [specify]:

Area	Conditions/Special Needs	Services Needed	Services Provided	Last Evaluation
❑ Medical				
❑ Developmental				
❑ Educational				
❑ Mental Health				
❑ Other [specify]:				

14. **[REQUIRED if approval of placement in Qualified Residential Treatment Program is requested; DELETE if inapplicable]:**

a). The permanency plan for the Respondent is [specify]: .
This plan ❑ has ❑ has not changed since the most recent dispositional or permanency hearing.

b). The needs of the Respondent require a higher level of care than can be provided by a foster or therapeutic foster home because [specify]:

c). The Respondent has been ❑ placed ❑ recommended for placement in [specify name]: a qualified residential treatment program (QRTP).

d). [Applicable to initial QRTP placement only]: The needs of the Respondent have been assessed by a Qualified Individual as defined in Social Services Law, Section 409-h (5) and a copy of

social services as a result of a proceeding other than the pending child abuse or neglect proceeding. *See* Social Services Law §§384-b(3)(l)(ii)(E).

the Qualified Individual's report ❑ has been submitted separately ❑ is submitted herewith ❑ will be submitted within five days of completion but not less than (10) days prior to the date of the first-scheduled hearing on this motion.

e). The following circumstances exist that necessitate the continued placement of the Respondent in the QRTP [specify]:

f. There is no alternative setting available that can meet the Respondent's needs in a less restrictive environment because [specify]:

g. It would be contrary to the welfare of the Respondent to be placed in a less restrictive setting and that continued placement in a QRTP is in the Respondent child's best interests because [specify]:

15. The Respondent ❑ is ❑ is not a Native-American child subject to the Indian Child Welfare Act of 1978 (25 U.S.C. §§ 1901-1963). If so, the following have been notified [check applicable box(es)]:
❑ parent/custodian [specify name and give notification date]:
❑ tribe/nation [specify name and give notification date]:
❑ United States Secretary of the Interior [give notification date]:

16. No previous application has been made to any court or judge for relief herein requested (except: [specify]:

WHEREFORE, Petitioner requests that this Court conduct a permanency hearing and enter an order of disposition extending the Respondent's placement as follows:

A. Approving Petitioner's implementation of the above permanency plan for the Respondent;

B. Extending the Respondent's placement for a period of [specify period of not more than six

months if it is the first extension and not more than four months if it is the second extension]:

C. Directing that, if the Respondent remains in foster care, the Petitioner must file a petition for a permanency hearing not later than [specify date not less than 30 days prior to the expiration of this extension of placement]
; and

D. Granting such other and further relief as it deems appropriate, including, but not limited to the following [specify]:

Dated: , .

_____
Petitioner

_____
Print or Type Name

_____
Signature of Attorney, if any

_____
Attorney's Name (print or type)

_____

_____
Attorney's Address and Telephone Number

VERIFICATION

(Individual)

STATE OF NEW YORK)
)ss.:
COUNTY OF)

being duly sworn, deposes and says:

That (s)he is
and is acquainted with the facts and circumstances of the above-entitled proceeding; that (s)he has read the foregoing petition and knows the contents thereof; that the same is true to (his)(her own knowledge except as to those matters therein stated to be alleged upon information and belief, and that as to those matters (s)he believes it to be true.

Petitioner

Sworn to before me this
day of

_____
(Deputy) (Clerk of the Court)
(Notary Public)

VERIFICATION

(Agency)

STATE OF NEW YORK)
) ss:
COUNTY OF)

, being duly sworn, deposes and says:

That (s)he is the of ,
an agency authorized to originate the above-entitled proceeding and is acquainted with the facts and circumstances thereof; that the same is true to (his)(her) own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters (s)he believes it to be true.

_____
Name

_____
Title

Sworn to before me this
day of , .

_____
(Deputy) (Clerk of the Court)
(Notary Public)

F.C.A.§§756-a; 756-b;
S.S.L. §§393, 409-h

Form 7-19
(Person in Need of Supervision-
Extension of Placement and
Permanency Hearing Order)
9/2021

At a term of the Family Court of the
State of New York, held in and for the
County of ,
at New York
on , .

PRESENT
Hon.
Judge

In the Matter of

Docket No.

A Person Alleged to be a Person in
Need of Supervision,

, Respondent

EXTENSION OF
PLACEMENT AND
PERMANENCY
HEARING ORDER

DEADLINE: IF THE RESPONDENT REMAINS IN FOSTER CARE, A PETITION FOR THE NEXT PERMANENCY HEARING MUST BE FILED NOT LATER THAN [SPECIFY]:[1]
_____ .

The above-named Respondent having been adjudicated by this Court to be a person in need of supervision within the meaning of Article 7 of the Family Court Act, and an Order of Disposition, dated [specify]: , having been issued placing Respondent with [check applicable box]:
❑ a suitable person ❑ the Commissioner of Social Services of [specify]: County,

And the petition of [specify]: , for an extension of placement and permanency hearing, sworn to on [specify date]: , having been filed in this Court [check applicable box]:

❑ not less than 15 days prior to the expiration of the period of placement;

❑ not less than 30 days prior to the expiration of placement where placement had already been extended at a permanency hearing.

And notice having been duly given to the following person(s), who appeared as follows:

[1] The petition must be filed not less than 30 days prior to the expiration of the placement.

[specify; check applicable boxes]:

❑ Respondent ❑ with counsel ❑ without counsel
❑ Parent(s)[specify]:
❑ Other person(s) legally responsible for Respondent's care [specify]:
❑ Prospective adoptive parent(s)[specify]:
❑ Foster parent(s)caring for Respondent [specify]:
❑ Relative(s) caring for Respondent [specify]:
❑ Authorized Agency caring for Respondent [specify]:
❑ Other [specify]:

And the matter having duly come on to be heard, and the above-named persons appearing having been given an opportunity to be heard,

[Required if Respondent is Native-American; check if applicable]:

❑ And the following having been duly notified [check applicable box(es)]:
❑ parent/custodian ❑ tribe/nation ❑ United States Secretary of the Interior;
And the tribe/nation having: ❑ appeared and participated as a party;
❑ appeared and declined to assume jurisdiction;
❑ appeared and requested transfer of jurisdiction;
❑ not appeared;

And the position and information provided by the Commissioner of Social Services of [specify]: County, having been considered by the Court;

The Court, after having made an examination and inquiry into the facts and circumstances of the case and into the surroundings, conditions, and capacities of the persons involved, finds and determines the following [Note: judicial findings must be made pursuant to I and II, below]:

I. Required "Best Interests" and "Reasonable Efforts" Findings [check applicable boxes and provide case-specific reasons in both A and B below]:

A. "Best Interests" Finding: Return of the Respondent to the home ❑ would ❑ would not be contrary to the Respondent's best interests because [specify facts and reasons]:

This determination is based upon the following information [check applicable box(es)]:

❑ Extension of Placement and Permanency Petition, dated [specify]:
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ The report of [specify]: , dated [specify]:

❑ Testimony of [specify]:
❑ Other [specify]:

B. "Reasonable Efforts" Findings:

1. Reasonable efforts, where appropriate, to return the Respondent home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]: because of a prior judicial finding that the authorized agency was not required to make reasonable efforts to reunify the Respondent with the ☐ parent(s) ☐ person(s) legally responsible for Respondent's care [specify date of finding]:

❑ were not made.

This determination is based upon the following information [check applicable box(es)]:
❑ Extension of Placement and Permanency Petition, dated [specify]:
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ Probation Department report, dated [specify]:
❑ Mental health evaluation, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

2. **[Required in cases in which the Respondent's permanency plan is adoption, guardianship or permanent living arrangement other than reunification]**: Reasonable efforts to make and finalize the permanency plan of [specify]:

❑ were made as follows [specify reasonable efforts, including specific documents or evidence supporting findings]:

❑ were not made.

This determination is based upon the following information [check applicable box(es)]:
❑ Extension of Placement and Permanency Petition, dated [specify]:
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ Probation Department report, dated [specify]:

❑ Mental health evaluation, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

3. Required for Respondents 16 years of age or older with Alternative Planned Permanent Living Arrangement (APPLA) Goals [check applicable box(es)]: A. Required for Respondents 16 years of age or older with Alternative Planned Permanent Living Arrangement (APPLA) Goals [check applicable box(es)]:

1. ❑ Evidence ❑ has ❑ has not been provided to the Court that a "reasonable and prudent parent" standard of care has been applied to Respondent in the facility or home in which he or she resides;

2. ❑ Evidence ❑ has ❑ has not been provided to the Court that Respondent has been provided with regular, ongoing opportunities to engage in age or developmentally appropriate activities and has been consulted in an age-appropriate manner about the opportunities to participate in such activities;

3. ❑ Evidence ❑ has ❑ has not been provided to the Court, indicating compelling reason(s) that it would not be in the Respondent's best interests to return home, be referred for termination of parental rights and adoption, placed with a fit and willing relative, or placed with a legal guardian. These reasons are as follows [specify compelling reason(s)]:

4. ❑ Evidence ❑ has ❑ has not been provided to the Court, indicating that intensive, ongoing, and, as of the date of this petition, unsuccessful efforts were made to return the Respondent home or secure a placement for the Respondent with a fit and willing relative, including adult siblings, a legal guardian, or an adoptive parent, including through efforts that utilize search technology including social media to find biological family members of Respondent.

5. The Court inquired directly of the Respondent regarding the permanency plan.

6. The following individual, with whom Respondent has a significant connection, is willing and is designated to be the Respondent's permanency resource [specify]:

7. The Court has determined that APPLA with a significant connection to an adult willing to be a permanency resource for the Respondent is the best permanency plan for the Respondent because [specify]:

II. Required Findings: Special Circumstances, Transitional Services, Out-of-State Placements, Indian Child Welfare Act and Qualified Residential Treatment Programs:

❑ [Required where Respondent is 16 years of age or older and is placed]: The following special circumstances warrant placement of the Respondent [specify]:

❑ [Required where Respondent is 14 years of age or older and is placed]: The services, if any, needed to assist the Respondent to make the transition from foster care to independent living are [specify]:

❑ [Required in cases in which the Respondent is placed outside New York State]: Placement outside New York State ❑ is ❑ is not appropriate and in the Respondent's best interests;

[Required if Respondent is Native-American; delete if inapplicable]:

❑ And the following having been duly notified [check applicable box(es)]:
❑ parent/custodian ❑ tribe/nation ❑ United States Secretary of the Interior;
And the tribe/nation having: ❑ appeared and participated as a party;
❑ appeared and declined to assume jurisdiction;
❑ appeared and requested transfer of jurisdiction;
❑ not appeared;

❑ **Required Findings if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]:**

This Court, upon examination of the motion papers and supporting affidavit(s); [initial placements only]: the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]:
; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the Respondent ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the Respondent in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the Respondent in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the Respondent , as specified in the Respondent's permanency plan because [specify facts and reasons]:

D. The following efforts, if any, have been made to prepare the Respondent to return home, or to be placed with a fit and willing relative, foster family home, legal guardian or adoptive parent [specify]:

E. [Applicable to initial placements in QRTP; delete if inapplicable]: Where the Qualified Individual has determined that the placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named Respondent in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named Respondent's needs in a less restrictive environment; **and**

❑ It would be contrary to the welfare of the above-named Respondent to be placed in a less restrictive setting and continued placement in the QRTP is in the Respondent's best interests because [specify facts and reasons]:

NOW, after examination and inquiry into the facts and circumstances and after hearing the proof and testimony, it is, therefore,

A. Extension of Placement: Disposition of Petition [Required; check applicable box]:

❑ ORDERED that the petition is GRANTED and the placement is extended to the following date [specify]: , subject to further orders of this Court.

❑ ORDERED that the petition is DISMISSED and the Respondent is discharged from the custody of [specify]: on [specify date no later than the date of expiration of the placement period]:

B. Permanency Plan [Required if placement extended; check applicable box(es)]:

ORDERED that Petitioner's permanency plan for the Respondent [check applicable box]:

❑ is approved ❑ is modified,

as follows [check applicable box(es) and indicate time frame(s)]:

❑ reunification with the ❑ parent(s) ❑ person(s) legally responsible for Respondent's care by [specify date]:

❑ placement for adoption upon filing of a petition to terminate parental rights by [specify date]: .

❑ referral for legal guardianship by [specify name and date]:

❑ permanent placement with the following fit and willing relative [specify name]: by [specify date]: .

❑ **[Applicable ONLY to Respondents 16 years of age or older]**: permanent placement in the following alternative planned living arrangement [specify]:

(and it is further)

C. Reasonable Efforts [Check applicable box]:

[Applicable in cases in which the Respondent's goal is reunification with the parent or guardian]:

❑ ORDERED that following reasonable efforts shall be made to make and finalize the Respondent's goal of reunification [specify]:
; (and it is further)

[Applicable in cases in which the Respondent's goal is adoption, guardianship or permanent living arrangement other than reunification; delete if inapplicable]:

❑ ORDERED that following reasonable efforts shall be made to make and finalize the child's goal of [specify goal and describe efforts]:

; (and it is further)

D. Service Plan [Required]:
ORDERED that the service plan submitted by the Petitioner [check applicable box]:
❑ is appropriate ❑ should be modified as follows [specify]: ;

and shall be given by Petitioner to the ❑ parent(s) ❑ person(s) legally responsible for Respondent's care, along with a copy of this Order;
; (and it is further)

E. Transitional Services: [Optional in cases where the Respondent is 14 years of age or older; check box if applicable]:
❑ ORDERED that the Petitioner is directed to provide the following services determined above to be needed to assist the Respondent to make the transition from foster care to independent living [specify]:

; (and it is further)

F. Out-of-State Placement [Required where the child has been placed out-of-state; check box if applicable]:
❑ ORDERED that the placement of the child at [specify]:
❑ is appropriate and in the child's best interests and is continued until [specify]:
❑ is not appropriate and in the child's best interests and the child shall, therefore, be returned to New York State to be ❑ placed with [specify]: until [specify]:
❑ discharged to [specify]:
; (and it is further)

G. Progress Reports, Notices and Visitation Plans [Optional; check box(es) if applicable]:
❑ ORDERED that Petitioner shall make a progress report to the Court, the parties and the attorney for the Respondent on the implementation of this order not later than 90 days from the date of this order and every [specify period]: days thereafter
; (and it is further)

❑ ORDERED that if the above permanency plan for the Respondent is changed, notice shall be provided to the Court, the parties and the attorney for the Respondent forthwith; (and it is further)

❑ ORDERED that the ❑ parent(s) ❑ person(s) legally responsible for Respondent's care be notified of the planning conference(s) to be held and of (his)(her)right to attend such conference(s) with counsel or other person;
;(and it is further)

❑ ORDERED that Petitioner shall provide the ❑ parent ❑ person(s) legally responsible for Respondent's care with visitation with the Respondent as follows [describe visitation plan]:
; (and it is further)

❑ ORDERED that Petitioner shall provide the following sibling(s) [specify]:
with visitation with the Respondent as follows [describe visitation plan]:
; (and it is further)

H. Native-American Child [Check box if applicable]:

❑ ORDERED that the following should be notified of this proceeding [specify]:
the ❑ custodian of the child; ❑ tribe/nation; ❑ United States Secretary of the Interior

❑ ORDERED that in light of the assumption of jurisdiction by the tribe/nation, this petition is DISMISSED WITHOUT PREJUDICE.

I. Notice of Absconding [Required in all cases where child is placed with Commissioner of Social Services]:

❑ ORDERED that if the child absconds from the above-named custodial person or facility, written notice shall be given within 48 hours to the Clerk of Court by the custodial person or by an authorized representative of the facility, stating the name of the child, the docket number of this procedure, and the date on which the child ran away; (and it is further)

J. ❑ Required Order if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]: After examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the "Qualified Residential Treatment Program" is GRANTED, and placement of the Respondent in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the Respondent in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]:
the above-named Respondent shall be [check applicable box and specify]:
❑ returned or released to the following parent [specify]:
❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named Respondent's care and welfare that is in the best interests of the Respondent and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

J. <u>Deadline for Filing Next Permanency Petition</u> [Required if this is the first permanency hearing and placement is extended; not permitted if placement has already been extended twice]:

❑ **ORDERED that if the Respondent remains in foster care, Petitioner shall file a petition for the next permanency hearing NO LATER THAN [specify date no later than 30 days before the expiration of the placement and the permanency hearing shall be completed by [specify date]:**

; (and it is further)

ORDERED, that

).

ENTERED

_____
Judge of the Family Court

Dated:

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:

❑ Order received in court on [specify date(s) and to whom given]:

F.C.A. §§ 841; 842; 842-a
[Note: If petition is dismissed, use Form 8-7]

Form 8-5
(Family Offense - Order of Fact-finding and Disposition)
(9/2021)

At a term of the Family Court of the State of New York, held in and for the County of
at , New York,
on , .

P R E S E N T :

Hon.
Judge

.....
Petitioner,

Docket No.

-against-

ORDER OF FACT-FINDING AND DISPOSITION

Respondent.
.....

NOTICE: YOUR WILLFUL FAILURE TO OBEY THIS ORDER MAY, AFTER COURT HEARING, RESULT IN YOUR COMMITMENT TO JAIL FOR CONTEMPT OF COURT FOR A TERM NOT TO EXCEED SIX MONTHS FOR EACH VIOLATION. VIOLATIONS OF AN ORDER OF PROTECTION MAY RESULT IN CRIMINAL PROSECUTION AND INCARCERATION FOR UP TO SEVEN YEARS FOR CRIMINAL CONTEMPT.

A petition under Article 8 of the Family Court Act having been filed in this Court;
and the Petitioner [specify]: having [check applicable box(es)]:
❑ appeared ❑ with counsel ❑ without counsel ❑ not appeared ;
❑ not appeared but counsel appeared;

and the Respondent [specify]: having [check applicable box(es)]:
❑ appeared ❑ with counsel ❑ without counsel ❑ waived counsel ❑ not appeared ;
❑ not appeared after service ❑ not appeared but service could not be made after every reasonable effort had been made to effect service ❑ not appeared but counsel appeared;

and the Respondent [specify]: having:
❑ voluntarily, intelligently and knowingly admitted in open court that (s)he committed the following act(s) [specify]:
❑ denied the allegations of the petition and the matter having duly come on for a fact-finding hearing before this Court ;
❑ failed to appear and the matter having duly come on for a fact- finding hearing by inquest

before this Court;

❑ voluntarily, intelligently and knowingly consented to the entry of an order of fact-finding without admission;

And the Court finds that after [check applicable box(es)]: ❑ hearing the proofs and testimony offered in relation to the case ❑ accepting the admission by Respondent [specify]:

the following allegations in the petition are supported by a preponderance of the evidence [specify]:

and that Respondent committed acts constituting the following family offense(s) [specify]:

❒ Disorderly conduct
❒ Harassment in the 1st or 2nd degree
❒ Assault in the 2nd or 3rd degree
❒ Attempted assault in 2nd or 3rd degree
❒ Criminal mischief
❒ Forcible touching
❒ Strangulation
❒ Menacing in the 2nd or 3rd degree
❒ Reckless endangerment
❒ Aggravated harassment in the 2nd degree
❒ Stalking
❒ Sexual misconduct
❒ Sexual abuse in the 2nd [1] or 3rd degree
❒ Criminal obstruction of breathing or circulation
❒ Identity theft in 1st, 2nd or 3rd degree
❒ Grand larceny in 3rd or 4th degree
❒ Coercion in 2nd degree [Penal Law §135.60 (1),(2),or (3)]
❒ Unlawful dissemination or publication of intimate image(s) [Penal Law §245.15]

[Delete if inapplicable]: And the Court further finds the following aggravating circumstances [specify]:

And the matter having duly come on for a dispositional hearing, and the Court having made examination and inquiry into the facts and circumstances of the persons involved,

IT IS HEREBY [Check applicable box(es)]:

ORDERED that the petition is GRANTED; and it is further

❑ ORDERED that the Respondent shall for a period not in excess of [check applicable box]: ❑ two years ❑ five years ❑ other period [specify]: observe the conditions of behavior specified in the Order of Protection entered and annexed to and made a part of this order; and it is further

❑ ORDERED that the Respondent surrender any and all firearms owned or possessed, including, but not limited to, the following [specify]:
Such surrender shall take place on or before [specify date/time]:

[1] Where victim is incapable of consent for reason other than being under age 17 [Penal Law §130.60(1)].

at [specify location]: ; and it is further

❑ ORDERED that the Respondent's license to carry, possess, repair, sell or otherwise dispose of a firearm or firearms, if any, pursuant to Penal Law §400.00, is hereby [check applicable boxes]: ❑ suspended; ❑ revoked; and ❑ the Respondent shall remain ineligible to receive a firearm license during the period of this order; and it is further

❑ ORDERED that the Respondent pay restitution in the amount of $_ to [specify]: for the benefit of [specify name(s)]: to begin on [specify date]: at the rate of $ per month and to be paid in full by [specify date]:

; and it is further

❑ ORDERED that the Respondent is placed on probation under the supervision of the Probation Department of County for a period of upon the following terms and conditions [check applicable provisions; *See* 22 NYCRR §§205.74(a),(b)]:

___ 1. Observe the specified conditions of conduct as set forth in the Order of Protection issued pursuant to Section 842 of the Family Court Act.

___ 2. Remain within the jurisdiction of the Court unless granted permission to leave by the Court or probation officer.

___ 3. Answer all reasonable inquiries by the probation officer and notify the probation officer prior to any change in address or employment.

___ 4. Report to a probation officer as directed by the Court or the probation officer and permit the probation officer to visit your place of residence.

___ 5. Do not have any contact with the following persons [specify]:
You must not have any physical, visual, written, telephone, e-mail, fax or other electronic or other contact with such person(s). You must not directly or indirectly cause or encourage anyone else to have such contact with such person(s).

___ 6. Pay for medical or mental health treatment expenses for the following person(s) [specify]:

___ 7. Pay all court-ordered attorney's fees and disbursements incurred by the following person(s) [specify]: that arise from this Family Offense matter.

___ 8. Cooperate with Department of Social Services and/or child protective workers associated with this Family Offense matter.

___ 9. Obey the order for [check applicable box]:
❑ no visitation ❑ supervised visitation ❑ unsupervised visitation with your children.
Court-ordered visitation with your children is permitted as follows:
_____

___ 10. Surrender any and all firearms owned or possessed by you to the law enforcement agency designated above by the date and time ordered above.

___ 11. Attend, pay for, and satisfactorily participate in a batterer's education program designed to help end violent behavior. You will not be discharged from probation without satisfactory completion as determined by your counselor and probation officer.

___ 12. Participate in available [check applicable box(es)]: ❑ medical ❑ substance abuse

❑ psychiatric evaluation and treatment
and remain in a specified program as follows:

_____

[Note: Cannabis Law §127(6) provides that " A person's use of cannabis or conduct under this chapter shall not be prohibited unless it has been shown by clear and convincing evidence that the prohibition is reasonably related to the underlying crime" or unless the person is a "certified medical patient" with a lawful prescription for medical marijuana.

___ 13. Submit to drug/alcohol (alcosensor/urinanalysis) testing as requested by your probation officer. You must cooperate with drug/alcohol counseling and random testing as deemed necessary by your probation officer.

[Note: Cannabis Law §127(6) provides that " A person's use of cannabis or conduct under this chapter shall not be prohibited unless it has been shown by clear and convincing evidence that the prohibition is reasonably related to the underlying crime" or unless the person is a "certified medical patient" with a lawful prescription for medical marijuana.

___ 14. Obey the directions given by the probation officer to insure compliance with the Conditions of Probation.

___ 15. Pay restitution or reparation in the amount of $_____to [specify]:_____ for the benefit of the following person(s)[specify]:
_____ to begin on [specify date] :_____
at the rate of $____per month and to be paid in full by [specify date]_____

___ 16. Sign Release of Information.

___ 17. Other:

❑ ORDERED that the Judgment against the Respondent be and the same is suspended for a period of [specify]: months upon the following terms and conditions [check applicable provisions; *see* 22 NYCRR §205.74(a)]:

___ 1. Stay away from the residence of the following person(s) [specify]:

___ 2. Stay away from the place of employment or place of education attended by the following person(s) [specify]: .

___ 3. Do not have any physical, visual, written, telephone, e-mail, fax or other electronic or other contact with the following person(s) [specify]: ; and do not directly or indirectly cause or encourage anyone else to have such contact with such person(s).

___ 4. Do not repeat the conduct that was adjudicated a family offense at the fact-finding hearing.

___ 5. Cooperate in seeking to obtain and in participating in [check applicable boxes]:

❑ evaluation and treatment [specify]: ❑ medical ❑ psychiatric
❑ alcoholism ❑ drug abuse ❑ other [specify]:_____

[Note: Cannabis Law §127 provides that " A person's use of cannabis or conduct under this chapter shall not be prohibited unless it has been shown by clear and convincing evidence that the prohibition is reasonably related to the underlying crime."

❑ employment counseling ❑ family counseling ❑ child guidance services
❑ batterer's educational program designated to help end violent behavior

____6. Permit information to be obtained by the Court from any person or agency providing evaluation, treatment or services specified in ¶5, above.

___ 7. Allow medical or psychiatric treatment to be furnished to the following person(s) [specify]:

___ 8. Cooperate with the person against whom the family offense was committed, the head of the

household, or parent, in maintaining the home or household.

___ 9. Pay restitution or reparation in the amount of $ to [specify]: _____ for the benefit of the following person(s) [specify]: _____ to begin on [specify date]: _____ at the rate of $ ___per month and to be paid in full by [specify date] _____ .

___ 10. Other [specify]:

❑ And it is further ORDERED that [specify]:

Dated: , . ENTER:

_____
JUDGE OF THE FAMILY COURT

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:_____

❑ Order received in court on [specify date(s) and to whom given]:_____

❑ Order served by police on [specify date]:_____

F.C.A §§1017, 1022
S.S.L.§§393, 409-h

Form 10-1
(Child Protective--Order Directing Temporary Removal of Child Before Filing of Petition)
9/2021

At a term of the Family Court of the State of New York, held in and for the County of , at New York on , .

P R E S E N T:
Hon.
Judge

In the Matter of

Docket No.

FAMILY FILE #:
CIN #
A Child(ren) under the Age of Eighteen Years Alleged to be
❑Abused ❑Neglected by

Respondent(s)

ORDER DIRECTING TEMPORARY REMOVAL OF CHILD (Before Filing of Petition)

NOTICE: IF YOUR CHILD STAYS IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD. IF SEVERE ORREPEATED ABUSE IS PROVEN BY CLEAR AND CONVINCING EVIDENCE, THIS FINDING MAY CONSTITUTE THE BASIS TO TERMINATE YOUR PARENTAL RIGHTS. IF THE PETITION IS GRANTED, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD AND YOUR CHILD MAY BE ADOPTED WITHOUT YOUR CONSENT.

THE CHILD ABUSE OR NEGLECT PETITION MUST BE FILED BY [specify date/time]:
THE REMOVAL HEARING [F.C.A. §1027] SHALL BE HELD ON [specify date/time]:
THE PERMANENCY HEARING SHALL BE HELD ON [SPECIFY DATE/TIME]:[1]

An application having been made to this Court by [check applicable box]:

[1] Specify a date certain not more than eight months from the date of removal. If the child has a sibling or half-sibling removed from the home, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was removed on a juvenile delinquency or PINS petition or unless he or she has been freed for adoption. If the child is finally discharged from care on the scheduled date, the permanency hearing shall be cancelled.

❑ a duly authorized child protective agency [specify]: ;
or ❑ a person authorized by the Court [specify]:
for an order directing the temporary removal of the above-named child(ren) from their residence pursuant to Section 1022 of the Family Court Act ;

And the Respondent(s) [check applicable box(es)]:
❑ having been present at the hearing of this application;
and having ❑ been represented ❑ not been represented ❑ waived representation by counsel;
❑ having not been present at the hearing of this application, but [check box]:
❑ having been given notice of this application by [specify]:
❑ having not been given notice of this application;

[Check box if applicable]: ❑ and the following Non-respondent parent was present and ❑ was ❑ was not represented by counsel;

[Required in cases involving Native-American children; check if applicable]:
❑ And the following having been duly notified [check applicable box(es)]:
❑ parent/custodian ❑ tribe/nation ❑ United States Secretary of the Interior;
And the tribe/nation having: ❑ appeared and participated as a party;
❑ appeared and declined to assume jurisdiction;
❑ appeared and requested transfer of jurisdiction;
❑ not appeared;

The Court finds and determines the following [Note: judicial findings must be made pursuant to I and II and, below, if temporary removal is GRANTED]:

I. Criteria for Temporary Removal of Child(ren) [All four criteria, A, B, C and D, must be met]:
A. The ❑ parent ❑ person legally responsible for the child(ren) [check applicable boxes]:
❑ is absent and cannot be located after reasonable effort to do so; or
❑ was asked and refused to consent to temporary removal of the child(ren) and
❑ was ❑ was not informed of an intent to apply for an order of removal; or
❑ consented to the temporary removal of the child(ren); and

B. The child(ren) appear(s) to so suffer from abuse or neglect by the ❑ parent(s) ❑ person(s) legally responsible for the child(ren)'s care; and

C. Immediate removal of the child(ren) is necessary to avoid imminent danger to the child(ren)'s life or health because [specify facts and reasons, including specific documents or evidence supporting findings]:
; and

D. There is not enough time to file a petition and hold a preliminary hearing under Section 1027 of the Family Court Act.

II. Required "Best Interests" and "Reasonable Efforts" Findings [check applicable boxes and provide case-specific reasons in both A and B, below]:

A. Continuation in the child(ren)'s home ❑ would ❑ would not be contrary to the best interests of the child(ren) because [specify facts and reasons]:

This determination is based upon the following information [check applicable box(es)]:

❑ Report of Suspected Child Abuse or Neglect
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

B. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the child(ren) from the home [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding that the Petitioner was not required to make reasonable efforts to reunify the child(ren) with the Respondent(s) [specify date of finding]:

❑ because [specify other reason(s)]:

❑ were not made.

This determination is based upon the following information [check applicable box(es)]:

❑ Report of Suspected Child Abuse or Neglect
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

III. Findings Regarding Alternatives to Removal to Foster Care:

A. Based upon the investigation conducted by the Commissioner of Social Services, including a review of records in accordance with section 1017 of the Family Court Act, [Check applicable box(es]:

❑ The following person [specify]: is a

❑ non-respondent parent ❑legal custodian[2] or guardian ❑ relative ❑ suitable person with whom the child(ren) may appropriately reside.

[Applicable to non-respondent parent]: Such non-respondent parent:

❑ wishes the child(ren) to be released to him/her during the pendency of this proceeding.

❑ wishes to be granted a temporary order of custody, pursuant to a proceeding under Article 6 of the Family Court Act and has filed a petition, Docket # , which [check applicable box]: ❑ is being heard jointly with this proceeding; ❑ is scheduled to be heard on [specify date]:

[Applicable to legal custodian or guardian]: Such legal custodian or guardian:

❑ wishes the child(ren) to be released to him/her during the pendency of this proceeding.

[Applicable to relatives and other suitable persons]: Such person:

❑ seeks approval as a foster parent in order to provide care for the child(ren);

❑ wishes to provide care and custody for the child(ren) without foster care subsidy during the pendency of an order pursuant to section 1055 of the Family Court Act.

❑ wishes to be granted an order of temporary custody, pursuant to a proceeding under Article 6 of the Family Court Act and has filed a petition, Docket # , which [check applicable box]:

❑ is being heard jointly with this proceeding; ❑ is scheduled to be heard on [specify date]:

❑ wishes to be appointed guardian pursuant to a proceeding under Article 6 of the Family Court Act and has filed a petition, Docket # , which [check applicable box]: ❑ is being heard jointly with this proceeding; ❑ is scheduled to be heard on [specify date]:

❑ There is no non-respondent parent, legal custodian or guardian or relative or suitable person with whom the child(ren) may appropriately reside.

B. Imminent risk to the child(ren) ❑ would ❑ would not be eliminated by the issuance of a temporary order of protection or order of protection directing the removal of [specify]:

from the child(ren)'s residence.

IV. ❑ [REQUIRED if pre-petition placement in a Qualified Residential Treatment Program (QRTP) is requested; DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment, if any, of the appropriateness of the requested placement; and any response thereto, including [specify]: ; and [specify other information considered]:

[2] "Legal custodian" refers to an individual with an order of custody issued prior to, and separate from, the child protective proceeding. A release to such an individual is distinguished from a child placed in the custody of an individual pursuant to an order of custody issued under Article 6 and section 1055-b of the Family Court Act. Such a custody order results in the termination of all orders under Article 10 of the Family Court Act, would not be deemed a "release" of the child and would thus not be the subject of a violation petition.

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the child ❑ can ❑ cannot be met through placement in a foster family home pending resolution of this matter because [specify facts and reasons]:

B. Placement of the child in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the child in the least restrictive environment pending resolution of this matter because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the child, as specified in the child's permanency plan from a prior matter [specify] because [specify facts and reasons]:

D. Where the Qualified Individual has already determined that the placement of the above-named child in the Qualified Residential Treatment Program (QRTP) pending resolution of this matter is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the placement of the above-named child in the Qualified Residential Treatment Program (QRTP) pending resolution of this matter as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named child's needs in a less restrictive environment pending resolution of this matter; **and**

❑ **P**lacement in the Qualified Residential Treatment Program (QRTP) pending resolution of this matter is in the child's best interests because [specify facts and reasons]:

NOW, therefore, it is hereby

❑ **ORDERED that** [specify name of child(ren)]:
shall be temporarily removed from the place where the child(ren)(is)(are) residing by any peace officer or agent of a duly authorized agency, society or institution and shall be brought to [specify]:
; and it is further

❑ **ORDERED that**, pending further proceedings, the child(ren) shall be placed in the temporary custody of [check applicable box]:
❑ the Commissioner of Social Services of County;
❑ the Commissioner of Social Services of County to reside

with [specify]:
❑ the following relative(s) or other suitable person(s) [specify]:

OR

ORDERED that, pending further proceedings, the child(ren) shall be temporarily released to the following non-respondent parent(s) [specify]:

OR

❑ **ORDERED that,** pending further proceedings, the child(ren) shall be temporarily released to the following legal custodian(s) or guardian(s) [specify]:

OR

❑ **ORDERED that**, pursuant to a petition filed under Article 6 of the Family Court Act, Docket # [specify]: , the child(ren) (is) (are) placed in the temporary custody of the following non-respondent parent [specify]:

; (and it is further)

❑ **ORDERED that,** Petitioner shall notify custodial parents of siblings and half-siblings of the child(ren) of these proceedings and of the next court date;

❑ **ORDERED that** a petition under Article 10 of the Family Court Act shall be filed in this Court within three court days of the date of this Order unless the child(ren)(is) (are) sooner returned home;

[Check applicable box(es)]:
❑ And it further appearing that emergency medical or surgical procedures are necessary to safeguard the life or health of said child, it is further
ORDERED that ❑ Hospital [specify]:
❑ Physician [specify]:
is hereby authorized to provide such emergency medical or surgical procedures for the said child(ren) as may be necessary to safeguard the life or health or said child(ren).
; (and it is further)

❑ **ORDERED that** the Commissioner of Social Services shall ❑ provide ❑ arrange for the provision of following services or assistance to the
❑ child(ren) ❑ child(ren)'s family pursuant to section 1015-a or 1022(c) of the Family Court Act [specify]:

[Applicable to <u>temporary releases</u> of child(ren) to Respondent(s), Non-respondent parents or legal custodians or guardians and <u>temporary custody of child(ren)</u> with relative(s) or suitable person(s); check applicable box(es)]:
❑ **IT IS FURTHER ORDERED** that, during the period of release or temporary custody, as

applicable, the individual to whom the child(ren) have been released or with whom the child(ren) have been placed into temporary custody under this Order may [check applicable box(es)]:

❑ enroll the child(ren) in public school in the applicable school district and, upon verifying the Order and that the individual resides within the district, such district shall enroll the child(ren);

❑ enroll the child(ren) in their employer-based health insurance plan with the same rights as child(ren) for whom the individual is the legal guardian or custodian; and

❑ make decisions and provide any necessary consents regarding the child(ren)'s:

❑ protection ❑ education ❑ care and control ❑ physical custody ❑ health and medical needs, provided that this Order does not limit any rights of the child(ren) to consent to medical care under applicable laws.

; (and it is further)

❑ **ORDERED that** the Commissioner of Social Services shall conduct a diligent search for any non-respondent parents of the child(ren), inform them of the pendency of the proceeding and of the opportunity for seeking release or custody of the child(ren) and record the results of such investigation in the child's Uniform Case Record. Such search shall also include, but not be limited to, a person not recognized as a legal parent of the child but who has filed an instrument pursuant to section 4-1.2 of the Estates, Powers and Trusts Law acknowledging paternity with the putative father registry, has a pending paternity petition or has been identified as a parent by the other parent in a written, sworn statement. Such search shall include, but not be limited to, the following person(s) [specify, if known]:

; (and it is further)

❑ **ORDERED that** the Commissioner of Social Services shall investigate whether there are any grandparents, other relatives or other suitable person(s) with whom the child(ren) may appropriately reside, including, but not limited to [specify]: ; shall inform them of the pendency of the proceeding, shall ascertain whether such person(s) wish to seek approval as foster parent(s) in order to provide care for the child(ren) or wish to provide care and custody for the child(ren) without foster care subsidy during the pendency of any order herein; and shall record the results of such investigation in the child's Uniform Case Record;

; (and it is further)

❑ **ORDERED that**, within 24 hours of this order, the Commissioner of Social Services shall commence an investigation of the following relatives or other suitable persons as foster parents and thereafter approve such person(s) to be foster parents, if qualified, and, if not, to report such fact and the reasons therefor to the Court, all parties and counsels, including the attorney for the child, forthwith [specify]:

❑ **ORDERED that** if the child absconds from the above-named custodial person or facility, written notice shall be given within 48 hours to the Clerk of Court by the custodial person or by an authorized representative of the facility, stating the name of the child, the docket number of this procedure, and the date on which the child ran away.

[REQUIRED where pre-petition placement in a Qualified Residential Treatment Program is requested; delete if inapplicable]: After examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for pre-petition placement of the child in the "Qualified Residential Treatment Program" is GRANTED, and placement of the child in [specify name of QRTP]: pending resolution of this matter is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for pre-petition placement of the child in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]: the above-named child shall be [check applicable box and specify]:

❑ returned or released to the following parent [specify]:

❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named child's care and welfare that is in the best interests of the child and in the most effective and least restrictive setting pending resolution of this matter as the facts of the case require as follows [specify]:

[Applicable Where Child is Native-American]:

❑ **ORDERED that** the following should be notified of this proceeding [specify]:

the ❑ custodian of the child; ❑ tribe/nation; ❑ United States Secretary of the Interior

❑ **ORDERED that** in light of the assumption of jurisdiction by the tribe/nation, this application is DENIED WITHOUT PREJUDICE.

; (and it is further)

❑ **ORDERED that** if the child remains in foster care or is directly placed pursuant to Sections 1017 or 1055 of the Family Court Act, a permanency hearing shall be held on [specify date certain]:[3]

[3] Specify a date certain not more than eight months from the date of removal. If the child has a sibling or half-sibling removed from the home, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was removed on a juvenile delinquency or PINS

; (and it is further)

❑ **ORDERED that**

ENTER

_____
Judge of the Family Court

Dated: , .

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.[4]

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:_____

❑ Order received in court on [specify date(s) and to whom given]:_____

petition or unless he or she has been freed for adoption. If the child is finally discharged from care on the scheduled date, the permanency hearing shall be cancelled.

[4] Note: A parent or other person legally responsible for a child may challenge an order of removal of the child or children by requesting a hearing before the Family Court. That hearing must be held within three court days of the request, unless good cause is shown. *See* F.C.A. §1028.

F.C.A. §1022; 1017, 1027
S.S.L. §§393, 409-h

Form10-1c
(Child Protective-Application for Pre-petition Temporary Removal of Child(ren) From Home)
9/2021

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF

In the Matter of

Docket No.

CIN #
A Child(ren) Under the Age of Eighteen
Alleged to be

❑Abused ❑Neglected by

APPLICATION FOR PRE-PETITION TEMPORARY REMOVAL OF CHILD(REN) FROM HOME

Respondent(s)

NOTICE: **IF YOUR CHILD STAYS IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD. IF SEVERE OR REPEATED ABUSE IS PROVEN BY CLEAR AND CONVINCING EVIDENCE, THIS FINDING MAY CONSTITUTE THE BASIS TO TERMINATE YOUR PARENTAL RIGHTS. IF THE PETITION IS GRANTED, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD AND YOUR CHILD MAY BE ADOPTED WITHOUT YOUR CONSENT.**

TO THE FAMILY COURT:

The undersigned, , is [check applicable box]:

❑ the [state title, agency and county]:
a duly authorized child protective agency, with offices at [specify]:

❑ a person authorized by the Court [specify]:

and respectfully alleges that:

1. a. (Upon information and belief,) the child(ren) who are the subject(s) of this application is/are: The child(ren) who (is) (are) the subject(s) of this proceeding (is)(are):

Name	Sex	Date of Birth	Custodial Parent/Guardian	Child's Address

b. (Upon information and belief) The father and mother of the child(ren) and their respective residence addresses are:

Name of Child(ren)	Name of Parent	Parent's Address

2.. (Upon information and belief,), the child(ren) require immediate protection and should be temporarily removed from home prior to the filing of a child protective petition for the following reasons:

a. The parent or other person legally responsible for the child(ren)'s care was:

❑ absent; ❑ present but refused, when asked, to consent to the child(ren)'s temporary removal and was informed of this application;

b. The child(ren) appear(s) to suffer from abuse or neglect such that immediate removal is necessary to avoid imminent danger to the child's life or health, because [specify]:

c. There is not enough time to file a petition and hold a preliminary hearing pursuant to Family Court Act §1027.

3. The subject child ❑ is ❑ is not a Native-American child, who is subject to the Indian Child Welfare Act of 1978 (25 U.S.C. §§ 1901-1963). If so, the following have been notified [check applicable box(es)]:

❑ parent/custodian [specify name and give notification date]:

❑ tribe/nation [specify name and give notification date]:

❑ United States Secretary of the Interior [give notification date]:

4. a. Continued placement in the parent's home [check applicable box]:

❑ would ❑ would not be contrary to the child(ren)'s best interests, based upon the following facts and for the following specific reasons [specify]:

This assertion is based upon the following specific documents and evidence:

❑ Report of suspected abuse or maltreatment, dated [specify]:

❑ Case record, dated [specify]:

❑ Service Plan, dated [specify]:

❑ The report of [specify]: , dated [specify]:

❑ Other [specify]:

; **AND**

b. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the child(ren) from the home:

❑ were made as follows [specify reasonable efforts, including specific documents or evidence supporting findings]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding that the authorized agency was not required to make reasonable efforts to reunify the child(ren) and their parent(s)[specify date of finding]:

❑ because [specify other reasons]:

❑ were not made.

This assertion is based upon the following specific documents and evidence:

❑ Report of suspected abuse or maltreatment, dated [specify]:

❑ Case record, dated [specify]:

❑ Service Plan, dated [specify]:

❑ The report of [specify]: , dated [specify]:

❑ Other [specify]:

5. **[Applicable where pre-petition placement in Qualified Residential Treatment Program is requested; delete if inapplicable]:**

a. The permanency plan for the child, if any, is [specify; delete if inapplicable]:

.

This plan ❑ has ❑ has not changed since the most recent dispositional or permanency hearing in the following previous case [specify]:.

b. The needs of the child require a higher level of care than can be provided by a foster or therapeutic foster home because [specify]:

c. The child has been ❑ placed ❑ recommended for placement in [specify name]: a qualified residential treatment program (QRTP) pending resolution of this case.

d. The needs of the child have already been assessed by a Qualified Individual as defined in Social Services Law, Section 409-h (5) and a copy of the Qualified Individual's report ❑ has been submitted separately is submitted herewith ❑ will be submitted within five days of completion but not less than (10) days prior to the date of the first-scheduled hearing on this motion. [DELETE if inapplicable].

e. The following circumstances exist that necessitate the placement of the child in the QRTP [specify]: pending resolution of this case.

f. There is no alternative setting available that can meet the child's needs in a less restrictive environment pending resolution of this case because [specify]:

g. Placement in the QRTP is in the child's best interests pending resolution of this case because [specify]:

6. No previous application has been made to any court or judge for the relief requested herein (except [specify]:).

WHEREFORE, the undersigned requests that an order be made pursuant to Family Court Act §1022 temporarily removing the child(ren) from the home of [specify parent(s) or person(s) legally responsible]:
and placing the child(ren) temporarily in the care and custody of the Department of Social Services of [specify county]: County, and further [DELETE if inapplicable]:
❑ temporarily placing the child in the following Qualified Residential Treatment Program pending the filing of a child protective petition and the convening of a hearing pursuant to Family Court Act §1027, and directing such other and further relief as to the Court may seem just and proper.

Dated:

(Agency)

By:

(Title)

VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF)

, being duly sworn,

deposes and says:

That (s) he is the [specify title and agency]:

❑ an authorized child protective agency

❑ person authorized by the Family Court , and is acquainted with the facts and circumstances therein; that (s) he has read the foregoing and knows the contents thereof; that the same is true to (his)(her) own knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters (s) he believes it to be true.

Name

Title

Sworn to before me this
day of , .

(Deputy)(Clerk of Court)
(Notary Public)

F.C.A §§1017, 1027
S.S.L. §§393, 409-h

Form 10-2
(Child Protective ---Order on Application for Temporary Removal of Child After Petition Filed)
9/2021

At a term of the Family Court of the State of New York, held in and for the County of ,
at New York
on .

P R E S E N T:
Hon.
Judge

In the Matter of Docket No.

CIN #
A Child(ren) under the Age of Eighteen Years Alleged to Abused "Neglected by

ORDER ON APPLICATION FOR TEMPORARY REMOVAL OF CHILD (After Petition Filed)

Respondent(s)

NOTICE:

IF YOUR CHILD STAYS IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD. IF SEVERE OR REPEATED ABUSE IS PROVEN BY CLEAR AND CONVINCING EVIDENCE, THIS FINDING MAY CONSTITUTE THE BASIS TO TERMINATE YOUR PARENTAL RIGHTS. IF THE PETITION IS GRANTED, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD AND YOUR CHILD MAY BE ADOPTED WITHOUT YOUR CONSENT.

THE NEXT COURT DATE IS [specify date/time]:
THE PERMANENCY HEARING SHALL BE HELD ON [SPECIFY DATE/TIME]:[1]A Petition under Article 10 of the Family Court Act having been filed with this Court alleging that the above-named child(ren) (is)(are)[check applicable box(es)]:

❑ abused ❑ neglected ❑ severely abused ❑ repeatedly abused;

---

[1] Specify a date certain not more than eight months from the date of removal. If the child has a sibling or half-sibling removed from the home, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was removed on a juvenile delinquency or PINS petition or unless he or she has been freed for adoption. If the child is finally discharged from care on the scheduled date, the permanency hearing shall be cancelled.

And the child(ren) [check applicable box(es)]:
❑ having been removed prior to this hearing pursuant to
Family Court Act [specify]: ❑ §1021 ❑ §1022 ❑ §1024
❑ having not been removed prior to this hearing;

And a preliminary hearing having been held by this Court pursuant to Section 1027 of the Family Court Act; and the following person(s) having appeared to determine whether the child's interests require protection pending a final order of disposition [specify; check applicable boxes]:

❑ Respondent [specify]: ❑ with counsel ❑ without counsel
[If Respondent not present]: Respondent ❑ was ❑ was not notified of this hearing.
[If Respondent unrepresented]: Respondent ❑ waived ❑ did not waive the right to counsel.
❑ Respondent [specify]: was
❑ with counsel
❑ without counsel [If Respondent not present]: Respondent ❑ was
❑ was not notified of this hearing.
[If Respondent unrepresented]: Respondent ❑waived ❑ did not waive the right to counsel.
❑ Attorney for the Child
❑ Petitioner
❑ Other [specify]:

[Required in cases involving Native-American children; check if applicable]:

❑ And the following having been duly notified [check applicable box(es)]:
❑ parent/custodian ❑ tribe/nation ❑ United States Secretary of the Interior;
And the tribe/nation having:
❑ appeared and participated as a party;
❑ appeared and declined to assume jurisdiction;
❑ appeared and requested transfer of jurisdiction;
❑ not appeared;

The Court finds and determines that [Note: judicial findings must be made under I, II and III if temporary removal is GRANTED]:

I. Criteria for Temporary Removal of Child(ren) [All three criteria (A, B and C) must be met]: A. [check applicable boxes]:

The ❑ parent(s) ❑ person(s) legally responsible for the child(ren) ❑ is absent and cannot be located after reasonable effort to do so; or
❑ was asked and refused to consent to temporary removal of the child(ren) and
❑ was ❑ was not informed of an intent to apply for an order of removal; or
❑ consented to the temporary removal of the child(ren)

OR

❑ The child(ren) was/were removed on an emergency basis, pursuant to Family Court Act §1024;

AND

B. The child(ren) appear(s) to so suffer from abuse or neglect by the
❑ parent(s) ❑ person(s) legally responsible for the child(ren)'s care ; and

AND

C. Immediate removal or, if already removed, continued removal, of the child(ren) is necessary to avoid imminent danger to the child(ren)'s life or health because [specify facts and reasons, citing specific documents or evidence supporting findings]:

II. Required "Best Interests" and "Reasonable Efforts" Findings [check applicable boxes and provide case-specific reasons in both A and B, below]:

A. Continuation in, or return to, the child(ren)'s home ❑ would ❑would not be contrary to the best interests of the child(ren) because [specify facts and reasons]:
This determination is based upon the following information [check applicable box(es)]:

❑ Petition
❑ Report of Suspected Child Abuse or Neglect " Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

B. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the child(ren) from the home, and, if the child(ren) were removed prior to the date of this hearing, to return them home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding that the Petitioner was not required to make reasonable efforts to reunify the child(ren) with the Respondent(s) [specify date of finding]:

❑ because of other reasons [specify]:

❑ were not made.

This determination is based upon the following information [check applicable box(es)]:

❑ Petition
❑ Report of Suspected Child Abuse or Neglect
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

III. Findings Regarding Alternatives to Removal to Foster Care:

A. Based upon the investigation conducted by the Commissioner of Social Services, [Check applicable box(es]:

❑ The following person [specify]:
is a ❑ non-respondent parent ❑ relative ❑ suitable person with whom the child(ren) may appropriately reside [specify]:

[Applicable to relatives and other suitable persons]: Such person:
❑ seeks approval as a foster parent in order to provide care forthe child(ren);
❑ wishes to provide care and custody for the child(ren) without foster care subsidy during the pendency of any order here in.
❑ may be a resource but not yet determined whether as foster parent or custodian.

❑ There is no non-respondent parent, relative or suitable person with whom the child(ren) may appropriately reside.

B. [Required]: Imminent risk to the child(ren) ❑ would ❑ would not be eliminated by the issuance of a temporary order of protection or order of protection directing the removal of [specify]: from the child(ren)'s residence.

IV. ❑ [REQUIRED if placement in a Qualified Residential Treatment Program (QRTP) pending resolution of this matter is requested; DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment, if any, 1of the appropriateness of the requested placement; and any response thereto, including [specify]: ; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(cs)]:

A. The needs of the child ❑ can ❑ cannot be met through placement in a foster family home pending resolution of this matter because [specify facts and reasons]:

B. Placement of the child in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the child in the least restrictive environment pending resolution of this matter because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the child, as specified in the child's permanency plan from a prior matter [specify] because [specify facts and reasons]:

D. Where the Qualified Individual has already determined that the placement of the above-named child in the Qualified Residential Treatment Program (QRTP) pending resolution of this matter is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the placement of the above-named child in the Qualified Residential Treatment Program (QRTP) pending resolution of this matter as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named child's needs in a less restrictive environment pending resolution of this matter; **and**

❑ Placement in the Qualified Residential Treatment Program (QRTP) pending resolution of this matter is in the child's best interests because [specify facts and reasons]:

NOW, therefore, it is [check applicable box(es)]:

ORDERED that the application for ☐ removal or ☐ continued removal of the child(ren) is hereby ❑ GRANTED OR DENIED; (and it is further)

❑ ORDERED that the child(ren)(is)(are) released temporarily to the following
❑ Respondent parent(s)[specify]:
❑ Non-respondent parent(s) [specify]:

OR

❑ ORDERED that, pending further proceedings, the child(ren) shall be placed in the temporary custody of [check applicable box]:
❑ the Commissioner of Social Services of County;
❑ the Commissioner of Social Services of County to reside with [specify]:
❑ the following relative(s) or other suitable person(s) [specify]:

OR

❑ ORDERED that, pursuant to a petition filed under Article 6 of the Family Court Act, Docket # [specify]: , the child(ren) (is) (are) placed in the temporary custody of the following non-respondent parent [specify]:
; (and it is further)

[Applicable to release to Respondent parent(s)]:

❑ ORDERED that the release to the Respondent parent be under the supervision of [specify]:

[Applicable to release to Non-respondent parent(s) or temporary custody with relative or other suitable person]:

❑ ORDERED that, during the period of temporary release or custody, the non-respondent parent, legal custodian, relative or other suitable person shall submit to the jurisdiction of the Court with respect to the child and shall cooperate with respect to making the child(ren) available for court-ordered visitation with Respondents, siblings and others, appointments with the child(ren)'s) attorneys and clinicians and other individuals or programs providing services to the children, visits (including home visits) by the child protective agency ☐ and the following additional direction(s) [specify]:

pending further proceedings herein; (and it is further)

❑ ORDERED that, during the period of release or temporary custody, as applicable, the individual to whom the child(ren) have been released or with whom the child(ren) have been placed into temporary custody under this Order may [check applicable box(es)]:

❑ enroll the child(ren) in public school in the applicable school district and, upon verifying the Order and that the individual resides within the district, such district shall enroll the child(ren);

❑ enroll the child(ren) in their employer-based health insurance plan with the same rights as child(ren) for whom the individual is the legal guardian or custodian; and

❑ make decisions and provide any necessary consents regarding the child(ren)'s:
❑ protection ❑ education ❑ care and control ❑ physical custody ❑ health and medical needs, provided that this Order does not limit any rights of the child(ren) to consent to medical care under applicable laws.

❑ AND IT IS FURTHER ORDERED that, during the period of temporary release or temporary custody, as applicable, the child protective agency, social services official or duly authorized agency shall provide the following services or assistance to the child(ren) and their family, pursuant to section 1015-a of the Family Court Act [specify]:[2]

[2] Services and assistance ordered under F.CA.A. §1015-a must be authorized under the comprehensive annual services program plan in effect.

[Additional orders regarding child(ren) removed from their parent(s)]:

❑ ORDERED that the child(ren) shall be temporarily removed from the place where the child(ren) (is) (are) residing by any peace officer or agent of a duly authorized agency, society or institution and shall be brought to [specify]:
pending further proceedings herein; (and it is further)

❑ ORDERED that: ❑ Hospital [specify]: ❑❑ Physician [specify]:
is hereby authorized to provide such emergency medical or surgical procedures for the child(ren) as may be necessary to safeguard the child(ren)'s life or health; (and it is further)

[Required in child abuse cases unless petition commenced on the basis of medical examination and discretionary in child neglect cases, pursuant to FCA §1027 (g)]:

❑ ORDERED that the child undergo a medical examination, pursuant to Family Court Act §251 by the following physician [specify]: , which shall include the taking of colored photographs and, if appropriate, a radiological examination, the results of which, along with the photographs, shall be submitted to the Court;

❑ ORDERED that colored photographs be taken of areas of visible trauma to the child, if any; (and it is further)

❑ ORDERED that the child protective agency shall ❑ provide ❑ arrange for the following services or assistance to the (child) (child's family) pursuant to section 1015-a or 1022(c) of the Family Court Act [specify]:
; (and it is further)

❑ ORDERED within 24 hours of this order, the Commissioner of Social Services shall commence an investigation to identify and locate any non-respondent parent(s), inform them of the pendency of the proceeding and of the opportunity for seeking release or custody of the child(ren) , record the results of such investigation in the child's Uniform Case Record and report the results of the investigation to the Court, all parties and counsels, including the child(ren)'s attorney, forthwith. Such search shall also include, but not be limited to, a person not recognized as a legal parent of the child(ren) but who has filed an instrument pursuant to section 4-1.2 of the Estates, Powers and Trusts Law acknowledging paternity with the putative father registry, has a pending paternity petition or has been identified as a parent by the other parent in a written, sworn statement. Such search shall include, but not be limited to, the following person(s) [specify, if known]:
; (and it is further)

❑ ORDERED that the Commissioner of Social Services shall investigate whether there are any grandparents, other relatives or other suitable person(s) with whom the child(ren) may appropriately reside, including, but not limited to [specify]:
; shall inform them of the pendency of the proceeding, shall ascertain whether such

person(s) wish to seek approval as foster parent(s) in order to provide care for the child(ren) or wish to provide care and custody for the child(ren) without foster care subsidy during the pendency of any order herein; and shall record the results of such investigation in the child's Uniform Case Record;

; (and it is further)

❑ ORDERED that, within 24 hours of this order, the Commissioner of Social Services shall commence an investigation of the following relatives or other suitable persons as foster parents [specify]: and thereafter approve such person(s) to be foster parents, if qualified, and, if not, to report such fact and the reasons therefor to the Court, all parties and counsels, including the attorney for the child, forthwith.

❑ ORDERED that if the child absconds from the above-named custodial person or facility, written notice shall be given within 48 hours to the Clerk of Court by the custodial person or by an authorized representative of the facility, stating the name of the child, the docket number of this procedure, and the date on which the child ran away;

; (and it is further)

❑ ORDERED that [specify Respondent (s) or other person(s) before the court]: (is)(are) required to comply with the terms and conditions specified in the order of protection, issued pursuant to Family Court Act §1029, annexed to this order and made a part thereof (and it is further)

[REQUIRED where placement in a Qualified Residential Treatment Program is requested; delete if inapplicable]: After examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is GRANTED, and placement of the child in [specify name of QRTP]: pending resolution of this matter is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]:
the above-named child shall be [check applicable box and specify]:

- ❑ returned or released to the following parent [specify]:
- ❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named child's care and welfare that is in the best interests of the child and in the most effective and least restrictive setting pending resolution of this matter as the facts of the case require as follows [specify]:

[Applicable Where Child is Native-American]:

❑ ORDERED that the following should be notified of this proceeding [specify]:

the ❑ custodian of the child; ❑ tribe/nation; ❑ United States Secretary of the Interior

❑ ORDERED that in light of the assumption of jurisdiction by the tribe/nation, this petition is DISMISSED WITHOUT PREJUDICE.

; (and it is further)

❑ ORDERED that if the child remains in foster care or is directly placed pursuant to Sections 1017 or 1055 of the Family Court Act, a permanency hearing shall be held on [specify]:3

; (and it is further)

3 Specify a date certain not more than eight months from the date of removal. If the child has a sibling or half-sibling removed from the home, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was removed on a juvenile delinquency or PINS petition or unless he or she has been freed for adoption. If the child is finally discharged from care on the scheduled date, the permanency hearing shall be cancelled.

❑ ORDERED

ENTER

_____
Judge of the Family Court

Dated:

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.4

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]: _____

❑ Order received in court on [specify date(s) and to whom given]: _____

4 NOTE: If the parent or other person legally responsible for a child was not present and given the opportunity to be represented by counsel at a hearing conducted pursuant to Family Court Act §1027, the parent or other person legally responsible m ay only challenge an order of removal of the child or children by requesting a hearing before the Family Court, not by appealing to the Appellate Division. The hearing before the Family Court must be held within three court days of the request, unless goo d cause is shown. *See* Family Court Act §1028.

F.C.A §§ 1017, 1028;
S.S.L. §§393, 409-h

Form 10-5
(Child Protective-Order
on Application for Return of Child
Temporarily Removed from Home)
9/2021

At a term of the Family Court of the
State of New York, held in and for
the County of
, at
New York on
.

P R E S E N T:
Hon. Judge

In the Matter of

Docket No.
ORDER ON
APPLICATION FOR
RETURN OF CHILD
TEMPORARILY
REMOVED FROM HOME

FAMILY FILE #:
CIN#
(A) Child(ren) under the Age of
Eighteen Years Alleged to be
❑ Abused ❑ Neglected
Respondent(s)

NOTICE:

IF YOUR CHILD STAYS IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD. IF SEVERE OR REPEATED ABUSE IS PROVEN BY CLEAR AND CONVINCING EVIDENCE, THIS FINDING MAY CONSTITUTE THE BASIS TO TERMINATE YOUR PARENTAL RIGHTS. IF THE PETITION IS GRANTED, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD AND YOUR CHILD MAY BE ADOPTED WITHOUT YOUR CONSENT.

THE NEXT COURT DATE IS [specify date/time]:
THE PERMANENCY HEARING SHALL BE HELD ON [specify date/time]:[1]

An application having been made pursuant to Family Court Act §1028 for an order returning the child(ren) to the place of residence of such child(ren) by [specify]:

1

Specify a date certain not more than eight months from the date of removal. If the child has a sibling or half-sibling removed from the home, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was removed on a juvenile delinquency or PINS petition or unless he or she has been freed for adoption. If the child is finally discharged from care on the scheduled date, the permanency hearing shall be cancelled.

, who (is)(are) the [specify]: ❑ parent(s); ❑ person(s) legally responsible for the child(ren); ❑ attorney for the subject child(ren);

And the child(ren) having been removed prior to this hearing pursuant to Family Court Act [check applicable box(es)]: ❑ §1021 ❑ §1022 § ❑ 1024 ❑ §1027;

And a hearing having been held by this Court pursuant to Family Court Act § 1028; and the following person(s) having appeared to determine whether the child(ren) should be returned pending a final order of disposition [specify; check applicable boxes]:

❑ Respondent [specify]: ❑ with counsel ❑ without counsel
❑ waived representation by counsel

❑ Respondent [specify]: ❑ with counsel ❑ without counsel
❑ waived representation by counsel

❑ Non-respondent parent [specify]: ❑ with counsel ❑ without counsel.

❑ Attorney for the child(ren)

❑ Petitioner

❑ Other [specify]:

[Required in cases involving Native-American children; check if applicable]:

❑ And the following having been duly notified [check applicable box(es)]:

❑ parent/custodian ❑ tribe/nation ❑ United States Secretary of the Interior; And the tribe/nation having: ❑ appeared and participated as a party;

❑ appeared and declined to assume jurisdiction;

❑ appeared and requested transfer of jurisdiction;

❑ not appeared;

The Court finds and determines that [Note: judicial findings must be made under I, and, if application for return of child temporarily removed is DENIED, also under II and III]:

I. Criteria for Return or Continued Temporary Removal of Child(ren) [check applicable box]:

❑ The child(ren) should be returned home because no imminent risk to the child(ren)'s life or health has been demonstrated.

OR

❑ Continued temporary removal of the child(ren) is necessary to avoid imminent risk to the child(ren)'s life or health.

II. Required "Best Interests" and "Reasonable Efforts" Findings [check applicable boxes and provide case-specific reasons in both A and B, below]:

A. Continuation of the child(ren) in, or return of the child(ren) to, the child(ren)'s home ❑ would ❑ would not be contrary to the best interests of the child(ren) because [specify facts and reasons]:

This determination is based upon the following information [check applicable box(es)]:
❑ Petition
❑ Report of Suspected Child Abuse or Neglect
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:

❑ Testimony of [specify]:
❑ Other [specify]:

B. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the child(ren) from the home, and, if the child(ren) were removed prior to the date of this hearing, to return them home safely [check applicable box and state reason s as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding pursuant to F.C.A. §1039-b that the Petitioner was not required to make reasonable efforts to reunify the child(ren) with the Respondent(s) [specify date of finding]:

❑ because of other reasons [specify]:

❑ were not made.

This determination is based upon the following information [check applicable box(es)]:
❑ Petition
❑ Report of Suspected Child Abuse or Neglect
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

III. Findings Regarding Alternatives to Removal to Foster Care:

A. Based upon the investigation conducted by the Commissioner of Social Services, including a review of records in accordance with section 1017 of the Family Court Act, [Check applicable box(es]:

❑ The following person [specify]: is a

❑ non-respondent parent G legal custodian or guardian[2] ❑ relative ❑ suitable person with whom the child(ren) may appropriately reside.

[Applicable to non-respondent parent]: Such non-respondent parent:

❑ wishes the child(ren) to be released to him/her during the pendency of this proceeding. wishes to be granted a temporary order of custody, pursuant to a proceeding under Article 6 of the Family Court Act and has filed a petition, Docket # , which [check applicable box]: ❑ is being heard jointly with this proceeding; ❑ is scheduled to be heard on [specify date]:

[Applicable to legal custodian or guardian]: Such legal custodian or guardian:

❑ wishes the child(ren) to be released to him/her during the pendency of this proceeding.

[Applicable to relatives and other suitable persons]: Such person:

❑ seeks approval as a foster parent in order to provide care for the child(ren);

❑ wishes to provide care and custody for the child(ren) without foster care subsidy during the pendency of an order pursuant to section 1055 of the Family Court Act.

❑ wishes to be granted an order of temporary custody, pursuant t o a proceeding under Article 6 of the Family Court Act and has filed a petition, Docket # , which [check applicable box]:

❑ is being heard jointly with this proceeding; ❑ is scheduled to be heard on [specify date]:

❑ wishes to be appointed guardian pursuant to a proceeding under Article 6 of the Family Court Act and has filed a petition, Docket # , which [check applicable box]: ❑ is being heard jointly with this proceeding; ❑ is scheduled to be heard on [specify date]:

❑ There is no non-respondent parent, legal custodian or guardian or relative or suitable person with whom the child(ren) may appropriately reside.

B. [Required]: Imminent risk to the child(ren) ❑ would ❑ would not be eliminated by the

[2] "Legal custodian" refers to an individual with an order of custody issued prior to, and separate from, the child protective proceeding. A release to such an individual is distinguished from a child placed in the custody of an individual pursuant to an order of custody issued under Article 6 and section 1055-b of the Family Court Act. Such a custody order results in the termination of all orders under Article 10 of the Family Court Act, would not be deemed a "release" of the child and would thus not be the subject of a violation petition.

issuance of a temporary or der of protection or order of protection directing the removal of [specify]: from the child(ren)'s residence;.

. ❑ [REQUIRED if placement in a Qualified Residential Treatment Program (QRTP) pending resolution of this matter is requested; DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment, if any, of the appropriateness of the requested placement; and any response thereto, including [specify]: ;
and [specify other information considered]:

; and
❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the child ❑ can ❑ cannot be met through placement in a foster family home pending resolution of this matter because [specify facts and reasons]:

B. Placement of the child in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the child in the least restrictive environment pending resolution of this matter because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the child, as specified in the child's permanency plan from a prior matter [specify] because [specify facts and reasons]:

D. Where the Qualified Individual has already determined that the placement of the above-named child in the Qualified Residential Treatment Program (QRTP) pending resolution of this matter is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the placement of the above-named child in the Qualified Residential Treatment Program (QRTP) pending resolution of this matter as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named child's needs in a less restrictive environment pending resolution of this matter; **and**

❑ **P**lacement in the Qualified Residential Treatment Program (QRTP) pending resolution of this matter is in the child's best interests because [specify facts and reasons]:

❑ **ORDERED** that, pending further proceedings, the child(ren) shall be placed in the temporary custody of [check applicable box]:

❑ the Commissioner of Social Services of County;
the Commissioner of Social Services of County to reside with [specify]:
❑ the following relative(s) or other suitable person(s) [specify]:

OR

❑ **ORDERED** that, pursuant to a petition filed under Article 6 of the Family Court Act, Docket # [specify]: , the child(ren) (is) (are) placed in the temporary custody of the following non-respondent parent [specify]:

; (and it is further)

❑ **ORDERED that,** during the period of temporary release or temporary custody, as applicable, the non-respondent parent, relative or suitable person shall submit to the jurisdiction of the Court with respect to the child(ren) and shall cooperate with respect to making the child(ren) available for court-ordered visitation with respondents, siblings and others, appointments with the child(ren)'s) attorneys and clinicians and other individuals or programs providing services to the children, visits (including home visits) by the child protective agency
❑ and the following additional direction(s) [specify]:

❑ **ORDERED that**, during the period of release or temporary custody, as applicable, the individual to whom the child(ren) have been released or with whom the child(ren) have been placed into temporary custody under this Order may [check applicable box(es)]:

❑ enroll the child(ren) in public school in the applicable school district and, upon verifying the Order and that the individual resides within the district, such district shall enroll the child(ren);

❑ enroll the child(ren) in their employer-based health insurance plan with the same rights as child(ren) for whom the individual is the legal guardian or custodian; and

❑ make decisions and provide any necessary consents regarding the child(ren)'s: ❑ protection ❑ education ❑ care and control ❑ physical custody ❑ health and medical needs, provided that this Order does not limit any rights of the child(ren) to consent to medical care under applicable laws.

AND IT IS FURTHER ORDERED that, during the period of temporary release or temporary custody, as applicable, the child protective agency, social services official or duly authorized agency shall provide the following services or assistance to the child(ren) and their family, pursuant to section 1015-a of the Family Court Act [specify]:[3]

[3] Services and assistance ordered under F.C.A. §1015-a must be authorized under the comprehensive annual services program plan in effect.

❑ **ORDERED** that: ❑ Hospital [specify]: ❑ Physician [specify]: is hereby authorized to provide such emergency medical or surgical procedures for the child(ren) as may be necessary to safeguard the child(ren)'s life or health; (and it is further)

[Required in child abuse cases unless petition commenced on the basis of medical examination and discretionary in child neglect cases, pursuant to FCA §1027(g)]:

❑ **ORDERED that** the child undergo a medical examination, pursuant to Family Court Act §251 by the following physician [specify]: , which shall include the taking of colored photographs and, if appropriate, a radiological examination, the results of which, along with the photographs, shall be submitted to the Court;

❑ **ORDERED that** colored photographs be taken of areas of visible trauma to the child, if any; (and it is further)

❑ **ORDERED that** the child protective agency ❑ provide ❑ arrange for the provision of the following appropriate services or assistance to the child(ren) and to the child(ren)'s family pursuant to Family Court Act §§ 1015-a or 1022 (c) [specify]:

; (and it is further)

❑ **ORDERED that** the Commissioner of Social Services shall conduct a diligent search for any non-respondent parents of the child(ren), inform them of the pendency of the proceeding and of the opportunity for seeking custody of the child(ren) and record the results of such investigation in the child's Uniform Case Record and report the results of the investigation to the Court, all parties and counsels, including the child(ren)'s attorney, forthwith. Such search shall also include, but not be limited to, a person not recognized as a legal parent of the child but who has filed an instrument pursuant to section 4-1.2 of the Estate s, Powers and Trusts Law acknowledging paternity with the putative father registry, has a pending paternity petition or has been identified as a parent by the other parent in a written, s worn statement. Such search shall include, but not be limited to, the following person(s) [specify, if known]:

; (and it is further)

❑ **ORDERED that** the Commissioner of Social Services shall investigate whether there are any grandparents, other relatives or other suitable person(s) with whom the child(ren) may appropriately reside, including, but not limited to [specify]:

; shall inform them of the pendency of the proceeding, shall ascertain (in the case of relatives or suitable persons) whether such person(s) wish to seek approval as foster parent(s) in order to provide care for the child(ren) or wish to provide care and custody for the child(ren) without foster care subsidy during the pendency of any order herein; and shall record the results of such investigation in the child's Uniform Case Record;

; (and it is further)

❑ **ORDERED that**, within 24 hours of this order, the Commissioner of Social Services shall commence an investigation of the following relatives or other suitable persons as foster parents and thereafter approve such person(s) to be foster parents, if qualified, and, if not, to report such fact to the Court, all parties and counsels, including the attorney for the child(ren), forthwith [specify]:

; (and it is further)

[Applicable where child in custody of Commissioner of Social Services]:

❑ **ORDERED that** if the child absconds from the above-named custodial person or facility, written notice shall be given within 48 hours to the Clerk of Court by the custodial person or by an authorized representative of the facility, stating the name of the child, the docket number of this procedure, and the date on which the child ran away; (and it is further)

❑ **ORDERED that** [specify Respondent(s)]: (is)(are) required to comply with the terms and conditions specified in the order of protection, issued pursuant to Family Court Act §1029, annexed to this order and made a part thereof;

[REQUIRED where placement in a Qualified Residential Treatment Program is requested; delete if inapplicable]: After examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

❑ **ORDERED**, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is GRANTED, and placement of the child in [specify name of QRTP]: pending resolution of this matter is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]: the above-named child shall be [check applicable box and specify]:

❑ returned to or placed with the following parent [specify]:

❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social

Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named child's care and welfare that is in the best interests of the child and in the most effective and least restrictive setting pending resolution of this matter as the facts of the case require as follows [specify]:

[Applicable where child is Native-American]:

❑ **ORDERED that** the following should be notified of this proceeding [specify]:

the ❑ custodian of the child; ❑ tribe/nation; ❑ United States Secretary of the Interior

❑ **ORDERED that** in light of the assumption of jurisdiction by the tribe/nation, this petition is DISMISSED WITHOUT PREJUDICE.

[**Applicable to child(ren) placed in the custody of the Commissioner of Social Services]:**

❑ **ORDERED that** if the child(ren) remain in foster care or is/are directly placed pursuant to Sections 1017 or 1055 of the Family Court Act, a permanency hearing shall be held on [specify]:[4]

; (and it is further)

❑ **ORDERED that**

ENTER

Dated: , .

Judge of the Family Court

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE OR DER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:

❑ Order received in court on [specify date(s) and to whom given]:

[4] Specify a date certain not more than eight months from the date of removal. If the child has a sibling or half-sibling removed from the home, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was removed on a juvenile delinquency or PINS petition or unless he or she has been freed for adoption. If the child is finally discharged from care on the scheduled date, the permanency hearing shall be cancelled.

F.C.A. §§1017, 1033-b, 1040, 1044, 1046, 1051, 1052, 1053, 1054 1055, 1055-c, 1057, 1059, 1089; S.S.L. §393, 409-h

Form 10-10
(Child Protective–Order of Fact-finding, Disposition and Permanency Hearing)
9/2021

At a term of the Family Court of the State of New York, held in and for the County of ,
At New York, on , .

P R E S E N T:
Hon.
Judge.

In the Matter of

FAMILY FILE #:
CIN #
(A) Child(ren) under Eighteen Years of Age Alleged to be
❑ Abused ❑ Neglected by

Respondent(s)

Docket No.

ORDER OF FACT-FINDING AND DISPOSITION (AND PERMANENCY HEARING)
❑ Abuse ❑ Neglect
❑ Severe Abuse ❑ Repeated Abuse

NOTICE: WILLFUL FAILURE TO OBEY THE TERMS AND CONDITIONS OF THIS ORDER MAY RESULT IN COMMITMENT TO JAIL FOR A TERM NOT TO EXCEED SIX MONTHS.

IF YOUR CHILD(REN) STAY IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD. IF SEVERE OR REPEATED ABUSE IS PROVEN BY CLEAR AND CONVINCING EVIDENCE, THIS FINDING MAY CONSTITUTE THE BASIS TO TERMINATE YOUR PARENTAL RIGHTS. IF THE PETITION IS GRANTED, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD(REN) AND YOUR CHILD(REN) MAY BE ADOPTED WITHOUT YOUR CONSENT.
THE NEXT COURT DATE IS [specify date/time]:

THE NEXT PERMANENCY HEARING SHALL BE HELD ON [SPECIFY DATE/TIME]:[1]

[1] If a combined dispositional/permanency hearing was held and the child(ren) have been placed, specify a date certain not more than six months from the completion of the hearing. If solely a dispositional hearing was held, specify a date, in most cases the previously-scheduled date, not more than eight months from date of removal of child(ren) from home. No date needs to be set if :(i) the petition is dismissed; or (ii) the child(ren) have not been removed from home; or (iii) have been finally discharged from care; or (iv) custody or guardianship was ordered pursuant to Family Court Act Article 6. If the child(ren) have been placed and the child(ren) have a sibling or halfsibling removed from the home, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was removed on a juvenile delinquency or PINS petition or unless s he or she has been freed for adoption.

The petition of [specify]: under Article 10 of the Family Court Act, sworn to on [specify date]: , having been filed in this Court alleging that the above-named Respondent(s) [check applicable box(es)]: ❑ neglected ❑ abused ❑ severely abused ❑ repeatedly abused ❑ the above-named child; and

Notice having been duly given to the Respondent(s) pursuant to section 1036 or 1037 of the Family Court Act; and [Include separate paragraphs for each Respondent, as necessary]:

Respondent [specify]: having:

❑ appeared ❑ with counsel ❑ without counsel ❑ waived counsel

❑ not appeared after service

❑ not appeared, but service could not be made after every reasonable effort had been made to effect service

❑ not appeared but counsel appeared;

Respondent [specify]: having:

❑ appeared ❑ with counsel ❑ without counsel ❑ waived counsel ❑ not appeared;

❑ not appeared after service ❑ not appeared but service could not be made after every reasonable effort had been made to effect service not appeared but counsel appeared;

And Respondent [specify]: having:

❑ voluntarily, intelligently and knowingly admitted in open court that (s)he committed the following act(s) [specify]:

❑ denied the allegations of the petition and the matter having duly come on for a fact- finding hearing before this Court;

❑ failed to appear and the matter having duly come on for a fact- finding hearing by inquest before this Court;

❑ voluntarily, intelligently and knowingly consented to the entry of an order of fact- finding without admission pursuant to Family Court Act §1051(a),

[Check if applicable]: ❑ And the Petitioner, Child(ren)'s attorney and all other parties having consented to the entry of such order of fact-finding as well;

And Respondent [specify]: having:

❑ voluntarily, intelligently and knowingly admitted in open court that (s)he committed the following act(s) [specify]:

❑ denied the allegations of the petition and the matter having duly come on for a fact-finding hearing before this Court;

❑ failed to appear and the matter having duly come on for a fact- finding hearing by inquest before this Court;

❑ voluntarily, intelligently and knowingly consented to the entry of an order of fact finding without admission pursuant to Family Court Act §1051(a) , and the Petitioner, Child(ren)'s attorney and all other parties having consented to the entry of such order of fact-finding as well;

And where the parent(s) of the above-named child(ren) are not the Respondent(s), the parent(s):
❑ were: present at the hearing and participated as interested party-intervenor(s);
❑ were served with a notice and copy of the petition but did not appear;
❑ were not served with a notice or copy of the petit ion and did not appear; although every reasonable effort had been made to effect service;
❑ And the child(ren) having been represented by (an) attorney(s);
❑ And the following other interested party-intervenors were present and participated in the hearing [specify name(s) and relationship(s) to child(ren)]:

[Required in cases involving Native-American children; check if applicable]:
❑ And the following having been duly notified [check applicable box(es)]:
❑ parent/custodian ❑ tribe/nation ❑ United States Secretary of the Interior;
And the tribe/nation having: ❑ appeared and participated as a party;
❑ appeared and declined to assume jurisdiction;
❑ appeared and requested transfer of jurisdiction;
❑ not appeared;

And the Court, after [check box]
❑ hearing the proof and testimony offered in relation to the case;

OR

❑ accepting the consent of the Respondent, Petitioner and Child(ren)'s attorney to the entry of an order of finding without admission, pursuant to Family Court Act §1051(a);

OR

❑ accepting the admission by Respondent [specify]:
and having found [check applicable box(es) and specify act(s) of child abuse and/or neglect found, if any, with respect to each child]:

❑ by a preponderance of the evidence that Respondent [specify]:
committed the following acts constituting child neglect child [specify act(s), including name(s) of the child(ren), the Penal Law section, if applicable, and grounds for determination]:

❑ by a preponderance of the evidence that Respondent [specify]:
committed the following acts constituting ❑ child neglect ❑ child abuse [specify act(s), including name(s) of the child(ren), the Penal Law section, if applicable, and grounds for determination]:

[Applicable only where severe or repeated abuse was alleged and Respondent was so advised]:

❑ by clear and convincing evidence that Respondent [specify]:
severely repeatedly abused the child(ren) by committing the following acts(s) [specify act(s), including the name(s) of the child(ren), the Penal Law section, if applicable; and grounds for determination]:

❑ by clear and convincing evidence that Respondent [specify]:
severely repeatedly abused the child(ren) by committing the following acts(s) [specify act(s),

including the name(s) of the child(ren), the Penal Law section, if applicable; and grounds for determination]:

And the matter having thereafter duly come on for a [check applicable boxes]:

❑ DISPOSITIONAL HEARING; ❑ PERMANENCY HEARING before the Court,

[Applicable only where hearing was heard jointly with hearing of Family Court Act Article 6 custody or guardianship petition, pursuant to Family Court Act §1055-b; Check Box if applicable]:

❑ And the hearing having been heard jointly with the G custody G guardianship petition, Docket # [specify]:

[Applicable only to combined dispositional/permanency hearing; check box(es) if applicable] :

❑ And the following person(s) were given notice of the permanency hearing and appeared as indicated below [specify; check applicable boxes]:

Child(ren)'s Attorney [specify]:	❑ given notice ❑ appeared ❑ did not appear
Prospective adoptive parent(s)[specify]:	❑ given notice ❑ appeared ❑ did not appear
Foster parent(s)[specify]:	❑ given notice ❑ appeared ❑ did not appear
Relative(s)[specify]:	❑ given notice ❑ appeared ❑ did not appear
Non-respondent parent(s)[specify]:	❑ given notice ❑ appeared ❑ did not appear
Other [specify]:	❑ given notice ❑ appeared ❑ did not appear

And the following child(ren) having [check applicable box(es)]:

Child: ❑ appeared ❑ participated as follows [specify]:
❑ did not participate because: ❑ waived ❑ unavailable other [specify]:

Child: ❑ appeared ❑ participated as follows [specify]:
❑ did not participate because: ❑ waived ❑ unavailable ❑ other [specify]:

Child: ❑ appeared ❑ participated as follows [specify]:
❑ did not participate because: ❑ waived ❑ unavailable ❑ other [specify]:

And notice of the permanency hearing having been sent not less than 14 days in advance of the hearing to the following former foster parents, who provided ca re for the child(ren) in excess of one year [specify]:

And the Court hearing dispensed with notice to the following former foster parent(s) [specify]: as contrary to the to the child(ren)'s best interests;

And the matter having duly come on to be heard, and the above-named persons appearing having been given notice and an opportunity to be heard, as indicated above, and the Court having considered the position and information provided by the [check applicable box(es)]:

❑ NYS Office of Children and Family Services ❑ local department of social services;

And the child(ren) having been represented by (an) attorney(s) and the Court having had age-appropriate consultation and considered the position of the child(ren) regarding the permanency plan;

[Applicable if child 16 or older has Alternative Planned Permanent Living Arrangement (APPLA) goal; check box if applicable]: ❑and the child having communicated directly with the Court regarding the permanency plan;

The Court, after having made an examination and inquiry into the facts and circumstances of the case and into the surroundings, conditions, and capacities of the persons involved, finds and determines the following:

[Required findings in cases where the child(ren), who had/have NOT been ordered removed earlier in the case, is/are ordered removed; otherwise, **skip I and II and go to III]:**

The Court finds and determines that:

I. Required "Best Interests" and "Reasonable Efforts" Findings for Newly-removed Child(ren)

[check applicable boxes and provide case-specific reasons in both A and B, below]:

A. Continuation of the child(ren) in, or return of the child(ren) to, the child(ren)'s home

❑ would ❑ would not be contrary to the best interests of the child(ren) because [specify facts and reasons]:

This determination is based upon the following information [check applicable box(es)]:

❑ Petition
❑ Report of Suspected Child Abuse or Neglect
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

B. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the child(ren) from the home, and, if the child(ren) was/were removed without court order prior to the date of this hearing, to return them home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate because of a judicial finding that the Petitioner was not required to make reasonable efforts to reunify the child(ren) with the Respondent(s) [specify date of finding]:

❑ were not made.

This determination is based upon the following information [check applicable box(es)]:

❑ Petition
❑ Report of Suspected Child Abuse or Neglect
❑Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

II. Findings Regarding Alternatives to Placement in Foster Care:

A. Based upon the investigation conducted by the Commissioner of Social Services, including a review of records in accordance with section 1017 of the Family Court Act, [Check applicable box(es)]:

The following person [specify]: is a

❑ non-respondent parent ❑ legal custodian[2] or guardian ❑ relative ❑ suitable person with whom the child(ren) may appropriately reside.

[Applicable to non-respondent parent]: Such non-respondent parent:

❑ wishes the child(ren) to be released to him/her during the pendency of an order pursuant to section 1054 of the Family Court Act.

❑ wishes to be granted an order of custody, pursuant to a proceeding under Article 6 of the Family Court Act and has filed a petition, Docket # , which [check applicable box]: ❑ s being heard jointly with this proceeding; ❑ is scheduled to be heard on [specify date]:

[2] "Legal custodian" refers to an individual with an order of custody issued prior to, and separate from, the child protective proceeding. A release to such an individual is distinguished from a child placed in the custody of an individual pursuant to an order of custody issued under Article 6 and section 1055-b of the Family Court Act. Such a custody order results in the termination of all orders and continuing jurisdiction under Article 10 of the Family Court Act and would not be deemed a "release" of the child from the child(ren)'s residence.

[Applicable to legal custodian or guardian]: Such legal custodian or guardian:

❑ wishes the child(ren) to be released to him/her during the pendency of an order pursuant to section 1054 of the Family Court Act.

[Applicable to relatives and other suitable persons]: Such person:

❑ seeks approval as a foster parent in order to provide care for the child(ren);

❑ wishes to provide care and custody for the child(ren) without foster care subsidy during the pendency of an order pursuant to section 10 55 of the Family Court Act.

❑ wishes to be granted an order of custody, pursuant to a proceeding under Article 6 of the Family Court Act and has filed a petition, Docket # , which [check applicable box]: ❑ is being heard jointly with this proceeding; ❑ is scheduled to be heard on [specify date]:

❑ wishes to be appointed guardian pursuant to a proceeding under Article 6 of the Family Court Act and has filed a petition, Docket # , which [check applicable box]: ❑ is being heard jointly with this proceeding; ❑ is scheduled to be heard on [specify date]: .

❑ There is no non-respondent parent, legal custodian or guardian or relative or suitable person with whom the child(ren) may appropriately reside.

B. **[Required]: Imminent risk to the child(ren)** ❑ would ❑ would not be eliminated by the issuance of a temporary order of protection or order of protection directing the removal of [specify]

III. <u>Required Findings Regarding Efforts to Further Permanency Plan</u> [Required if hearing was <u>combined dispositional/permanency hearing; if not, skip to IV</u>]:

A. Reasonable Efforts to Return the Child(ren) Home [Required where permanency plan is reunification]:

❑ Where the child(ren) were removed from the home, reasonable efforts, where appropriate, to return the child(ren) home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate because of a judicial finding that the authorized agency was not required to make reasonable efforts to reunify the child(ren) with the parent(s) [specify date of finding]:

❑ were not made.

This determination is based upon the following information [check applicable box(es)]:

❑ Permanency Report, sworn to on [specify date]:

❑ Case Record, dated [specify]:

❑ Service Plan, dated [specify]:

❑ Probation Department report, dated [specify]:

❑ Mental health evaluation, dated [specify]:

❑ The report of [specify] , dated [specific]:

❑ Testimony of [specify]:

❑ Other [specify]:

B. **Reasonable Efforts to Further Plan Other than Reunification [Required in cases in which the child(ren)'s permanency plan is adoption, guardianship or permanent living arrangement other than reunification with the parent(s) or other person(s) legally responsible for the child(ren)'s care]**
Reasonable efforts to make and finalize the permanency planning goal of [specify]:

❑ were made as follows [specify reasonable efforts, including consideration of out-of-State resources; indicate specific documents or evidence supporting findings]:

❑ were not made.

This determination is based upon the following information [check applicable box(es)]:

❑ Permanency Report, sworn to on [specify date]: Case Record, dated [specify]:

❑ Service Plan, dated [specify]:

❑ Probation Department report, dated [specify]:
Mental health evaluation, dated [specify]:

❑ The report of [specify]: , dated [specify]:

❑ Testimony of [specify]:

❑ Other [specify]:

IV. Required Findings regarding all releases of child(ren) to Respondent(s),
Non-respondent parents or legal custodians or guardians and orders of direct placement with relative(s) or suitable person(s); check applicable box(es)]

❑ And the Court having searched the statewide registry of orders of protection, the sex offender registry and the Family Court's warrant and child protective records, and having notified the attorneys for the parties and for the child [check if applicable]: ❑ and the following self-represented party or parties [specify]: of the results of these searches;

❑ And the Court having considered and relied upon the following results of these searches in making this decision [specify; if no results found, so indicate]:

V. Required Findings Regarding Transitional Services and Out-of-State Placements:

[Required regarding child(ren) who will reach 14 years of age before the next permanency hearing]: The services, if any, needed to assist the child(ren) in learning independent living skills to make the transition from foster care to successful adulthood are [specify]:

OR

The Court finds that NO services or assistance are needed to assist the child(ren) to assist the child(ren) in learning independent living skills to make the transition from foster care to successful adulthood.

[Required regarding child(ren) placed outside New York State]: Placement outside New York State is not appropriate, necessary and in the child(ren)'s best interests;

VI. ❑ Required Findings if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]:
; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the child ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the child in a Qualified Residential Treatment Program (QRTP) G does ❑ does not provide the most effective and appropriate level of care for the child in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the child, as specified in the child's permanency plan because [specify facts and reasons]:

D. Where the Qualified Individual has determined that the placement of the above-named child in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named child in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named child's needs in a less restrictive environment; **and**

❑ Continued placement in the Qualified Residential Treatment Program (QRTP) is in the child's best interests because [specify facts and reasons]:

NOW therefore, upon findings made in the [check applicable box(es)]:

❑ **fact-finding,** ❑ **dispositional, and** ❑ **permanency hearing(s); and upon all proceedings had herein, it is hereby**

A. **Order of Fact-finding or Dismissal:**

ADJUDGED that facts sufficient to sustain the petition herein ❑ have ❑ have not been established, in that [specify]:

; and it is hereby

[Check all applicable box(es); if different findings were made for each child(ren), list each child and finding separately]:

❑ **ADJUDGED** that the above-named child(ren) (is) (are)

❑ neglected ❑ abused ❑ severely abused ❑ repeatedly abused, as defined in section 1012 of the Family Court Act by [specify Respondent(s)]:

OR

❑ **ORDERED,** that the petition filed herein be **DISMISSED.**

B. **Order of Disposition** [Applicable where one or more children have been adjudicated neglected, abused, severely abused or repeatedly abused; check all applicable box(es)]:

And the Court, having considered the best interests and safety of the child(ren), including whether the child(ren) would be at risk of abuse or neglect if returned to the parent(s) or other person(s) legally responsible, hereby orders the following:

❑ **ORDERED that judgment against the Respondent(s) is hereby suspended for a period `of [specify]: months upon the following terms and conditions:**[3]

❑ **ORDERED** that the child(ren) (is) (are) released to the Respondent(s) [specify]: pursuant to section 1057 of the Family Court Act.

❑ **ORDERED** that the release shall be for following period of time [specify period up to one year from the date of this order]:[4]

❑ **ORDERED** that during the period of release, the following respondent parent(s)[specify]: ❑ shall ❑ shall not be under the supervision of a child protective agency, social services official, or duly authorized agency pursuant to section 1057 of the Family Court Act;

❑ upon the following terms and conditions to be met by Respondent(s) [specify]:

3 An order of suspended judgment may NOT be combined with an order of placement or an order releasing child(ren) to a parent under supervision.

4 The total period of release may not exceed one year plus an extension of up to one year for good cause.

❑ upon the terms and conditions specified in the annexed Family Treatment Court agreement, dated [specify]:

❑ upon the performance of the following supervisory actions by the child protective agency, social services official or duly authorized agency [specify]:

❑ upon the provision by the child protective agency, social services official or duly authorized agency of the following services or assistance to the child(ren) and their family, pursuant to section 1015-a of the Family Court Act [specify]:[5]

OR

ORDERED that the child(ren) (is) (are) released to the following non-respondent parent or legal custodian or guardian [specify]: pursuant to section 1054 of the Family Court Act.

ORDERED that the release shall be for following period of time [specify period up to one year from the date of this order]:[6]

ORDERED that, during the period of release, the non-respondent parent or legal custodian or guardian, who have submitted to the jurisdiction of the Court with respect to the child(ren), shall cooperate with respect to making the child(ren) available for court-ordered visitation with respondents, siblings and others, appointments with the child(ren)'s) attorneys and clinicians and other individuals or programs providing services to the children, visits (including home visits) by the child protective agency and the following additional direction(s) [specify]:

ORDERED that during the period of release, the following respondent parent(s)[specify]:

❑ shall ❑ shall not be under the supervision of a child protective agency, social services official, or duly authorized agency pursuant to section 1057 of the Family Court Act:

upon the following terms and conditions to be met by Respondent(s) [specify]:

upon the terms and conditions specified in the annexed Family Treatment Court agreement, dated [specify]:

upon the performance of the following supervisory actions by the child protective agency, social services official or duly authorized agency [specify]:

---

5 Services and assistance ordered under F.C.A §1015-a must be authorized under the comprehensive annual services program plan in effect.

6 The period of release may not exceed one year plus an extension for good cause so that the total period of the release and extension thereof may not exceed two years.

upon the provision by the child protective agency, social services official or duly authorized agency of the following services or assistance to the child(ren) and their family, pursuant to section 1015-a of the Family Court Act [specify]:[7]

OR

ORDERED that, pursuant to Family Court Act §1055, the child(ren) (is) (are) placed directly with [specify relative or other suitable person]: until the completion of the next permanency hearing, scheduled for the date certain indicated in this order, subject to the further orders of this Court, for the following reasons [specify]:

ORDERED that, during the pendency of the placement, the relative or suitable person, who has submitted to the jurisdiction of this Court with respect to the child(ren), shall cooperate with respect to making the child(ren) available for court-ordered visitation with respondents, siblings and others, appointments with the child(ren)'s) attorneys and clinicians and other individuals or programs providing services to the children, visits (including home visits) by the child protective agency and the following additional direction(s) [specify]:

ORDERED that during the period of such placement, Respondent(s)[specify]:

are to remain under the supervision of a child protective agency, social services official, or duly authorized agency:

❑ upon the following terms and conditions to be met by Respondent(s) [specify]:

❑ upon the terms and conditions specified in the annexed Family Treatment Court agreement, dated [specify]:

❑ upon the performance of the following supervisory actions by the child protective agency, social services official or duly authorized agency [specify]:

ORDERED that the child protective agency, social services official or duly authorized agency shall provide the following services or assistance to the child(ren) and their family, pursuant to section 1015-a of the Family Court Act [specify]:[8]

OR

ORDERED that the child(ren) (i s) (are) placed in the custody of the Commissioner of Social Services of [specify]: County,

[Check box(es), if applicable]:

---

[7] Services and assistance ordered under F.C.A. §1015-a must be authorized under the comprehensive annual services program plan in effect.

[8] Services and assistance ordered under F.C.A. §1015-a must be authorized under the comprehensive annual services program plan in effect.

❑ to reside with [specify authorized agency or facility, if any]:

❑ to reside in foster care with [specify relative or other suitable person]:[9]

until the completion of the next permanency hearing, scheduled for the date certain indicated in this order, subject to the further orders of this Court, for the following reasons [specify]:

ORDERED that during the period of such placement, Respondent(s)[specify]: are to remain under the supervision of a child protective agency, social services official, or duly authorized agency:

❑upon the following terms and conditions to be met by Respondent(s) [specify]:

❑upon the terms and conditions specified in the annexed Family Treatment Court agreement, dated [specify]:

❑upon the performance of the following supervisory actions by the child protective agency, social services official or duly authorized agency [specify]:

ORDERED that the child protective agency, social services official or duly authorized agency shall provide the following services or assistance to the child(ren) and their family, pursuant to section 1015-a of the Family Court Act [specify]:[10]

ORDERED that the Commissioner of Social Services is authorized to discharge the child(ren) from the Commissioner's care to the parent without further court hearing, provided that written notice is provided to the Court and child (ren)'s attorney not less than 10 days in advance of the discharge.

AND IT IS FURTHER ORDERED that [specify Respondent(s) or other person(s) before the court]: is required to com ply with the terms and conditions specified in the order of protection, issued pursuant to Family Court Act §1056 , annexed to this order and made a part thereof.

<u>Releases and Direct Placements:</u> [Applicable to <u>all releases</u> of child(ren) to Respondent(s), Non-respondent parents or legal custodians or guardians and <u>placements of child(ren) directly</u> with relative(s) or suitable person(s); check applicable box(es)]:

IT IS FURTHER ORDERED that, during the period of release or direct placement, as applicable the individual to whom the child(ren) have been released or with whom the child(ren) have been placed under this Order may [check applicable box(es)]:

❑ enroll the child(ren) in public school in the applicable school district and, upon verifying the Order and that the individual resides within the district, such district shall enroll the child(ren);

❑ enroll the child(ren) in their employer -based health insurance plan with the same rights as child(ren) for whom the individual is the legal guardian or custodian; and

[9] The relative or suitable person must be approved or certified as a foster parent.

❑ make decisions and provide any necessary consents regarding the child(ren)'s: ❑ protection ❑ education ❑ care and control ❑ physical custody ❑ health and medical needs, provided that this Order does not limit any rights of the child(ren) to consent to medical care under applicable laws.

Trial Discharges: Restrictions and Extensions [Applicable to child(ren) placed with the Commissioner of Social Services]:
[Check box if applicable]: [11]

ORDERED that the Commissioner of Social Services may discharge the child(ren) on a trial basis or continue such a discharge until the earlier of the completion of the next Permanency Hearing or further Order of the Court

❑ may not discharge the child(ren) on a trial basis to the physical custody of respondent [specify]:

❑ may only discharge the child(ren) on a trial basis to the physical custody of Respondent [specify]: , upon
❑ the following event(s) or condition(s) [specify]:

[Applicable to child(ren) aging out of foster care; check box if applicable]:[12]

ORDERED that the Commissioner of Social Services may not discharge the child(ren) on a trial basis to another planned permanent living arrangement;

❑ may only discharge the child(ren) on a trial basis to the following planned permanent living arrangement [specify, including significant connections to an adult willing to be a permanent resource]:

❑ upon the following event(s) or condition(s) [specify]:

[Applicable to children 18 and over who will be discharged on a trial basis with their consent]:
The Commissioner of Social Services:

❑ shall discharge the child(ren) on a trial basis

❑ shall continue or extend the trial discharge of the child(ren)

❑ may continue or extend the trial discharge of the child(ren) to another planned permanent living arrangement G other [specify]:

---

[11] If neither box is checked, the Commissioner is authorized to discharge the child(ren) on a trial basis to the Respondent(s), with the legal care and custody remaining with the Commissioner. Permanency hearings must be scheduled and held in all trial discharge cases. If the child(ren) is/are 18 years of age or older, the child(ren) must consent to any trial discharge.

[12] If neither box is checked, the Commissioner is authorized to discharge child(ren), who are 16 years of age or older, on a trial basis to another planned permanent living arrangement, with the legal care and custody remaining with the Commissioner. Permanency hearings must be scheduled and held in all trial discharge cases. If the child(ren) is/are 18 years of age or older, the child(ren) must consent to any trial discharge.

until the earlier of the next permanency hearing, further Order of the Court **OR** the child(ren's 21st birthday(s).

Youth 18 and over discharged on a trial basis shall inform the local department of social services of any change in mailing address and contact information.

[Applicable to all placements pursuant to Family Court Act §1055]:

ORDERED that if the children abscond from the above-named custodial per son or facility, written notice shall be given within 48 hours to the Clerk of Court by the custodial person or by an authorized representative of the facility, stating the name of the child(ren), the docket number of this proceeding, and the date on which the child(ren) ran away.

ORDERED that [specify]: , a social services official a duly authorized agency, undertake diligent efforts to encourage and strengthen the parental relationship, including encouraging and facilitating visiting with the child(ren) by the parent or other person legally responsible, and encourage and facilitate visiting with the child(ren) by any non-custodial parent or grandparent who has obtained an order pursuant to F.C.A. §1081 and by the child(ren)'s siblings. Such efforts shall include, but are not limited to, the following [specify]:

ORDERED that the Commissioner of Social Services authorized agency [specify]:

is directed to file termination of parental rights petitions regarding the following child(ren)[specify]:
against the following respondent(s) [specify]:
within 90 days of the entry of this order.

ORDERED that the Commissioner of Social Services shall investigate whether there are any non-respondent parent(s), grandparent(s), other relative(s) or other suitable person(s) with whom the child(ren) may appropriately reside, including, but not limited to [specify]: ; shall inform them of the pendency of the proceeding; shall ascertain whether such non-respondent parent(s) wish to seek re lease or custody of the child(ren) or whether such grandparent(s), relative(s) or other suitable person(s) wish to seek approval as foster parent(s) in order to provide care for the child(ren) or wish to provide care and custody for the child(ren) without foster care subsidy during the pendency of any order herein; and shall report the results of such investigation to the court and parties, including the attorney for child and shall record the results of such investigation in the child(ren)'s Uniform Case Record;

ORDERED within 24 hours of this order, the Commissioner of Social Services shall commence an investigation to identify and locate any non-respondent parent(s), inform them of the pendency of the proceeding and of the opportunity for seeking release or custody of the child(ren), record the results of such investigation in the child's Uniform Case Record and report the results of the investigation to the Court, all parties and counsels, including the child(ren)'s attorney, forthwith. Such search shall also include, but not be limited to, a person not recognized as a legal parent of the child(ren) but who has filed an instrument pursuant to section 4-1.2 of the Estates, Powers and Trusts Law acknowledging paternity with the putative father registry, has a pending paternity petition or has been identified as a parent by the other parent in a written, sworn statement. Such search shall include, but not be limited to, the following person(s) [specify, if known]:

ORDERED within 24 hours of this order, the Commissioner of Social Services shall commence an investigation of the following relatives or other suitable persons as foster parents and thereafter approve such person(s) to be foster parents, if qualified, and, if not, to report such fact to the Court, all parties and counsels, including the child(ren)'s attorney, forthwith [specify]:

ORDERED that the child(ren) is/are directed to be placed together with the following siblings or half-siblings [specify]:

ORDERED that the Commissioner of Social Services is directed to investigate the appropriateness of placing the child(ren) with the following siblings or half-siblings [specify]:

❑ **Required Order if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]: After examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore** [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is GRANTED, and placement of the child in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]:

the above-named child shall be [check applicable box and specify]:

❑ returned or released to the following parent [specify]:

❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the lo9cal social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named child's care and welfare that is in the best interests of the child and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

[Applicable where dispositional hearing is heard jointly with custody or guardianship hearing under Article 6 of the Family Court Act in accordance with Family Court Act §1055-b]:

Custody with Non-respondent parent(s):

The Court having adjudged that custody of the following child(ren)[specify]: with the following non-respondent parent [specify]: is in the best interests of the child(ren) in accordance with Article 6 of the Family Court Act and Domestic Relations Law §240, **IT IS, THEREFORE, ORDERED** that such non-respondent parent is granted custody of : pursuant to an Order of custody granted on Docket # , dated: thereby terminating the jurisdiction of this Court over this Article 10 proceeding and terminating placement with the local Commissioner of Social Services.

OR

Custody with Respondent(s), relative(s) or suitable persons; guardianship with relative(s) or suitable person(s):

The Court having adjudged that [Note: Findings are REQUIRED under (I) and (ii), below]:

(i) [Check one of the following boxes]:

❑ all parties, including the attorney of the child(ren) and any foster parent who has had custody of the child(ren) in excess of one year, have consented to such custody or guardianship;

OR

❑ the following parent(s)[specify]: have not consented but this Court has found extraordinary circumstances supporting custody or guardianship;

AND

(ii) custody of the following child(ren)[specify]: with [specify respondent parent(s)]:

❑ will provide a safe and permanent home for the child(ren) and the safety of the child(ren) will not be jeopardized if the respondent(s) are no longer under the jurisdiction of this Court on this petition and are not receiving services or supervision;

OR

❑ custody guardianship of the following child(ren)[specify]:
with by [specify relative(s) or suitable person(s)]:
will provide a safe and permanent home for the child(ren) and the safety of the child(ren) will not be jeopardized if the respondent(s) are no longer under the jurisdiction of this Court on this petition and are not receiving services or supervision;

AND

IT IS, THEREFORE ORDERED that [specify Respondent, relative(s) or suitable person(s)]: are granted custody of [specify child(ren)]: pursuant to an Order granted on Docket # [specify]: , dated [specify]: thereby terminating the jurisdiction of this Court over this proceeding;

OR

IT IS, THEREFORE ORDERED that [specify relative(s) or suitable person(s)]**:** is/are appointed guardian(s)of [specify child(ren)]:
pursuant to an Order granted on Docket # [specify]: , dated [specify]:
thereby terminating the jurisdiction of this Court over this proceeding;

AND IT IS FURTHER ORDERED that the following local department of social services [specify]: and the following attorney for the child(ren)[specify]: shall be notified and shall be made parties to any subsequent proceedings for modification, enforcement or termination of the Order granted on such Docket #;

[Applicable in abandonment cases involving children under one year of age]:
And the Court having adjudged that the following child(ren)(is)(are) under the age of one year [specify]: ; and (has) (have) been abandoned by the G parent(s) ❑ person(s) legally responsible for the care of the child(ren) for a period of [specify]: ; and that such parent(s) or person(s) legally responsible for the care of the child(ren) did not appear after due notice, it is, therefore,

ORDERED that the Commissioner of Social Services of [specify]: County, shall [check applicable box(es)]:

❑ promptly commence a diligent search to locate the child(ren)'s parents or other known relatives legally responsible for the child(ren);

❑ commence a proceeding to commit custody and guardianship of the child(ren) to an authorized agency pursuant to Section 384-b of the Social Services Law six months from the date care and custody was transferred to the Commissioner, unless there has been communication and visitation between such child(ren) and (his)(her)(their) parents.

❑ provide written notice, as required by Family Court Act §1055 (b)(vii)(B), to the child(ren)'s parents in the manner required for service of process pursuant to section 617 of such Act; and it is further

[REQUIRED for all dispositions other than placement pursuant to Family Court Act §1055]
ORDERED that, not later than 60 days prior to the expiration of this or der, the Petitioner shall report to the Court, the attorney for the child(ren), the parties, their attorneys and the non-respondent parent(s), unless in the case of a release of the child(ren) a petition for extension of the period of supervision of Respondent and/or release of the child has been filed; [13] on the status and circumstances of

[13]Unless the Court determines that facts and circumstances do not warrant a report, a report 60 days prior to the expiration of the order i s required where the extension is issued on consent of the parties and the attorney for the child and may be ordered in the Court's discretion in other cases. *See* Family Court Act §§1054(d); 1057(c).

the child(ren) and family and any actions contemplated, if any, by the agency with respect to the child(ren) and family; and it is further

[Applicable to dispositions of release and/or supervision]: ORDERED that, during the period of supervision and/or release, Petitioner shall submit progress reports to the Court, the parties and the attorney for the child as follows [specify]:

Additional Requirements in Placement Cases:
[Applicable in all cases where child(ren) is/are placed with Commissioner of Social Services]:

1. **Transitional Services [Applicable to children who will attain the age of 14 years of age or older prior to the next permanency hearing]:**

ORDERED that the Petitioner shall provide the following services and assistance to assist the child(ren) in learning independent living skills to make the transition from foster care to successful adulthood [specify]:

And it is further **ORDERED** that the permanency plan developed for the child(ren) in foster care and any revision or addition to the plan, shall be developed in consultation with the child(ren). The child(ren) may select up to two members of the child(ren)'s permanency planning team to participate, one of whom may be designated to be the child(ren)'s advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child(ren); provided, however, that such members may not be foster parents of, or case workers, case planners or case managers for, the child(ren) and that the local commissioner of social services with custody of the child(ren) may reject an individual so selected by the child(ren) if such local commissioner has good cause to believe that the individual would not act in the best interests of the child(ren);

2. **Out-of-State Placement[Required for children placed out-of-state]:**

ORDERED that the placement of the child(ren) at [specify]: , is appropriate, necessary and in the child(ren)'s best interests and is continued until completion of the next permanency hearing scheduled for a date certain in this or der;
is not appropriate, necessary and in the child(ren)'s best interests and the child(ren) shall, therefore, be returned to New York State to be placed with [specify]:
discharged to [specify]: ; (and it is further)

3. **Progress Reports and Notices :**

ORDERED that Petitioner shall make a progress report to the Court, the parties and the child(ren)'s attorney on the implementation of this order as follows [specify date and/or frequency]: ; (and it is further)

ORDERED that if the above permanency plan for the above-named child(re n) is changed, notice shall be provided to the Court, the parties and the child(ren)'s attorney forthwith,
; (and it is further)

4. **Duty to Disclose Changes in Mailing Address [Required]**

ORDERED that the Respondent parent(s) or other person(s) legally responsible for the children's care are required to notify the local social services district or agency of any change of mailing address;
; (and it is further).

5. **Planning Conferences [Required]**

ORDERED that the G parent(s) G other person(s) legally responsible for the children(s) care shall be notified of the planning conference(s) to be held and of (his)(her)right to attend such conference(s) with counsel or other person. ; (and it is further)

6. Visiting Plans [Required]

ORDERED that Petitioner shall provide the G parent G other person(s) legally responsible for the child(ren)'s care with visits with the child as follows [describe visiting plan]:
and the G parent(s) G guardian(s) shall visit in accordance with the plan; (and it is further)

ORDERED that Petitioner shall provide the following sibling(s) [specify]: with visits with the child(ren) as follows [describe visiting plan]:

; (and it is further)

7. Respondent Parents Who Are or Were Incarcerated or in Residential Substance Abuse Treatment [check box(es) if applicable]:

The Commissioner of Social Services or authorized agency is directed to take the following steps [specify]:

❑ to complete an assessment of whether the following respondent(s)[specify]:
maintain a meaningful role in the child(ren)'s life, based upon the criteria in Social Services Law §384b(3)(1(v),

❑ to determine whether there is a compelling reason that the filing of a petition to terminate parental rights would not be in the child(ren)'s best interest.

8. Native-American Child(ren) [check box(es) if applicable]:

ORDERED that the following should be notified of this proceeding [specify]: the ❑ custodian of the child(ren); ❑ tribe/nation; ❑ United States Secretary of the Interior

ORDERED that in light of the assumption of jurisdiction by the tribe/nation, this **petition** is **DISMISSED WITHOUT PREJUDICE**; ;(and it is further)

C. Permanency Hearing Order: [Required where combined dispositional/permanency hearing has been held; not required if hearing was solely a disposition al hearing]:

1. **ORDERED** that the permanency plan is:

❑ reunification with the parent(s) ❑ other person(s) legally responsible for the child(ren)'s care by [specify date]:

❑ placement for adoption, including consideration of interstate options:

❑ upon filing a petition to terminate parental rights within 90 days;

❑ termination of parental rights petition already filed referral for legal guardianship by [specify name and date]:

❑ permanent placement with the following fit and willing relative [specify]: by [specify date]:

❑ **[Applicable ONLY to child(ren) 16 years of age or older]:** permanent placement in the following alternative planned living arrangement [specify]:

Required for permanency hearing involving a child(ren) 16 years of age or older with Alternative Planned Permanent Living Arrangement (APPLA) Goals [check applicable box(es) in ¶¶a - f]:

a. Evidence has been provided to the Court, indicating compelling reason(s) that it would not be in the child(ren)'s best interests to return home, be referred for termination of parental rights and adoption, placed with a fit and willing relative, or placed with a legal guardian. These reasons are as follows [specify compelling reason(s)]:

b. Evidence has been provided to the Court, indicating that intensive, ongoing, and, as of the date of this Order, unsuccessful efforts were made to return the child(ren) home or secure a placement for the child(ren) with a fit and willing relative, including adult siblings, a legal guardian, or an adoptive parent, including through efforts that utilize search technology including social media to find biological family members of the child(ren).

c. Evidence ❑ has ❑ has not been provided to the Court that a "reasonable and prudent parent" standard of care has been applied to the child(ren) in the facility or home in which he or she resides;

d. Evidence ❑ has ❑ has not been provided to the Court that the child(ren) has/have been provided with regular, ongoing opportunities to engage in age or developmentally appropriate activities and has been consulted in an age-appropriate manner about the opportunities to participate in such activities;

e. The Court inquired directly of the child(ren) regarding the permanency plan.

f. The following individual, with whom the child(ren) has/have a significant connection, is willing and is designated to be the child(ren)'s permanency resource [specify]:

g. The Court has determined that APPLA with a significant connection to an adult willing to be a permanency resource for the child(ren) is the best permanency plan for the child(ren) because [specify]:

[Applicable in all cases]: AND IT IS FURTHER ORDERED that any modifications of the Permanency Goal shall be given by Petitioner to the parent(s) or other person(s) legally responsible for the child(ren)'s
; (and it is further)

9. ORDERED that Petitioner's permanency plan for the above-named child(re n) is [check applicable box and indicate anticipated date for achievement]:

❑ approved without modification; anticipated date for achievement: [specify]:

❑ modified, as follows [specify, including anticipated date for achievement]:
; (and it is further)

10. ORDERED that the ❑ educational ❑ vocational components of the child(ren 's) permanency plan ❑ are appropriate ❑ should be modified as follows [specify]:

11. ORDERED that Petitioner shall take the following steps and/or provide the following services for the education, health and well-being of the child(ren) [specify]:

; (and it is further)

12. ORDERED that any modifications of the Permanency Hearing report shall be given by Petitioner to the ❑ parent(s) ❑ other person(s) legally responsible for the child(ren)'s care, along with a copy of this Order. ; (and it is further)

D. Date Certain for Next Permanency Hearing [Required in all cases in which placement is ordered with the Commissioner of Social Services or with a relative or other suitable person]:

ORDERED that if the child(ren) remain(s) in foster care or in placement with a relative or other suitable person, the next permanency hearing shall be held on [specify date certain]:[14]
Petitioner shall transmit notice of the hearing and a permanency report no later than **14 days** in advance of the above date certain to the Respondent and non-respondent parents, other parties, attorneys, the child(ren)'s attorney and any pre-adoptive parents or relatives providing care to the child(ren), and shall also transmit notice of the hearing to former foster parent(s) who have had care of the child(ren) in excess of 12 months, except [specify former foster parents for whom such notice would be contrary to child(ren)'s best interests, if any]:

; (and it is further)

ORDERED

ENTER

_____
Judge of the Family Court

Dated: _____

14

If a combined dispositional/permanency hearing was held and the child(ren) has/have been placed, specify a date certain not more than six months from the completion of the hearing. If solely a dispositional hearing was held, specify a date, in most cases the previously-scheduled date, not more than eight months from date of removal of child from home. No date needs to be set if: (i) the petition is dismissed; or (ii) the child(ren) has/have not been removed from home; or (iii) has been finally discharged from care; or (iv) custody or guardianship was ordered pursuant to Family Court Act Article 6. If the child(ren) has/have been placed and the child(ren) has/have a sibling or half-sibling removed from the home, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was removed on a juvenile delinquency or PINS petition or unless he or she has been freed for adoption.

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY COURT, 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:

❑ Order received in court on [specify date(s) and to whom given]:

F.C.A. §§1071, 1072, 1055-c;
S.S.L. §§393, 409-h

Form 10-13
(Child Protective– Motion–
Violation of Order of Disposition)
(9/2021)

.....
In the Matter of
Docket No.

CIN #:
A Child under Eighteen Years of Age

NOTICE OF MOTION
(Violation of Order of Disposition)

Alleged to be ❑ Abused ❑ Neglected by

Respondent(s)

.....
TO:

PLEASE TAKE NOTICE that upon the annexed affidavit of [specify]:
sworn to on the day of
and upon all the proceedings heretofore had herein, a motion will be made to this Court at [specify address]:
on [specify date]: , or as soon thereafter as the parties and counsel can be heard for an Order regarding a violation of the Order of Disposition of the following child(ren) [specify names]:

[Applicable if placement in Qualified Residential Treatment Program is requested; DELETE if inapplicable]: ❑ for an order approving the placement of the following child(ren) [specify name(s)]: in the following Qualified Residential Treatment Program (QRTP) [specify]: ; and for such other and further relief as to the Court may seem just and proper.

Dated:

_____
Movant: ❑Parent ❑Attorney ❑Other [specify relationship to child]:

_____
Print or type name

_____
Address and Telephone No.

_____

_____
Signature of Attorney, if any

_____
Print or Type Name

_____
Address and Telephone No. of Attorney, if any

_____

F.C.A.§§1055, 1055-c, 1071, 1072
S.S.L. §§393, 409-h

Form 10-13a
(Child Protective- Affidavit in Support of Motion for an Order of Violation of Order of Disposition)
(9/2021)

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF
.....

In the Matter of

Docket No.

CIN #:
A Child under Eighteen Years of Age alleged to be
❑Abused ❑Neglected by

AFFIDAVIT IN SUPPORT OF MOTION FOR ORDER OF VIOLATION OF ORDER OF DISPOSITION

Respondent(s)
.....

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

, [check if applicable]: □ an attorney duly admitted to practice law in the State of New York, ❑ swears ❑ affirms the following to be true under the penalties of perjury:

1. I am [state title/position]: , the Petitioner in the above-entitled action. I am making this affidavit in support of the motion for an Order regarding a violation of the Order of Disposition in the above-entitled case.

2. On [specify date]: , the above-named child(ren) (was)(were) adjudicated to be [check applicable box(es)]: ❑ neglected ❑ abused ❑ severely abused ❑ repeatedly abused within the meaning of Article 10 of the Family Court Act.

3. An Order of Disposition was issued by this Court, dated [specify]: requiring the following Respondent(s) [specify]: to comply with the terms and conditions of an Order of [check applicable box(es)]:
❑ Suspended Judgment ❑ Protection ❑ Supervision ❑ Placement.

4. Under the terms of the Order, the following terms and conditions were imposed upon

[specify Respondent(s)]: , the ❑ parent(s)
❑ person(s) legally responsible for the care of the child(ren) [specify]:

5. (Upon information and belief) The following Respondent(s) [specify]:
willfully and without just cause, violated the terms and provisions of the Order in that [specify provision(s) of order violated and nature of violation]:

6. [Required if removal has occurred or is requested; check applicable box(es)]:

a. ❑ (Upon information and belief) On [specify date]: , the following child(ren)[specify]: were temporarily removed from the care of the following Respondent(s) [specify]: on the basis of the following facts and for the following reasons [specify]:

in accordance with [check applicable box]:

❑ a court order pursuant to Family Court Act §1027, issued on [specify]:

❑ consent of the following Respondent(s) [specify]:
obtained on [specify date]: pursuant to Family Court Act §1021.

❑ on an emergency basis without a court order pursuant to Family Court Act §1024. There was no time to obtain a court order because [specify]:

b. ❑ (Upon information and belief) The child(ren) should be removed from the care of the following Respondent(s) [specify]: in accordance with Family Court Act §1027 in order to prevent imminent risk to the child(ren)'s life or health on the basis of the following facts and for the following reasons [specify]:

c. ❑ The Order of Disposition should be modified as follows [specify, including whether placement of child(ren) is requested]:
in the child's best interests in accordance with Family Court Act §1052 on the basis of the following facts and for the following reasons [specify]:

7. [Required if removal or continued removal of children is requested]:

a. Continuation in, or return to, the child(ren)'s home would be contrary to the best interests of the child(ren) because [specify facts and reasons]:

This assertion is based upon the following information [check applicable box(es)]:

❑ Report of Suspected Child Abuse or Neglect
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Other [specify]:

b. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the child(ren) from the home [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:
❑ because of a prior judicial finding that the Petitioner was not required to make reasonable efforts to reunify the child(ren) with the Respondent(s) [specify date of finding]:

❑ because [specify other reason(s)]:

❑ were not made.

This assertion is based upon the following information [check applicable box(es)]:

❑ Report of Suspected Child Abuse or Neglect
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Other [specify]:

c. Based upon Petitioner's investigation [Check applicable box(es]:
❑ The following person [specify]:
is a ❑ non-respondent parent ❑ relative ❑ suitable person
with whom the child(ren) may appropriately reside [specify]:

[Applicable to relatives and other suitable persons]: Such person:
❑ seeks approval as a foster parent in order to provide care for the child(ren);

❑ wishes to provide care and custody for the child(ren) without foster care subsidy during the pendency of any order herein.

❑ may be a resource but not yet determined whether as foster parent or custodian.

❑ (Upon information and belief) There is no non-respondent parent, relative or suitable person with whom the child(ren) may appropriately reside.

d. (Upon information and belief) Imminent risk to the child(ren) ❑ would ❑ would not be eliminated by the issuance of a temporary order of protection or order of protection directing the removal of [specify]: from the child(ren)'s residence, based upon the following facts and for the following reasons [specify]:

8. **[REQUIRED if placement in Qualified Residential Treatment Program is requested]:**

a. The permanency plan for the child is [specify]: .
This plan ❑ has ❑ has not changed since the most recent dispositional or permanency hearing.

b. The needs of the child require a higher level of care than can be provided by a foster or therapeutic foster home because [specify]:

c. The child has been ❑ placed ❑ recommended for placement in [specify name]: a Qualified Residential Treatment Program (QRTP).

d. [REQUIRED for request for approval of initial QRTP placement; delete if inapplicable]: The needs of the child have been assessed by a Qualified Individual as defined in Social Services Law §409-h (5) and a copy of the Qualified Individual's report [check applicable box]::

❑ has been submitted separately

❑ is submitted herewith

❑ will be submitted within five days of completion but not less than (10) days prior to the date

of the first-scheduled hearing on this motion.

e. The following circumstances exist that necessitate the continued placement of the child in the QRTP [specify]:

f. There is no alternative setting available that can meet the child's needs in a less restrictive environment because [specify]:

g. Continued placement in the QRTP is in the child's best interests because [specify]:

9. The subject child ❑ is ❑ is not a Native-American child, who is subject to the Indian Child Welfare Act of 1978 (25 U.S.C. §§ 1901-1963). If so, the following have been notified [check applicable box(es)]: ❑ parent/custodian [specify name and give notification date]:

❑ tribe/nation [specify name and give notification date]:

❑ United States Secretary of the Interior [give notification date]:

9. No previous application has been made to any court or judge for the relief herein requested (except [specify]:

Form 10-13a
Page 6

WHEREFORE, I respectfully request that the Order of [check applicable box(es)]: ❑ Suspended Judgment ❑ Protection ❑ Supervision ❑ Placement be revoked and that the Court make such other disposition under Article 10 of the Family Court Act as it may deem proper.

Dated , .

_____
Affiant

_____
Print or Type Name

Sworn to before me this
day of ,

(Deputy) Clerk of the Court
Notary Public

_____
Signature of Attorney, if any

_____
Attorney's Name (print or type)

_____
_____
_____

Attorney's Address and Telephone Number

F.C.A §§ 1017, 1055-c, 1071, 1072;
S.S.L. §393, 409-h

Form 10-14
(Child Protective– Violation of Order of Disposition)
9/2021

At a term of the Family Court of the State of New York, held in and for the County of , at New York on , .

PRESENT:
Hon.
Judge

.....

In the Matter of

Docket No.

FAMILY FILE #:
CIN #
A Child under Eighteen Years of Age Alleged to be
❑ neglected ❑ abused by

ORDER (Violation of Order of Disposition)

Respondent(s)

.....

NOTICE: WILLFUL FAILURE TO OBEY THE TERMS AND CONDITIONS OF THIS ORDER MAY RESULT IN COMMITMENT TO JAIL FOR A TERM NOT TO EXCEED SIX MONTHS.

IF YOUR CHILD STAYS IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD. IF SEVERE OR REPEATED ABUSE IS PROVEN BY CLEAR AND CONVINCING EVIDENCE, THIS FINDING MAY CONSTITUTE THE BASIS TO TERMINATE YOUR PARENTAL RIGHTS. IF THE PETITION IS GRANTED, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD AND YOUR CHILD MAY BE ADOPTED WITHOUT YOUR CONSENT.

THE NEXT COURT DATE IS [specify date/time]:
THE NEXT PERMANENCY HEARING SHALL BE HELD ON [specify date/time:]:[1]

The above-named child(ren) having been adjudicated to be [check applicable box(es)]:
❑ neglected ❑ abused ❑ severely abused ❑ repeatedly abused within the meaning of Article 10 of the Family Court Act;

And an Order of Disposition dated [specify]: , having been made in this court requiring the following Respondent(s) [specify]: to comply with the terms and conditions of an Order of [check applicable box(es)]:
❑ Suspended Judgment ❑ Protection ❑ Supervision ❑ Placement ❑ Release

And a motion, order to show cause or petition having been filed alleging that the Order of Disposition has been violated and notice having been duly given to the Respondent(s);

And Respondent(s) [specify]: having:[2]
❑ appeared ❑ with counsel ❑ without counsel ❑ waived counsel
❑ not appeared after service ❑ not appeared but service could not be made after every reasonable effort had been made to effect service ❑ not appeared but counsel appeared;

And Respondent(s) having:
❑ voluntarily, intelligently and knowingly admitted in open court that (s)he committed the following act(s) in violation of the Order of Disposition [specify]:

❑ denied the allegations of the petition and the matter having duly come on for a hearing before this Court;

❑ not appeared and the matter having duly come on for a fact-finding hearing by inquest before this Court;

[Required in cases involving Native-American children; check if applicable]:
❑ And the following having been duly notified [check applicable box(es)]:
❑ parent/custodian ❑ tribe/nation ❑ United States Secretary of the Interior;
And the tribe/nation having: ❑ appeared and participated as a party;

[1] If child has been placed, specify a date certain, in most cases the previously-scheduled date, not more than eight months from removal of the child from home or not more than six months from the completion of the most recent permanency hearing. No date needs to be set if : (I) the petition is dismissed; or (ii) the child has not been removed from home; or (iii) has been finally discharged from care; or (iv) custody or guardianship was ordered pursuant to Family Court Act Article 6. If the child has been placed and the child has a sibling or half-sibling removed from the home, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was removed on a juvenile delinquency or PINS petition or unless he or she has been freed for adoption.

[2] Insert separate paragraphs for each Respondent, if necessary.

❑ appeared and declined to assume jurisdiction;
❑ appeared and requested transfer of jurisdiction;
❑ not appeared;

And the Court, after [check box]: ❑ hearing the proof and testimony offered in relation to the case; ❑ accepting the admission by Respondent(s) [specify]:
finds and determines by competent proof that the following Respondent(s) [specify]:
❑ willfully and without just cause disobeyed and failed to obey the Order in that [specify provision(s) of order violated and nature of violation]:

❑ did not willfully and without just cause violate the Order.

[Applicable only where the Court determined that the Respondent(s) violated the Order; check box if applicable]:

❑ And the matter having thereafter duly come on for a dispositional hearing before the Court,

[Applicable only where hearing was consolidated with hearing of Family Court Act Article 6 custody or guardianship petition, pursuant to Family Court Act §1055-b; check box if applicable]:

❑ And the hearing having been consolidated with the ❑ custody ❑ guardianship petition, Docket # [specify]:

[Required findings in cases where the child(ren), who had NOT been ordered removed earlier in the case, is/are ordered removed and/or placed; otherwise, skip I and II and, if child remains in foster care, go to III]:

The Court finds and determines that:
I. Required "Best Interests" and "Reasonable Efforts to Prevent Removal" Findings [check applicable boxes and provide case-specific reasons in both A and B, below]:

A. Continuation of the child(ren) in, or return of the child(ren) to, the child(ren)'s home ❑ would ❑ would not be contrary to the best interests of the child(ren) because [specify facts and reasons]:

This determination is based upon the following information [check applicable box(es)]:
❑ Petition
❑ Report of Suspected Child Abuse or Neglect
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:

❑ Testimony of [specify]:
❑ Other [specify]:

B. Reasonable efforts, where appropriate, to prevent or eliminate the need for removal of the child(ren) from the home, and, if the child(ren) were removed without court order prior to the date of this hearing, to return him/her/them home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding that the Petitioner was not required to make reasonable efforts to reunify the child(ren) with the Respondent(s) [specify date of finding]:

❑ because of other reasons [specify]:

❑ were not made.

This determination is based upon the following information [check applicable box(es)]:

❑ Petition
❑ Report of Suspected Child Abuse or Neglect
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

II. <u>Findings Regarding Alternatives to Placement in Foster Care</u>:

A. Based upon the investigation conducted by the Commissioner of Social Services, including a review of records in accordance with section 1017 of the Family Court Act, [Check applicable box(es]:

❑ The following person [specify]: is a

❑ non-respondent parent ❑legal custodian[3] or guardian ❑ relative ❑ suitable person with whom the child(ren) may appropriately reside.

[Applicable to non-respondent parent]: Such non-respondent parent:

[3] "Legal custodian" refers to an individual with an order of custody issued prior to, and separate from, the child protective proceeding. A release to such an individual is distinguished from a child placed in the custody of an individual pursuant to an order of custody issued under Article 6 and section 1055-b of the Family Court Act. Such a custody order results in the termination of all orders under Article 10 of the Family Court Act, would not be deemed a "release" of the child and would thus not be the subject of a violation petition.

❑ wishes the child(ren) to be released to him/her during the pendency of an order pursuant to section 1054 of the Family Court Act.

❑ wishes to be granted an order of custody, pursuant to a proceeding under Article 6 of the Family Court Act and has filed a petition, Docket # , which [check applicable box]: ❑is being heard jointly with this proceeding; ❑ is scheduled to be heard on [specify date]:

[Applicable to legal custodian or guardian]: Such legal custodian or guardian:

❑ wishes the child(ren) to be released to him/her during the pendency of an order pursuant to section 1054 of the Family Court Act.

[Applicable to relatives and other suitable persons]: Such person:

❑ seeks approval as a foster parent in order to provide care for the child(ren);

❑ wishes to provide care and custody for the child(ren) without foster care subsidy during the pendency of an order pursuant to section 1055 of the Family Court Act.

❑ wishes to be granted an order of custody, pursuant to a proceeding under Article 6 of the Family Court Act and has filed a petition, Docket # , which [check applicable box]: ❑is being heard jointly with this proceeding; ❑ is scheduled to be heard on [specify date]:

❑ wishes to be appointed guardian pursuant to a proceeding under Article 6 of the Family Court Act and has filed a petition, Docket # , which [check applicable box]: ❑ is being heard jointly with this proceeding; ❑ is scheduled to be heard on [specify date]:

❑ There is no non-respondent parent, legal custodian or guardian or relative or suitable person with whom the child(ren) may appropriately reside.

B. [Required]: Imminent risk to the child(ren) ❑ would ❑ would not be eliminated by the issuance of a temporary order of protection or order of protection directing the removal of [specify]: from the child(ren)'s residence.

III. Required Findings regarding <u>all releases</u> of child(ren) to Respondent(s), Non-respondent parents or legal custodians or guardians and <u>orders of direct</u> placement with relative(s) or suitable person(s); check applicable box(es)]

❑ And the Court having searched the statewide registry of orders of protection, the sex offender registry and the Family Court's warrant and child protective records, and having notified the attorneys for the parties and for the child [check if applicable]: ❑ and the following self-represented party or parties [specify]: of the results of these searches;

❑ And the Court having considered and relied upon the following results of these searches in making this decision [specify; if no results found, so indicate]:

IV. <u>Required Findings Regarding Transitional Services and Out-of-State Placements</u>:

[Required regarding child(ren) who will reach 14 years of age before the next permanency hearing]: ❑ The services, if any, needed to assist the child(ren) in learning independent living skills to make the transition from foster care to successful adulthood are [specify]:

OR

❑ The Court finds that NO services or assistance are needed to assist the child(ren) to assist the child(ren) in learning independent living skills to make the transition from foster care to successful adulthood.

❑ **[Required regarding child(ren) placed outside New York State]**: Placement outside New York State ❑ is ❑ is not appropriate, necessary and in the child's best interests;

V. ❑ [REQUIRED Where Approval of Placement in Qualified Residential Treatment Program is Requested] [DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]: ; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the child ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the child in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the child in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the child, as specified in the child's permanency plan because [specify facts and reasons]:

D. [Applicable to initial QRTP placements]: Where the Qualified Individual has determined that the placement of the above-named child in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named

child in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named child's needs in a less restrictive environment; **and**

❑ Continued placement in the Qualified Residential Treatment Program (QRTP) is in the child's best interests because [specify facts and reasons]:

NOW, after examination and inquiry into the facts and circumstances and after hearing the proof and testimony, it is therefore

A. Order of Fact-finding or Dismissal of Violation:

❑ ORDERED that the Order of [check applicable box(es)]: ❑ Suspended Judgment

❑ Protection ❑ Supervision ❑ Placement ❑ Release is hereby REVOKED;

OR

❑ ORDERED that the Petition for Violation of Order of Disposition is DISMISSED and the Order of Disposition is continued;

(and it is further)

B. Order of Disposition of the Violation [Required where Order of Disposition is revoked; check applicable box(es)]:

❑ ORDERED that the child(ren) (is) (are) released to the Respondent(s) [specify]: pursuant to section 1057 of the Family Court Act.

❑ **ORDERED** that the release shall be for following period of time [specify period up to one year from the date of this order]:[4]

❑ **ORDERED** that during the period of release, the following respondent parent(s)[specify]: ❑ shall ❑ shall not be under the supervision of a child protective agency, social services official, or duly authorized agency pursuant to section 1057 of the Family Court Act;

❑ upon the following terms and conditions to be met by Respondent(s) [specify]:

❑ upon the terms and conditions specified in the annexed Family Treatment Court agreement, dated [specify]:

[4] The total period of release may not exceed one year plus an extension of up to one year for good cause.

❑ upon the performance of the following supervisory actions by the child protective agency, social services official or duly authorized agency [specify]:

❑ upon the provision by the child protective agency, social services official or duly authorized agency of the following services or assistance to the child(ren) and their family, pursuant to section 1015-a of the Family Court Act [specify]:[5]

OR

❑ ORDERED that the child(ren) (is) (are) released to the following non-respondent parent or legal custodian or guardian [specify]: pursuant to section 1054 of the Family Court Act.

❑ **ORDERED** that the release shall be for following period of time [specify period up to one year from the date of this order]:[6]

❑ **ORDERED** that, during the period of release, the non-respondent parent or legal custodian or guardian, who has consented to the jurisdiction of the Court with respect to the child, shall cooperate with respect to making the child(ren) available for court-ordered visitation with respondents, siblings and others, appointments with the child(ren)'s) attorneys and clinicians and other individuals or programs providing services to the children, visits (including home visits) by the child protective agency ❑ and the following additional direction(s) [specify]:

❑ **ORDERED** that during the period of release, the following respondent parent(s)[specify]:

❑ shall ❑ shall not be under the supervision of a child protective agency, social services official, or duly authorized agency pursuant to section 1057 of the Family Court Act:

❑ upon the following terms and conditions to be met by Respondent(s) [specify]:

❑ upon the terms and conditions specified in the annexed Family Treatment Court agreement, dated [specify]:

❑ upon the performance of the following supervisory actions by the child protective agency, social services official or duly authorized agency [specify]:

[5] Services and assistance ordered under F.C.A. §1015-a must be authorized under the comprehensive annual services program plan in effect.

[6] The period of release may not exceed one year plus an extension for good cause such that the total period of relese and extension, if any, may not exceed two years..

❑ upon the provision by the child protective agency, social services official or duly authorized agency of the following services or assistance to the child(ren) and their family, pursuant to section 1015-a of the Family Court Act [specify]:[7]

[Applicable to all releases of child(ren) to Respondent(s), Non-respondent parents or legal custodians or guardians]: ❑ **IT IS FURTHER ORDERED** that, during the period of release, the individual to whom the child(ren) have been released under this Order may [check applicable box(es)]:

❑ enroll the child(ren) in public school in the applicable school district and, upon verifying the Order and that the individual resides within the district, such district shall enroll the child(ren);

❑ enroll the child(ren) in their employer-based health insurance plan with the same rights as child(ren) for whom the individual is the legal guardian or custodian; and

❑ make decisions and provide any necessary consents regarding the child(ren)'s: ❑ protection ❑ education ❑ care and control ❑ physical custody ❑ health and medical needs, provided that this Order does not limit any rights of the child(ren) to consent to medical care under applicable laws.

OR

❑ **ORDERED that, pursuant to Family Court Act §1055, the child(ren) (is) (are) placed directly with [specify relative or other suitable person]:** until the completion of the next permanency hearing, scheduled for the date certain indicated in this order, subject to the further orders of this Court, for the following reasons [specify]:

❑ **ORDERED** that, during the pendency of the placement, the relative or suitable person, who has submitted to the jurisdiction of this Court with respect to the child, shall cooperate with respect to making the child(ren) available for court-ordred visitation with respondents, siblings and others, appointments with the child(ren)'s) attorneys and clinicians and other individuals or programs providing services to the children, visits (including home visits) by the child protective agency ❑ and the following additional direction(s) [specify]:

❑ **ORDERED** that during the period of such placement, Respondent(s)[specify]: are to remain under the supervision of a child protective agency, social services official, or duly authorized agency:

[7] Services and assistance ordered under F.C.A. §1015-a must be authorized under the comprehensive annual services program plan in effect.

❑ upon the following terms and conditions to be met by Respondent(s) [specify]:

❑ upon the terms and conditions specified in the annexed Family Treatment Court agreement, dated [specify]:

❑ upon the performance of the following supervisory actions by the child protective agency, social services official or duly authorized agency [specify]:

❑ **ORDERED that** the child protective agency, social services official or duly authorized agency shall provide the following services or assistance to the child(ren) and their family, pursuant to section 1015-a of the Family Court Act [specify]:[8]

[Applicable to all direct placements of child(ren) with relative(s) or other suitable person(s)]: ❑ **IT IS FURTHER ORDERED** that, during the period of placement, the individual with whom the child(ren) have been placed under this Order may [check applicable box(es)]:

❑ enroll the child(ren) in public school in the applicable school district and, upon verifying the Order and that the individual resides within the district, such district shall enroll the child(ren);

❑ enroll the child(ren) in their employer-based health insurance plan with the same rights as child(ern) for whom the individual is the legal guardian or custodian; and

❑ make decisions and provide any necessary consents regarding the child(ren)'s: ❑ protection ❑ education ❑ care and control ❑ physical custody ❑ health and medical needs, provided that this Order does not limit any rights of the child(ren) to consent to medical care under applicable laws.

OR

❑ **ORDERED that the child(ren) (is) (are) placed in the custody of the Commissioner of Social Services of [specify]: County**,

[Check box(es), if applicable]:

❑ to reside with [specify authorized agency or facility, if any]:

❑ to reside in foster care with [specify relative or other suitable person]:[9]

until the completion of the next permanency hearing, scheduled for the date certain

[8] Services and assistance ordered under F.C.A. §1015-a must be authorized under the comprehensive annual services program plan in effect.

[9] The relative or suitable person must be approved or certified as a foster parent.

indicated in this order, subject to the further orders of this Court, for the following reasons [specify]:

❑ **ORDERED** that during the period of such placement, Respondent(s)[specify]:
are to remain under the supervision of a child protective agency, social services official, or duly authorized agency:
❑ upon the following terms and conditions to be met by Respondent(s) [specify]:

❑ upon the terms and conditions specified in the annexed Family Treatment Court agreement, dated [specify]:

❑ upon the performance of the following supervisory actions by the child agency, social services official or duly authorized agency [specify]:

❑ **ORDERED** that the child protective agency, social services official or duly authorized agency shall provide the following services or assistance to the child(ren) and their family, pursuant to section 1015-a of the Family Court Act [specify]:[10]

❑ **ORDERED** that the Commissioner of Social Services is authorized to discharge the child(ren) from the Commissioner's care to the parent without further court hearing, provided that written notice is provided to the Court and child(ren)'s attorney not less than 10 days in advance of the discharge.

❑ **AND IT IS FURTHER ORDERED that [specify Respondent(s) or other person(s) before the court]: is required to comply with the terms and conditions specified in the order of protection, issued pursuant to Family Court Act §1056, annexed to this order and made a part thereof.**

<u>Trial Discharges: Restrictions and Extensions</u> [Applicable to child(ren) placed with the Commissioner of Social Services]: [Check appropriate box if applicable]:[11]

ORDERED that the Commissioner of Social Services

❑ may discharge the child(ren) on a trial basis or continue such a discharge until the earlier of the completion of the next Permanency Hearing or further Order of the Court

❑ may not discharge the child(ren) on a trial basis to the physical custody of

[10] Services and assistance ordered under F.C.A. §1015-a must be authorized under the comprehensive annual services program plan in effect.

[11] If neither box is checked, the Commissioner is authorized to discharge the child(ren) on a trial basis to the Respondent(s), with the legal care and custody remaining with the Commissioner. Permanency hearings must be scheduled and held in all trial discharge cases. If the child(ren) is/are 18 years of age or older, the child(ren) must consent to any trial discharge.

Respondent [specify]:
❑ may only discharge the child(ren) on a trial basis to the physical custody of Respondent [specify]: , upon the following event(s) or condition(s) [specify]:

❑ [Applicable to child(ren) aging out of foster care; check box if applicable]:[12]
ORDERED that the Commissioner of Social Services
❑ may not discharge the child(ren) on a trial basis to another planned permanent living arrangement;
❑ may only discharge the child(ren) on a trial basis to the following planned permanent living arrangement [specify, including significant connections to an adult willing to be a permanent resource]:
upon the following event(s) or condition(s) [specify]:

[Applicable to children 18 and over who will be discharged on a trial basis with their consent]:
❑ The Commissioner of Social Services:
❑ shall discharge the child(ren) on a trial basis
❑ shall continue or extend the trial discharge of the child(ren)
❑ may continue or extend the trial discharge of the child(ren)
to ❑ another planned permanent living arrangement ❑ other [specify]:
until the earlier of the next permanency hearing, further Order of the Court OR the child(ren's 21st birthday(s).

Youth 18 and over discharged on a trial basis shall inform the local department of social services of any change in mailing address and contact information.

[Applicable to all placements pursuant to Family Court Act §1055]:
❑ **ORDERED** that if the children abscond from the above-named custodial person or facility, written notice shall be given within 48 hours to the Clerk of Court by the custodial person or by an authorized representative of the facility, stating the name of the child(ren), the docket number of this proceeding, and the date on which the child(ren) ran away.

❑ **ORDERED** that [specify]: , ❑ a social services official
❑ a duly authorized agency, undertake diligent efforts to encourage and strengthen the parental relationship, including encouraging and facilitating visiting with the child(ren)

[12] If neither box is checked, the Commissioner is authorized to discharge child(ren), who are 16 years of age or older, on a trial basis to another planned permanent living arrangement, with the legal care and custody remaining with the Commissioner. Permanency hearings must be scheduled and held in all trial discharge cases. If the child(ren) is/are 18 years of age or older, the child(ren) must consent to any trial discharge.

by the parent or other person legally responsible, and encourage and facilitate visiting with the child(ren) by any non-custodial parent or grandparent who has obtained an order pursuant to F.C.A. §1081 and by the child(ren)'s siblings. Such efforts shall include, but are not limited to, the following [specify]:

❑ **ORDERED** that the ❑ Commissioner of Social Services ❑ authorized agency [specify]: is directed to file termination of parental rights petitions regarding the following child(ren)[specify]:
against the following respondent(s) [specify]:
within 90 days of the entry of this order.

❑ **ORDERED** that the Commissioner of Social Services shall investigate whether there are any non-respondent parent(s), grandparent(s), other relative(s) or other suitable person(s) with whom the child(ren) may appropriately reside, including, but not limited to [specify]: ; shall inform them of the pendency of the proceeding; shall ascertain whether such non-respondent parent(s) wish to seek release or custody of the child(ren) or whether such grandparent(s), relative(s) or other suitable person(s) wish to seek approval as foster parent(s) in order to provide care for the child(ren) or wish to provide care and custody for the child(ren) without foster care subsidy during the pendency of any order herein; and shall report the results of such investigation to the court and parties, including the attorney for child and shall record the results of such investigation in the child(ren)'s Uniform Case Record;

❑ **ORDERED** within 24 hours of this order, the Commissioner of Social Services shall commence an investigation to identify and locate any non-respondent parent(s), inform them of the pendency of the proceeding and of the opportunity for seeking release or custody of the child(ren) , record the results of such investigation in the child's Uniform Case Record and report the results of the investigation to the Court, all parties and counsels, including the child(ren)'s attorney, forthwith. Such search shall also include, but not be limited to, a person not recognized as a legal parent of the child(ren) but who has filed an instrument pursuant to section 4-1.2 of the Estates, Powers and Trusts Law acknowledging paternity with the putative father registry, has a pending paternity petition or has been identified as a parent by the other parent in a written, sworn statement. Such search shall include, but not be limited to, the following person(s) [specify, if known]:

❑ **ORDERED** within 24 hours of this order, the Commissioner of Social Services shall commence an investigation of the following relatives or other suitable persons as foster parents and thereafter approve such person(s) to be foster parents, if qualified, and, if not, to report such fact to the Court, all parties and counsels, including the child(ren)'s attorney, forthwith [specify]:

❑ **ORDERED** that the child(ren) is/are directed to be placed together with the following siblings or half-siblings [specify]:

❑ **ORDERED** that the Commissioner of Social Services is directed to investigate the appropriateness of placing the child(ren) with the following siblings or half-siblings [specify]:

❑ **Required Order if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]: After examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore** [Check applicable box(es)]:

❑ **ORDERED**, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is GRANTED, and placement of the child in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]:
the above-named child shall be [check applicable box and specify]:

❑ returned or released to the following parent [specify]:

❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the lo9cal social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named child's care and welfare that is in the best interests of the child and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

[Applicable where dispositional hearing is heard jointly with custody or guardianship hearing under Article 6 of the Family Court Act in accordance with Family Court Act §1055-b]:

Custody with Non-respondent parent(s):

❑ The Court having adjudged that custody of the following child(ren)[specify]:
with the following non-respondent parent [specify]: is in the best interests of the child(ren) in accordance with Article 6 of the Family Court Act and Domestic Relations Law §240, **IT IS, THEREFORE, ORDERED** that such non-respondent parent is granted custody of :pursuant to an Order of Custody granted on Docket # , dated: , thereby terminating the jurisdiction of this Court over this Article 10 proceeding and terminating placement with the local Commissioner of Social Services.

OR

Custody with Respondent(s), relative(s) or suitable persons; guardianship with relative(s) or suitable person(s):

❑ The Court having adjudged that [Note: Findings are REQUIRED under (i) and (ii), below]:
(i) [Check one of the following boxes]:

❑ all parties, including the attorney of the child(ren) and any foster parent who has had custody of the child(ren) in excess of one year, have consented to such custody or guardianship;

OR

❑ the following parent(s)[specify]: have not consented but this Court has found extraordinary circumstances supporting custody or guardianship;

AND

(ii)❑ custody of the following child(ren)[specify]: with [specify respondent parent(s)]:
will provide a safe and permanent home for the child(ren) and the safety of the child(ren) will not be jeopardized if the respondent(s) are no longer under the jurisdiction of this Court on this petition and are not receiving services or supervision;

OR

❑ custody ❑guardianship of the following child(ren)[specify]:
by [specify relative(s) or suitable person(s)]:
will provide a safe and permanent home for the child(ren) and the safety of the child(ren) will not be jeopardized if the respondent(s) are no longer under the jurisdiction of this Court on this petition and are not receiving services or supervision;

AND

❑ **IT IS, THEREFORE ORDERED** that [specify Respondent, relative(s) or suitable person(s)]: is/are ❑ granted custody of [specify child(ren)]:

pursuant to an Order granted on Docket # [specify]: , dated [specify]:

thereby terminating the jurisdiction of this Court over this proceeding;

OR

❑ **IT IS, THEREFORE ORDERED** that [specify relative(s) or suitable person(s)]**:** is/are appointed guardian(s) of [specify child(ren)]:
pursuant to an Order granted on Docket # [specify]: , dated [specify]:
thereby terminating the jurisdiction of this Court over this proceeding;

❑ **AND IT IS FURTHER ORDERED** that the following local department of social services [specify]: and the following attorney for the child(ren)[specify]: shall be notified and shall be made parties to any subsequent proceedings for modification, enforcement or termination of the Order granted on such Docket #;

[REQUIRED for all dispositions <u>other than placement</u> pursuant to Family Court Act §1055]

❑ **ORDERED** that, not later than 60 days prior to the expiration of this order, the Petitioner shall report to the Court, the attorney for the child(ren), the parties, their attorneys and the non-respondent parent(s), unless in the case of a release of the child(ren) a petition for extension of the period of supervision of Respondent and/or release of the child has been filed;[13] on the status and circumstances of the child(ren) and family and any actions contemplated, if any, by the agency with respect to the child(ren) and family; and it is further

[Applicable to dispositions of release and/or supervision]: ❑ **ORDERED** that, during the period of supervision and/or release, Petitioner shall submit progress reports to the Court, the parties and the attorney for the child as follows [specify]:

<u>Additional Requirements in Placement Cases</u>:
[Applicable in <u>all</u> cases where child(ren) is/are placed with Commissioner of Social Services]:

1. <u>Transitional Services</u> [Applicable to children who will attain the age of 14 years of age or older prior to the next permanency hearing]:

❑ **ORDERED that** the Petitioner shall provide the following services and assistance to assist the child(ren) in learning independent living skills to make the transition from foster care to successful

[13] Unless the Court determines that facts and circumstances do not warrant a report, a report 60 days prior to the expiration of the order is required where the extension is issued on consent of the parties and the attorney for the child and may be ordered in the Court's discretion in other cases. *See* Family Court Act §§1054(d); 1057(c).

adulthood [specify]:

And it is further **ORDERED that** the permanency plan developed for the child(ren) in foster care and any revision or addition to the plan, shall be developed in consultation with the child(ren). The child(ren) may select up to two members of the child(ren)'s permanency planning team to participate, one of whom may be designated to be the child(ren)'s advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child(ren); provided, however, that such members may not be foster parents of, or case workers, case planners or case managers for, the child(ren) and that the local commissioner of social services with custody of the child(ren) may reject an individual so selected by the child(ren) if such local commissioner has good cause to believe that the individual would not act in the best interests of the child(ren);
; (and it is further)

2. Out-of-State Placement [Required for children placed out-of-state]:

❑ **ORDERED** that the placement of the child(ren) at [specify]:
,
❑ is appropriate, necessary and in the child(ren)'s best interests and is continued until completion of the next permanency hearing scheduled for a date certain in this order;
❑ is not appropriate, necessary and in the child(ren)'s best interests and the child(ren) shall, therefore, be returned to New York State to be ❑ placed with [specify]:
❑ discharged to [specify]: ; (and it is further)

3. Progress Reports and Notices:

❑ **ORDERED** that Petitioner shall make a progress report to the Court, the parties and the child(ren)'s attorney on the implementation of this order as follows [specify date and/or frequency]:
; (and it is further)

❑ **ORDERED** that if the above permanency plan for the above-named child(ren) is changed, notice shall be provided to the Court, the parties and the child(ren)'s attorney forthwith, (and it is further)

4. Duty to Disclose Changes in Mailing Address [Required]

ORDERED that the Respondent parent(s) or other person(s) legally responsible for the children's care are required to notify the local social services district or agency of any change of mailing address ; (and it is further).

5. Planning Conferences [Required]

ORDERED that the ❑ parent(s) ❑ other person(s) legally responsible for the children(s) care shall be notified of the planning conference(s) to be held and of (his)(her)right to attend such conference(s) with counsel or other person; (and it is further)

6. Visiting Plans [Required]s

ORDERED that Petitioner shall provide the ❑ parent ❑ other person(s) legally responsible for the child(ren)'s care with visits with the child as follows [describe visiting plan]:

and the ❑ parent(s) ❑ guardian(s) shall visit in accordance with the plan; (and it is further)

❑ **ORDERED** that Petitioner shall provide the following sibling(s) [specify]:
with visits with the child(ren) as follows [describe visiting plan]:
; (and it is further)

7. Respondent Parents Who Are or Were Incarcerated or in Residential Substance Abuse Treatment [check box(es) if applicable]:

❑ The Commissioner of Social Services or authorized agency is directed to take the following steps [specify]:
to complete an assessment of whether the following respondent(s)[specify]:
maintain a meaningful role in the child(ren)'s life, based upon the criteria in Social Services Law §384-b(3)(1(v), to determine whether there is a compelling reason that the filing of a petition to terminate parental rights would not be in the child(ren)'s best interest.

8. Native-American Child(ren) [check box(es) if applicable]:

❑ **ORDERED** that the following should be notified of this proceeding [specify]:
the ❑ custodian of the child(ren); ❑ tribe/nation; ❑ United States Secretary of the Interior

❑ **ORDERED** that in light of the assumption of jurisdiction by the tribe/nation, this petition is DISMISSED WITHOUT PREJUDICE; (and it is further)

REQUIRED in all cases in which placement is ordered with the Commissioner of Social Services or directly with a relative or other suitable person]:

Date Certain for Next Permanency Hearing

ORDERED that if the child(ren) remain(s) in foster care or in placement with a relative or other suitable person, the next permanency hearing shall be held on [specify date/time]:[14]

Petitioner shall transmit notice of the hearing and a permanency report no later than 14 days in advance of the above date certain to Respondent and Non-respondent parents, other parties, attorneys, the attorney for the child(ren) and any pre-adoptive parents or relatives providing care to the child(ren) and shall transmit notice of the hearing to former foster parent(s) who have had care of the child(ren) in excess of 12 months, , except [specify former foster parents for whom such notice would be contrary to child(ren)'s best interests; delete if inapplicable]:
; (and it is further)

❑ **ORDERED that [specify]:**

ENTER

_____
Judge of the Family Court

Dated:

[14] *See* Footnote 1.

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:_____

❑ Order received in court on [specify date(s) and to whom given]:_____

F.C.A. §§1093, 1097
S.S.L. §§393, 409-h

Form 10-C-1
(Destitute Child Petition)
(9/2021)

FAMILY COURT OF NEW YORK
COUNTY OF
.....
In the Matter of

Docket No.

CIN #

(A) Child(ren) under Eighteen Years of Age Alleged to be Destitute

PETITION
(Destitute Child)

Parent(s) or Other Party/Parties
.....

NOTICE TO PARENT(s): IF YOUR CHILD STAYS IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD. IF THE PETITION IS GRANTED, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD AND YOUR CHILD MAY BE ADOPTED WITHOUT YOUR CONSENT.

TO THE FAMILY COURT:
The undersigned Petitioner respectfully alleges, upon information and belief, that:

1. Petitioner [name]: is [specify job title or position]: of the [check applicable box]: ❑ Department of Social Services of [specify county]:
❑ New York City Administration for Children's services.

2. The child(ren) who (is) (are) the subject(s) of this proceeding (is)(are) [specify; if information is unknown, so indicate]:

Name	Sex	Date of Birth	Custodial Parent/Guardian	Child's Address[1]

3. a. (Upon information and belief) The father and mother of the child(ren) and

[1] Unless ordered confidential, pursuant to Family Court Act §154-b, because of a risk that disclosure would place the health, safety or liberty of the child at risk.

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their respective residence addresses or whereabouts are [if parent is deceased, give name and so indicate]:

Child	Name of Parent	Parent's Last Known Address[2]	Parent's Whereabouts

b. (Upon information and belief) The caretaker(s) of the child(ren), who have a valid, current court order of temporary or permanent guardianship or custody, (is)(are)[specify]: [if caretaker is deceased, give name and so indicate]:

Child	Name of Caretaker	Caretaker's Last Known Address[3]	Caretaker's Whereabouts

4. (Upon information and belief) The child(ren) (is) (are) destitute, as defined in Family Court Act §1092(a), on the following grounds and based upon the following facts [Specify grounds and supporting facts]:

5. The child(ren) became known to the Petitioner as follows [specify date, manner and circumstances]:

6. [Required if temporary placement has occurred or is requested; check applicable box(es)]:

a. ❑ (Upon information and belief) On [specify date]: , the following child(ren)[specify]: was/were temporarily placed into care on the basis of the following facts and for the following reasons [specify]:

b. ❑ (Upon information and belief) The child(ren) should be temporarily placed into care in accordance with Family Court Act §1094(2) in order to prevent imminent risk to the child(ren)'s life or health on the basis of the following facts and for the following reasons [specify]:

7. [Required if temporary placement into care or continuation of care of children is requested]:

a. (Upon information and belief) Continuation in, or return to, the child(ren)'s

[2] Unless ordered confidential, pursuant to Family Court Act §154-b, because of a risk that disclosure would place the health, safety or liberty of the parent at risk.

[3] Unless ordered confidential, pursuant to Family Court Act §154-b, because of a risk that disclosure would place the health, safety or liberty of the caretaker at risk.

home would be contrary to the best interests of the child(ren) because [specify facts and reasons]:

This assertion is based upon the following information [check applicable box(es)]:

❑ Case Record, dated [specify]:

❑ Service Plan, dated [specify]:

❑ The report of [specify]: , dated [specify]:

❑ Other [specify]:

b. (Upon information and belief) Reasonable efforts, where appropriate, to prevent or eliminate the need for temporary placement of the child(ren) outside of the home [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate because [specify]:

❑ were not made.

This assertion is based upon the following information [check applicable box(es)]:

❑ Case Record, dated [specify]:

❑ Service Plan, dated [specify]:

❑The report of [specify]: , dated [specify]:

❑ Other [specify]:

c. [Check applicable box(es]:

❑ (i) Based upon Petitioner's investigation

❑ The following person [specify]:

is a ❑ relative ❑ suitable person with whom the child(ren) may appropriately reside. Such person:

❑ seeks approval as a foster parent in order to provide care for the child(ren);

❑ wishes to provide care and custody for the child(ren) without foster care subsidy during the pendency of any order herein.

❑ may be a resource but has not yet determined whether as a foster parent or custodian.

❑ There is no relative or suitable person as yet identified with whom the child(ren) may appropriately reside.

OR

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❑ (ii) Petitioner has not yet investigated relatives or suitable persons.

8. **[REQUIRED if placement in a Qualified Residential Treatment Program (QRTP) is requested; DELETE if inapplicable]:**

a. The needs of the child require a higher level of care than can be provided by a foster or therapeutic foster home because [specify]:

b. The child has been ❑ placed ❑ recommended for placement in [specify name]: a qualified residential treatment program (QRTP).

c. The needs of the child have been assessed by a Qualified Individual as defined in Social Services Law, Section 409-h (5) and a copy of the Qualified Individual's report ❑ has been submitted separately ❑ is submitted herewith ❑ will be submitted within five days of completion but not less
than (10) days prior to the date of the first-scheduled hearing on this motion.

e. The following circumstances exist that necessitate the placement of the child in the QRTP [specify]:

f. There is no alternative setting available that can meet the child's needs in a less restrictive environment because [specify]:

g. Placement in the QRTP is in the child's best interests because [specify]:

9. The subject child ❑ is ❑ is not a Native-American child, who is subject to the Indian Child Welfare Act of 1978 (25 U.S.C. §§ 1901-1963). If so, the following have been notified [check applicable box(es)]:

❑ parent/custodian [specify name and give notification date]:
❑ tribe/nation [REQUIRED; specify name and give notification date]:
❑ United States Secretary of the Interior [REQUIRED if tribal contact undetermined; give notification date]:

10. [Required if temporary placement into care or continued care of children is requested]:[4] Petitioner may be required to obtain education information and to provide that information to foster care providers and other parties to this proceeding. Unless otherwise obtained by release, Petitioner thus seeks a court order to obtain the education records (including special education and early intervention records) of each child named in this Petition who is not placed with a parent(s)/legal guardian(s), and a court order to provide such records to service providers where such records are necessary to enable the service provider to establish and implement a plan of service.

WHEREFORE, Petitioner requests that an order be issued determining the child(ren) to be destitute and otherwise dealing with the child(ren) in accordance with the provisions of Article 10-C of the Family Court Act.

Dated , .

_____
Petitioner

_____
Print or Type Name

_____
Signature of Attorney, if any

_____
Attorney's Name (print or type)

_____

_____

_____
Attorney's Address and Telephone Number

[4] This notice is required by the federal *Family Educational Rights and Privacy Act* [20 U.S.C. §1232(g)(b)(2)(B)].

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VERIFICATION

STATE OF NEW YORK)
)ss.:
COUNTY OF

)

being duly sworn, deposes and says:

That (s)he is
and is acquainted with the facts and circumstances of the above-entitled proceeding; that (s)he has read the foregoing petition and knows the contents thereof; that the same is true to (his)(her own knowledge except as to those matters therein stated to be alleged upon information and belief, and that as to those matters (s)he believes them to be true.

_____
Petitioner

Sworn to before me this
day of

_____
(Deputy) (Clerk of the Court)
(Notary Public)

F.C.A §1094, 1097;
S.S.L. §§393, 409-h

Form 10-C-2
(Destitute Child --
Preliminary Order)
9/2021

At a term of the Family Court of the State of New York, held in and for the County of , at New York on .

P R E S E N T:
Hon.
Judge

In the Matter of

Docket No.
PRELIMINARY ORDER
CIN#
(Destitute Child)

(A) Child(ren) under the Age of Eighteen Years Alleged to be Destitute

Parent(s) or Other Party/Parties

NOTICE: **IF YOUR CHILD STAYS IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD. IF THE PETITION IS GRANTED, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD AND YOUR CHILD MAY BE ADOPTED WITHOUT YOUR CONSENT.**

THE NEXT COURT DATE IS [specify date/time]:
THE PERMANENCY HEARING SHALL BE HELD ON [specify date/time]:1

An application having been made pursuant to Family Court Act §1094 for an order [check applicable box(es)]:
❑ temporarily placing the children into the care of the: ❑ Commissioner of Social Services of [specify county]: ; ❑ New York City Administration for Children's Services;
❑ returning the child(ren) to the care of [specify]: , who (is)(are) the [specify]: ❑ parent(s); ❑ other caretaker(s) of the child(ren);

[1] **Applicable only** in cases in which child is temporarily placed into care. Specify a date certain not more than eight months from the date the social services official accepted care of the child. If the child has a sibling or half-sibling placed into foster care, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was placed on a juvenile delinquency or PINS petition or unless he or she has been freed for adoption. If the child is finally discharged from care on the scheduled date, the permanency hearing shall be cancelled.

And a hearing having been held by this Court pursuant to Family Court Act § 1094; and the following person(s) having appeared [specify; check applicable boxes]:

❑Parent [specify]: ❑ with counsel ❑ without counsel ❑ waived representation by counsel

❑ Parent [specify]: ❑ with counsel ❑ without counsel ❑ waived representation by counsel

❑ Other caretaker [specify]: ❑ with counsel ❑ without counsel ❑ waived representation by counsel

❑ Other caretaker [specify]: ❑ with counsel ❑ without counsel ❑ waived representation by counsel

❑ Other [specify]:

❑ Attorney for the child(ren)

❑ Petitioner

[Required in cases involving Native-American children; check if applicable]:

❑ And the following having been duly notified [check applicable box(es)]:

❑ parent/custodian ❑ tribe/nation ❑ United States Secretary of the Interior;

And the tribe/nation having: ❑ appeared and participated as a party;

❑ appeared and declined to assume jurisdiction;

❑ appeared and requested transfer of jurisdiction;

❑ not appeared;

The Court finds and determines that [Note: judicial findings must be made under I, and, if child is placed or continued in temporary care, also under II and III]:

I. Criteria for Return or Continued Temporary Care of Child(ren) [check only ONE box]:

A. **[Applicable only to request by petitioner for temporary care of child(ren)]**:

❑ The child(ren) should be returned home because no risk to the child(ren)'s life or health has been demonstrated.

OR

❑ Continued temporary care of the child(ren) is necessary to avoid risk to the child(ren)'s life or health.

B. **[Applicable only to request by parent(s) or caretaker(s) for return of child(ren)]**:

❑ The child(ren) should be returned home because no imminent risk to the child(ren)'s life or health has been demonstrated.

OR

❑ Continued temporary care of the child(ren) is necessary to avoid imminent risk to the child(ren)'s life or health.

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II. Required "Best Interests" and "Reasonable Efforts" Findings [check applicable boxes and provide case-specific reasons in both A and B, below]:

A. Continuation of the child(ren) in, or return of the child(ren) to, the child(ren)'s home

❑ would ❑ would not be contrary to the best interests of the child(ren) because [specify facts and reasons]:

This determination is based upon the following information [check applicable box(es)]:

❑ Petition
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

B. Reasonable efforts, where appropriate, to prevent or eliminate the need for temporary care of the child(ren) away from the home, and, if the child(ren) were placed into temporary care prior to the date of this hearing, to return them home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate, because [specify]:

❑ were not made.

This determination is based upon the following information [check applicable box(es)]:

❑ Petition
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

III. Findings Regarding Alternatives to Removal to Foster Care:

Based upon the investigation conducted by the Commissioner of Social Service, [Check applicable box(es]:

❑ The following person [specify]:
is a ❑ parent ❑ relative ❑ suitable person

with whom the child(ren) may appropriately reside [specify]:

[Applicable to relatives and other suitable persons]: Such person:
❑ seeks approval as a foster parent in order to provide care for the child(ren);
❑ wishes to provide care and custody for the child(ren) without foster care subsidy at this time.
❑ may be a resource but not yet determined whether as foster parent or custodian.

IV. ❑ Required Findings Where Approval of Placement in a Qualified Residential Treatment Program (QRTP) is Requested Pending Final Disposition; DELETE if inapplicable:

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment of the appropriateness of the requested placement, if completed, ; and any response thereto, including [specify]: ; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the child ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the child in a Qualified Residential Treatment Program (QRTP) pending final disposition of this matter ❑ does ❑ does not provide the most effective and appropriate level of care for the child in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the child, as specified in the child's permanency plan because [specify facts and reasons]:

D. [Applicable to initial QRTP placement]: Where the Qualified Individual has determined that the placement of the above-named child in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named child in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named child's needs in a less restrictive environment; **and**

❑ Continued placement in the Qualified Residential Treatment Program (QRTP) pending final disposition of this matter is in the child's best interests because [specify facts and reasons]:

❑ There is no parent, relative or suitable person as yet identified with whom the child(ren) may appropriately reside pending final disposition of this matter.

NOW, therefore, it is [check applicable box(es)]:
ORDERED that the application for the return of the children is hereby

❑ GRANTED, and [specify]: , a duly authorized agency is directed to return the above- named child(ren) to the parent(s) or other caretaker(s).

OR

❑ DENIED; (and it is further)

❑ ORDERED that the child(ren)(is)(are) released to the custody of [specify]: , the child(ren)'s ❑ parent(s) ❑ other caretaker(s), as defined in Family Court Act 1092, such release to be under the supervision of [specify, if applicable]: ; (and it is further)

❑ ORDERED that, pending further proceedings, the child(ren) shall be placed in the temporary care of [check applicable box]:

❑ the Commissioner of Social Services of County;
❑ the Commissioner of Social Services of County to reside with [specify]:
❑ the following relative(s) or other suitable person(s)[specify]:
; (and it is further)

❑ ORDERED that: ❑ Hospital [specify]: ❑ Physician [specify]: is hereby authorized to provide such emergency medical or surgical procedures for the child(ren) as may be necessary to safeguard the child(ren)'s life or health; (and it is further)

❑ ORDERED that the child protective agency ❑ provide ❑ arrange for the provision of the following appropriate services or assistance to the child(ren) and to the child(ren)'s family authorized or required to be made available under the county comprehensive annual services program plan currently in effect, pursuant to Family Court Act §1094 [specify]:

(and it is further)

❑ ORDERED that the Commissioner of Social Services shall conduct a diligent search for any parents of the child(ren) not named as parties, inform them of the pendency of the proceeding and of the opportunity for seeking custody of the child(ren) and record the results of such investigation in the child's Uniform Case Record;

(and it is further)

❑ ORDERED that the Commissioner of Social Services shall investigate whether there are any grandparents, other relatives or other suitable person(s) with whom the child(ren) may appropriately reside, including, but not limited to [specify]:
; shall inform them of the pendency of the proceeding, shall ascertain whether such person(s) wish to seek approval as foster parent(s) in order to provide care for the child(ren) or wish to provide care and custody for the child(ren) without foster care subsidy

during the pendency of any order herein; and shall record the results of such investigation in the child's Uniform Case Record; (and it is further)

❑ ORDERED that, within 24 hours of this order, the Commissioner of Social Services shall commence an investigation of the following relatives or other suitable persons as foster parents and thereafter approve such person(s) to be foster parents, if qualified, and, if not, to report such fact to the Court, all parties and counsels, including the attorney for the child(ren), forthwith [specify]: (and it is further)

[Applicable where child is in care of Commissioner of Social Services]:

❑ ORDERED that if the child absconds from the above-named custodial person or facility, written notice shall be given within 48 hours to the Clerk of Court by the custodial person or by an authorized representative of the facility, stating the name of the child, the docket number of this procedure, and the date on which the child ran away; (and it is further)

[Applicable Where Child is Native-American]:

❑ ORDERED that the following should be notified of this proceeding [specify]:
the ❑ custodian of the child; ❑ tribe/nation; ❑ United States Secretary of the Interior

❑ ORDERED that in light of the assumption of jurisdiction by the tribe/nation, this petition is DISMISSED WITHOUT PREJUDICE.

❑ Required Order if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]: After examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is GRANTED, and placement of the child in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]: the above-named child shall be [check applicable box and specify]:

❑ returned or released to the following parent [specify]:

❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named child's care and welfare that is in the best interests of the child and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

❑ ORDERED that if the child remains in foster care pursuant to Section 1094 of the Family Court Act, a permanency hearing shall be held on [specify]:[2]

(and it is further)

❑ ORDERED that

ENTER

Dated: , .

_____
Judge of the Family Court

[2] Applicable only in cases in which child is temporarily placed into care. Specify a date certain not more than eight months from the date the social services official accepted care of the child. If the child has a sibling or half-sibling in foster care, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was placed on a juvenile delinquency or PINS petition or unless he or she has been freed for adoption. If the child is finally discharged from care on the scheduled date, the permanency hearing shall be cancelled.

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑Order mailed on [specify date(s) and to whom mailed]:_____

❑Order received in court on [specify date(s) and to whom given]:_____

F.C.A. §1095, 1097
S.S.L. §393, 409-h

Form 10-C-4
(Destitute Child – Order of Fact-finding and Disposition)
9/2021

At a term of the Family Court of the State of New York, held in and for the County of , at , New York, on , .

P R E S E N T:
Hon.
Judge

.....
In the Matter of

CIN #
(A) Child (ren) under Eighteen Years of Age Alleged to be Destitute

Docket No.

ORDER OF FACT-FINDING AND DISPOSITION – DESTITUTE CHILD

Parent(s) or Other Party/Parties

NOTICE: WILLFUL FAILURE TO OBEY THE TERMS AND CONDITIONS OF THIS ORDER MAY RESULT IN COMMITMENT TO JAIL FOR A TERM NOT TO EXCEED SIX MONTHS.

IF YOUR CHILD STAYS IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD. IF THE PETITION IS GRANTED, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD AND YOUR CHILD MAY BE ADOPTED WITHOUT YOUR CONSENT.

THE NEXT COURT DATE IS [specify date/time]:
THE NEXT PERMANENCY HEARING SHALL BE HELD ON [SPECIFY DATE/TIME]:[1]

[1] Placement cases only: No date needs to be set if : (I) the petition is dismissed; or (ii) the child has not been placed outside of the home; or (iii) has been finally discharged from care; or (iv) custody or guardianship was ordered pursuant to Family Court Act Article 6. If the child has been placed and the child has a sibling or half-sibling placed outside of the home, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was remanded or placed on a juvenile delinquency or PINS petition or unless he or she has been freed for adoption.

The petition of [specify]: under Article 10-C of the Family Court Act, sworn to on [specify date]: , having been filed in this Court alleging that the above-named child is destitute; and

Notice having been duly given to the parent(s) or other caretaker(s), pursuant to section 1093 of the Family Court Act; and [Include separate paragraphs for each person notified, as necessary]:

[Specify name]: , ❑ parent ❑ caretaker of the child(ren), having:

❑ appeared ❑ with counsel ❑ without counsel ❑ waived counsel ❑ not appeared ;
❑ not appeared after service ❑ not appeared but service could not be made after every reasonable effort had been made to effect service ❑ not appeared but counsel appeared;

[Specify name]: ❑ parent ❑ caretaker of the child(ren), having:
❑ appeared ❑ with counsel ❑ without counsel ❑ waived counsel ❑ not appeared ;
❑ not appeared after service ❑ not appeared but service could not be made after every reasonable effort had been made to effect service ❑ not appeared but counsel appeared;

And the child(ren) having been represented by (an) attorney(s);

And the following other interested adults, as defined in Family Court Act §1092, were present and intervened and participated in the hearing [specify name(s) and relationship(s) to child(ren)]:

[Required in cases involving Native-American children; check if applicable]:

❑ And the needs of the child having been determined in accordance with the *Indian Child Welfare Act;*

❑ And the following having been duly notified [check applicable box(es)]:

❑ parent/caretaker ❑ tribe/nation [REQUIRED]

❑ United States Secretary of the Interior [REQUIRED if tribal contact undetermined];

And the tribe/nation having: ❑ appeared and participated as a party;

❑ appeared and declined to assume jurisdiction;

❑ appeared and requested transfer of jurisdiction;

❑ not appeared;

And the Court, after [check box]

❑ hearing the proof and testimony offered in relation to the case;

OR

❑ accepting the consent of the parent(s) or other caretaker(s), Petitioner and child(ren)'s attorney to the entry of an order of fact-finding, pursuant to Family Court Act §1095);

;

And the Court having found

❑ by a preponderance of the evidence that the child(ren) meet the definition of destitute child(ren) pursuant to section 1092 of the Family Court Act on the following grounds [specify]:

❑ by a preponderance of the evidence that the child(ren) do NOT meet the definition of destitute child(ren) pursuant to section 1092 of the Family Court Act and the petition is hereby DISMISSED.

And, where the child(ren) have been found to be destitute, the matter having thereafter duly come on for a DISPOSITIONAL HEARING before the Court,

[Applicable only where hearing was heard jointly with hearing of Family Court Act Article 6 custody or guardianship petition, pursuant to Family Court Act §§1055-b, 1095(d)(4); CHECK BOX if applicable]:

❑ And the hearing having been heard jointly with the ❑ custody ❑ guardianship petition,

Docket # [specify]:

And the matter having duly come on to be heard, and the above-named person(s) having been given notice and an opportunity to be heard, as indicated above,

The Court, after having made an examination and inquiry into the facts and circumstances of the case and into the surroundings, conditions, and capacities of the persons involved, finds and determines the following:

[Required findings in cases where the child(ren), who had NOT been ordered temporarily placed earlier in the case, is/are ordered placed; otherwise, skip I and II and go to III]:

The Court finds and determines that:

I. Required "Best Interests" and "Reasonable Efforts" Findings for Newly-placed Children

[check applicable boxes and provide case-specific reasons in both A and B, below]:

A. Continuation of the child(ren) in, or return of the child(ren) to, the child(ren)'s home ❑ would ❑ would not be contrary to the best interests of the child(ren) because [specify facts and reasons]:

This determination is based upon the following information [check applicable box(es)]:

❑ Petition
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

B. Reasonable efforts, where appropriate, to prevent or eliminate the need for placement of the child(ren) away from the home, and, if the child(ren) was/were temporarily placed without court order prior to the date of this hearing, to return them home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑were not made but the lack of efforts was appropriate;

❑ were not made.

This determination is based upon the following information [check applicable box(es)]:

❑ Petition
❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Testimony of [specify]:
❑ Other [specify]:

II. <u>Findings Regarding Alternatives to Removal to Foster Care</u>:

Based upon the investigation conducted by the Commissioner of Social Service, [Check applicable box(es]:

❑ The following person [specify]: is a ❑ caretaker not named above; ❑ interested adult; ❑ relative; ❑ suitable person with whom the child(ren) may appropriately reside.

[Applicable to caretakers, interested adults, relatives and other suitable persons]: Such person:

❑ seeks approval as a foster parent in order to provide care for the child(ren);
❑ wishes to provide care and custody for the child(ren) without foster care subsidy during the pendency of any order herein.
❑ may be a resource but it has not yet been determined whether as a foster parent or custodian.

❑ There is no relative or suitable person with whom the child(ren) may appropriately reside.

III. Required Findings Regarding Transitional Services and Out-of-State Placements:

❑ **[Required regarding child(ren) who will reach 14 years of age before the next permanency hearing]**: The services, if any, needed to assist the child(ren) to make the transition from foster care to independent living are [specify]:

❑ **[Required regarding child(ren) placed outside New York State]**: Placement outside New York State ❑ is ❑ is not appropriate, necessary and in the child(ren)'s best interests;

IV. Required findings where approval of placement in a Qualified Residential Treatment Program (QRTP) is requested [DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]: ; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the child ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the child in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the child in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the child, as specified in the child's permanency plan because [specify facts and reasons]:

D. [Applicable to initial QRTP placement only]: Where the Qualified Individual has determined that the placement of the above-named child in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named child

in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named child's needs in a less restrictive environment; **and**

❑ Placement or continued placement in the Qualified Residential Treatment Program (QRTP) is in the child's best interests because [specify facts and reasons]:

NOW therefore, upon findings made in the [check applicable box(es)]:
❑ fact-finding, ❑ dispositional hearing; and upon all proceedings had herein, it is hereby

A. Order of Fact-finding or Dismissal:
ADJUDGED that facts sufficient to sustain the petition herein ❑ have ❑ have not been established, in that [specify]:

; and it is hereby

[Check all applicable box(es); if different findings were made for each child, list each child and finding separately]:

❑ ADJUDGED that the above-named child(ren) (is) (are) DESTITUTE as defined in section 1092 of the Family Court Act

OR

❑ ORDERED, that the petition filed herein is DISMISSED.

B. Order of Disposition [Applicable where one or more children have been adjudicated as destitute; check all applicable box(es)]:
And the Court, having considered the best interests and safety of the child(ren) hereby orders the following:

❑ ORDERED that the child(ren) (is) (are) placed in the care and custody of the [check box]:
❑ Commissioner of Social Services of [specify county]:
❑ NYC Administration for Children's Services

OR

[Applicable where dispositional hearing is heard jointly with custody or guardianship hearing under Article 6 of the Family Court Act in accordance with Family Court Act §1096]:

❑ ORDERED that [specify relative(s) or other suitable person(s)]:

is/are ❑ appointed guardian ❑ granted custody of [specify child(ren)]:
pursuant to an Order granted on Docket # [specify]: , dated [specify]:
thereby terminating the jurisdiction of this Court over this proceeding, on the ground that such person(s) will provide a safe and permanent home for the child(ren);

And this Court having further found that [Check one of the following boxes]:

❑ all parties, including the attorney of the child and any foster parent who has had custody of the child in excess of one year, have consented to such custody or guardianship;

OR

❑ the following parent(s)[specify]: has/have not consented but this Court has found extraordinary circumstances supporting custody or guardianship;

OR

❑ the parent(s) has/have consented but the following other party or parties has/have not consented [specify]:
but this Court find that custody or guardianship is in the best interests of the child(ren);

And it is further

[Check box if applicable]: ❑ ORDERED that the following local department of social services [specify]:

❑and the following attorney for the child(ren)[specify]:

❑shall be notified and shall be made parties to any subsequent proceedings for modification, enforcement or termination of the Order;

Additional Orders in cases where child(ren) (is)(are) placed with the Commissioner of Social Services or NYC Administration for Children's Services [check applicable box(es)]:

1. Services or assistance:

❑ ORDERED that the Petitioner is directed to provide the following services and assistance, authorized under the comprehensive annual services program plan currently in effect, to the following parent(s), caretaker(s) or other parties [specify person(s) and services or assistance]:

2. Transitional Services [Applicable to placed child(ren) who will attain the age of 14 years of age or older prior to the next permanency hearing]:

❑ ORDERED that the Petitioner is directed to provide the following services and assistance to the child(ren) to make the transition from foster care to independent living [specify]:
; (and it is further)

3. Out-of-State Placement [Required for children placed out-of-state]:

❑ ORDERED that the placement of the child at [specify]: ,

❑ is appropriate, necessary and in the child's best interests and is continued until completion of the next permanency hearing scheduled for a date certain in this order;

❑ is not appropriate, necessary and in the child's best interests and the child shall, therefore, be returned to New York State to be ❑ placed with [specify]:

❑ discharged to [specify]: ; (and it is further)

4. Progress Reports and Notices [Required where child(ren) placed]:

❑ ORDERED that Petitioner shall make a progress report to the Court, the parties and the child's attorney on the implementation of this order as follows [specify date and/or frequency]:
; (and it is further)

❑ ORDERED that if the above permanency plan for the above-named child is changed, notice shall be provided to the Court, the parties and the child's attorney forthwith, (and it is further)

5. Planning Conferences [Required where child(ren) placed]:

❑ ORDERED that the ❑ parent(s) ❑ other person(s) legally responsible for the children(s) care shall be notified of the planning conference(s) to be held and of (his)(her)right to attend such conference(s) with counsel or other person; (and it is further)

6. Visiting Plans [Required where child(ren) placed; check applicable box(es)]:

❑ ORDERED that Petitioner shall provide the ❑ parent ❑ other person(s) legally responsible for the child(ren)'s care with visits with the child(ren) as follows [describe visiting plan]:

❑ ORDERED that Petitioner shall provide the following sibling(s) [specify]:
with visits with the child as follows [describe visiting plan]:
; (and it is further)

7. ❑ REQUIRED where approval of placement in a Qualified Residential Treatment Program (QRTP) is requested [DELETE if inapplicable]: After examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified

Residential Treatment Program" is GRANTED, and placement of the child in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]:

the above-named child shall be [check applicable box and specify]:

❑ returned or released to the following parent [specify]:

❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named child's care and welfare that is in the best interests of the child and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

8. <u>Date Certain for Next Permanency Hearing</u> [REQUIRED where child(ren) are placed]: ORDERED that if the child(ren) remain(s) in foster care , the next permanency hearing shall be held on [specify date certain]:[2]

[2] Specify a date certain not more than <u>six months</u> from the completion of the previous permanency hearing or, if one had not been held, a date not more than <u>eight months</u> from date of removal of the child(ren) from home. <u>No date needs to be set</u> if : (i) the petition is dismissed; or (ii) the child has not been placed outside of the home; or (iii) has been finally discharged from care; or (iv) custody or guardianship was ordered pursuant to Family Court Act Article 6. If the child has been placed and the child has a sibling or half-sibling placed outside of the home, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was remanded or placed on a juvenile delinquency or PINS petition or unless he or she has been freed for adoption.

Petitioner shall transmit notice of the hearing and a permanency report no later than 14 days in advance of the above date certain to the parents, other parties, attorneys, the child's attorney and shall also transmit notice of the hearing to former foster parent(s) who have had care of the child(ren) in excess of 12 months, except [specify former foster parents for whom such notice would be contrary to child's best interests; delete if inapplicable]:

; (and it is further)

❑ ORDERED

ENTER

_____
Judge of the Family Court

Dated: _____

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:_____

❑ Order received in court on [specify date(s) and to whom given]:_____

Soc. Serv. Law §§ 358-a, 384,
384-a, 384-c, 393, 409-h

Form 358-a- 1
(Petition for
Approval of a Placement
Instrument)
9/2021

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF
.....

In the Matter of the Application for
Approval of an Instrument concerning

Docket No.

PETITION FOR
APPROVAL OF
A PLACEMENT
INSTRUMENT

CIN #
Pursuant to Section 358-A of the
Social Services Law
.....

NOTICE: IF YOUR CHILD STAYS IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD. IF THE PETITION IS GRANTED, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD AND YOUR CHILD MAY BE ADOPTED WITHOUT YOUR CONSENT.

TO THE FAMILY COURT:

The undersigned Petitioner respectfully alleges upon information and belief:

1. The Petitioner is authorized to file this petition in that (s)he is an official of the
❑ Department of Social Services for [specify]: County
❑ New York City Administration for Children's Services, having (his)(her) office and place of business at [specify]:

2. a. The above-named child is a ❑ male ❑ female ❑ non-binary child, who was born on [specify]:

b. The names and addresses of the birth parent(s) or legal guardian(s) of the child are as follows:

Name Address

3. On [specify date]: , the child was removed from the home of [specify]: , pursuant to a written instrument executed pursuant to Social Services Law [check applicable box]: ❑ 384 ❑ 384-a(1) ❑ 384-a(2)(h)1 on [specify date]: by [specify who executed the instrument and relationship(s) to child]:
A copy of the instrument is attached to this petition.

4. (Upon information and belief) The child now resides at [specify]:
and is likely to remain in the care and custody of the Department of Social Services for a period in excess of thirty (30) consecutive days.

5. (Upon information and belief) [Specify name(s)]: voluntarily executed the attached instrument because (he)(she) (they) (is)(are) unable to make adequate provision for the care, maintenance and supervision of the child in (his)(her)(their) own home for the reasons that [specify]:

6. (Upon information and belief) Continuation of the child in, or return of the child to, the child's home would be contrary to the best interests of the child because [specify facts and reasons]:

This assertion is supported by the following information [check applicable box(es)]:

❑ Case Record, dated [specify]: □ Service Plan, dated [specify]:

❑ The report of [specify]: , dated [specify]:

❑ Other [specify]:

7. a. Reasonable efforts, where appropriate, to prevent or eliminate the need for placement, and, if the child was removed prior to the date of the hearing, to return the child home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding that the authorized agency was not required to make reasonable efforts to reunify the child with the ☐ parent(s) ❑ guardian(s) [specify date of finding]:

❑ because [specify other reasons]:

❑were not made.

[1] A standby placement instrument lasting up to one year in duration, previously approved by the Court, pursuant to Social Services Law §358-a(2)(h)(iii), may provide that the child be transferred into foster care upon the death, debilitation or incapacitation of the parent or legal guardian. *See* Forms 358-a-6 and 358-a-7. Once the transfer takes place, the status of the child must be reviewed using this form, pursuant to Social Services Law §358-a, and the required "best interests" and "reasonable efforts" findings must be made.

This assertion is supported by the following information [check applicable box(es)]:

❑ Case Record, dated [specify]: □ Service Plan, dated [specify]:

❑ The report of [specify]: , dated [specify]:

❑ Other [specify]:

b . [Applicable in cases in which the child's permanency plan is adoption, guardianship or permanent living arrangement other than reunification]: Reasonable efforts to make and finalize the permanency plan of [specify]:

❑ were made as follows [specify]:

❑ were not made.

This assertion is supported by the following information [check applicable box(es)]:

❑Case Record, dated [specify]: □ Service Plan, dated [specify]:

❑ The report of [specify]: , dated [specify]:

❑ Other [specify]:

c. The following impediments exist, if any, to the fulfillment of the child's permanency plan [specify, indicating documentary sources of information, if any]:

8. The permanency plan for the child is as follows:

❑ reunification with the ❑ parent(s) ❑ guardian(s) by [specify date]:

❑ placement for adoption upon filing of a petition to terminate parental rights by [specify date]:

❑ referral for legal guardianship by [specify name and date]:

❑ permanent placement with the following fit and willing relative [specify name]: by [specify date]:

❑ permanent placement in the following alternative planned living arrangement [specify]:

❑ with a significant connection to the following adult [specify]:
who is [check applicable box]:

❑ willing to be a permanency resource for the child

❑ under exploration as a permanency resource for the child;

OR

❑ with a significant connection to an adult not yet identified;

upon documentation, available to the Court, that the following compelling reason(s) indicate(s) that it would not be in the child's best interests to return home, be referred for termination of parental rights and adoption, placed with a fit and willing relative, or placed with a legal guardian [specify compelling reason(s)]:

9. [Required where child is 14 years of age or older]: (Upon information and belief) The services needed, if any, to assist the child to make the transition from foster care to independent living are [specify]:

10. [Applicable where transfer was made pursuant to section 384-a of the Social Services Law] (Upon information and belief) Care and custody of the child has been transferred to the Department of Social Services by means of an instrument executed pursuant to section 384-a of the Social Services Law, and all of the requirements of such section have been satisfied.

11. [Applicable where transfer was made pursuant to section 384-a of the Social Services Law and where waiver was signed]: (Upon information and belief) Pursuant to the attached instrument, [specify]: (has) (have) consented to the jurisdiction of the Family Court over this proceeding and (has)(have) waived service of the petition and notice of this proceeding.)

12. (Upon information and belief) The names and last-known addresses of the child's parents and all other persons required to be given notice of this proceeding pursuant to sections 358-a and 384-c of the Social Services Law are:

Name	Address	Relationship

and there are no persons other than those set forth who are entitled to notice.

13. The visiting plan(s) for the child and the ❑ parent(s) ❑ guardian(s) (is)(are) as follows [describe plan(s)]:

14. a. The child has the following sibling(s) or half-sibling(s) [specify, including date of birth and whether in foster care]:

b. The child ❑ is ❑ is not placed together with such sibling(s) or half-sibling(s) for the following reason(s) [specify reasons not placed together; if placement together is under investigation, so indicate]:

c. [Applicable where child and siblings or half-siblings are not placed together]: The visiting plan(s) for the child and (his)(her) sibling(s) or half-sibling(s) (is)(are) as follows [describe plan(s)]:

15. a. A visitation order regarding the following non-custodial parents and grandparents ❑ is ❑ is not incorporated into the placement instrument pursuant to Social Services Law §384-a(2)(d) for the following reason(s) [specify reason(s) if visitation order is not incorporated]:

b. The above-named non-custodial parent(s) and grandparent(s) ❑ are ❑ are not the subject of an indicated report, as such term is defined in Section 412 of the Social Services Law, filed with the statewide register of child abuse and maltreatment pursuant to Title Six of Article Six of the Social Services Law. If so, specify date, status and circumstances to the extent known:

c. The above-named non-custodial parent(s) and grandparent(s) ❑ are ❑ are not the subject(s) of or the respondent(s) in a child protective proceeding commenced under Article Ten of the Family Court Act. If so, specify whether the proceeding resulted in an order finding that the child is an abused or neglected child, date and status to the extent known:

16. **REQUIRED if placement in Qualified Residential Treatment Program is requested]:**

a. The permanency plan for the child is [specify]: .

This plan ❑ has ❑ has not changed since the most recent dispositional or permanency hearing.

b. The needs of the child require a higher level of care than can be provided by a foster or therapeutic foster home because [specify]:

c. The child has been ❑ placed ❑ recommended for placement in [specify name]: a qualified residential treatment program (QRTP).

d. The needs of the child have been assessed by a Qualified Individual as defined in Social Services Law, Section 409-h (5) and a copy of the Qualified Individual's report:

❑ has been submitted separately

❑ is submitted herewith

❑ will be submitted within five days of completion but not less than (10) days prior to the date of the first-scheduled hearing on this motion.

e. The following circumstances exist that necessitate the placement or continued placement of the child in the QRTP [specify]:

f. There is no alternative setting available that can meet the child's needs in a less restrictive environment because [specify]:

g. Placement or continued placement in the QRTP is in the child's best interests because [specify]:

17. The subject child ❑ is ❑ is not a Native-American child, who is subject to the Indian Child Welfare Act of 1978 (25 U.S.C. §§ 1901-1963). If so, the following have been notified [check applicable box(es)]:

❑ parent/custodian [specify name and give notification date]:

❑ tribe/nation [specify name and give notification date]:

❑ United States Secretary of the Interior [give notification date]:

18. [Required]: Petitioner is required to obtain education information and to provide that information to foster care providers and other parties to this proceeding. Unless otherwise obtained by release, Petitioner thus seeks a court order to obtain the education records (including special education and early intervention records) of each child named in this Petition who is not placed with a parent(s)/legal guardian(s), and a court order to provide such records to service providers where such records are necessary to enable the service provider to establish and implement a plan of service.

19. No previous application has been made to any court or judge for the relief requested herein, (except [specify]:).

WHEREFORE, Petitioner requests:

A. That process be served on those entitled thereto in accordance with sections 358-a or 384-c of the Social Services Law;

B. That pending any hearing that the Family Court may require, a temporary order be made approving the transfer of custody and care of the child to the Social Services official of County, pursuant to section 358-a of the Social Services Law;

C. That the Court enter a final order granting the petition approving the annexed instrument and approving the transfer of custody and care to the Social Services official of [specify]: County;

D. That the Court enter an order describing the above visiting plans for the child and (his)(her) parent(s) or guardian(s) and for the child and (his)(her) sibling(s) or half-sibling(s);

E. That the (parent)(guardian) be notified of the planning conference(s) to be held, of (his)(her) right to attend such conference(s) and of (his)(her)right to attend with counsel or other person;

F. That the (parent)(guardian)be given a copy of this Court's order and service plan;

G. [DELETE if inapplicable]: ❑ That this Court enter an order approving placement of the child in the following Qualified Residential Treatment Program [specify]:

H. That this Court schedule a date certain for a permanency hearing;

I. That the Court grant such other and further relief as the Court may deem just and proper.

Dated: _____

Signature of Petitioner: _____

Title: _____

Print or type name: _____

Signature of Attorney, if any: _____

Attorney's Name (Print or Type) _____

Attorney's Address and _____

_____

Telephone Number _____

Soc. Serv. Law §§ 358-a, 384-a, 393, 409-h

Form 358-a-4
(Temporary Order Approving Placement Instrument)
9/2021

At a term of the Family Court of the State of New York, held in and for the County of , at New York, on ,.

P R E S E N T:
Hon.
Judge

In the Matter of the Application for Approval of an Instrument concerning

Docket No.

CIN #
Pursuant to Section 358-a of the Social Services Law

TEMPORARY ORDER APPROVING PLACEMENT INSTRUMENT

NOTICE: IF YOUR CHILD STAYS IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD. IF THE PETITION IS GRANTED, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD AND YOUR CHILD MAY BE ADOPTED WITHOUT YOUR CONSENT.

THE NEXT COURT DATE IS [specify date/time]:
THE PERMANENCY HEARING SHALL BE HELD ON [specify date/time]:[1]

The petition of an authorized official of the ❑ Department of Social Services for [specify]: County, ❑ New York City Administration for Children's Services, dated [specify]: , having been filed with this Court requesting that pending any hearing that the Court may require, a temporary order be made approving the transfer of custody and care of the child to the Petitioner, pursuant to Section 358-a(5) of the Social Services Law; and it appearing that a hearing is required and an immediate hearing on notice is impractical;

[1] The permanency hearing must be scheduled for a date certain not more than eight months from the date of removal of the child from home. If the child has a sibling or half-sibling removed from the home, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was removed on a juvenile delinquency or PINS petition or unless he or she has permanency hearing shall be cancelled.

[Required findings; check applicable boxes and provide case-specific reasons in A , B and C and, if applicable, D, below]:

The Court finds and determines:

A. The [check applicable box]: ❑ parent(s)[specify]: ❑ guardian(s) [specify]: of the child are unable to make adequate provision for the care, maintenance and supervision of the child in the child's own home, based upon the following facts and for the following reasons [specify facts and reasons, including specific documents or evidence supporting findings]:

B. Continuation of the child in, or return of the child to, the child's home would be contrary to the best interests of the child because [specify facts and reasons]:

This determination is supported by the following information [check applicable box(es)]:

❑ Case Record, dated [specify]:

❑ Service Plan, dated [specify]:

❑The report of [specify]: , dated [specify]:

❑Other [specify]:

C. Reasonable efforts, where appropriate, to prevent or eliminate the need for placement, and, if the child was removed prior to the date of the hearing, to return the child home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:

❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:

❑ because of a prior judicial finding that the authorized agency was not required to make reasonable efforts to reunify the child with the ❑ parent(s) ❑ guardian(s) specify date of finding]:

❑ because [specify other reasons]:

❑ were not made.

This determination is supported by the following information [check applicable box(es)]:

❑ Case Record, dated [specify]:

❑ Service Plan, dated [specify]:

❑The report of [specify]: , dated [specify]:

❑ Other [specify]:

D. [REQUIRED in cases in which the child's permanency plan is adoption, guardianship or permanent living arrangement other than reunification]: Reasonable efforts to make and finalize the permanency plan of [specify]:

❑ were made as follows [specify]:

❑ were not made.

This determination is supported by the following information [check applicable box(es)]:

❑ Case Record, dated [specify]:

❑ Service Plan, dated [specify]:

❑The report of [specify]: , dated [specify]:

❑ Other [specify]:

E. **[Required in cases involving Native-American children; check if applicable]:**

❑ And the following having been duly notified [check applicable box(es)]:

❑ parent/custodian ❑ tribe/nation ❑ United States Secretary of the Interior;

And the tribe/nation having: ❑ appeared and participated as a party;

❑ appeared and declined to assume jurisdiction;

❑ appeared and requested transfer of jurisdiction;

❑ not appeared;

F. ❑ Findings if approval of placement in a Qualified Residential Treatment Program (QRTP) is requested: [DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]: ; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the child ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the child in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the child in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the child, as specified in the child's permanency plan because [specify facts and reasons]:

D. Where the Qualified Individual has determined that the placement of the above-named child in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named child in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named child's needs in a less restrictive environment; **and**

❑ Continued placement in the Qualified Residential Treatment Program (QRTP) is in the child's best interests because [specify facts and reasons]:

NOW, therefore, upon the basis of the instrument and the allegations of the petition, it is hereby

ORDERED that pending a hearing and determination of this matter, the temporary care and custody of the child is transferred to the ❑ Department of Social Services for [specify]:
County, ❑ New York City Administration for Children's Services; and it is further

[REQUIRED if Native-American Child; check box(es) if applicable]:

❑ ORDERED that the following should be notified of this proceeding [specify]:
the ❑ custodian of the child; ❑ tribe/nation; ❑ United States Secretary of the Interior

❑ ORDERED that in light of the assumption of jurisdiction by the tribe/nation, this petition is DISMISSED WITHOUT PREJUDICE; (and it is further)

[Required if placement in a Qualified Residential Treatment Program (QRTP) is requested:
❑ Required Order if Placement in "Qualified Residential Treatment Program" is Requested
[DELETE if inapplicable]:

after examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is GRANTED, and placement of the child in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]:
the above-named child shall be [check applicable box and specify]:
❑ returned or released to the following parent [specify]:
❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named child's care and welfare that is in the best interests of the child and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

ORDERED that this matter be set down for hearing on [specify date/time]:

ENTER

_____
Judge of the Family Court

Dated: , .

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑Order mailed on [specify date(s) and to whom mailed]:_____

❑Order received in court on [specify date(s) and to whom given]:_____

[Type here]

Soc. Serv. Law §§ 358-a, 384-a, 384-c, 393, 409-h

Form 358-a-5
(Order of Disposition - Petition for Approval of an Instrument)
9/2021

At a term of the Family Court of then State of New York, held in and for the County of , at , New York , on

P R E S E N T:
Hon.
Judge

In the Matter of the Application for Approval of an Instrument concerning

Docket No.

ORDER OF DISPOSITION
PETITION FOR APPROVAL
OF AN INSTRUMENT

CIN #

Pursuant to Section 358-a of the Social Services Law

NOTICE: IF YOUR CHILD STAYS IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD. IF THE PETITION IS GRANTED, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD AND YOUR CHILD MAY BE ADOPTED WITHOUT YOUR CONSENT.

THE NEXT PERMANENCY HEARING SHALL BE HELD ON [SPECIFY DATE/TIME]:[1]

The Petition of an authorized official of the ❑ Department of Social Services for [specify]: County, ❑ New York City Administration for Children's Services, dated [specify]: , having been filed with the Court requesting approval of an instrument transferring custody and care of the child to the agency;

[1]Specify a date certain not more than eight months from the date of removal. If the child has a sibling or half-sibling removed from the home, whose permanency hearing is scheduled before this Court, the date certain shall be the same as the date certain for the sibling's or half-sibling's permanency hearing, unless the sibling or half-sibling was removed on a juvenile delinquency or PINS petition or unless he or she has permanency hearing shall be cancelled.

And the following person(s) having been duly served with notice of this proceeding and having been given an opportunity to be heard [check applicable boxes]:

❑ Parent [specify]:
having ❑ appeared ❑ with counsel ❑ without counsel ❑ waived counsel ❑ not appeared;
❑ Parent [specify]::

having ❑ appeared ❑ with counsel ❑ without counsel ❑ waived counsel ❑ not appeared;
❑ Guardian(s) [specify]:
Having appeared: ❑ yes ❑ no ❑ with counsel ❑ without counsel
❑ Petitioner Appeared: ❑ yes ❑ no
❑ Prospective adoptive parent(s) [specify]: Appeared: ❑ yes ❑ no

❑ Relatives providing care for the child [specify]: Appeared: ❑ yes ❑ no
❑ Other [specify]: Appeared: ❑ yes ❑ no ❑ with counsel ❑ without counsel;

And the ❑ parent(s) [specify]: ❑ guardian(s)[specify]:
having by written instrument ❑ consented to the jurisdiction of this Court and ❑ waived service of the petition and notice of proceeding, and the Court having dispensed with such service [check box(es) if applicable];

And an attorney having been appointed and having appeared to represent the child;

[Required in cases involving Native-American children; check if applicable]:
❑ And the following having been duly notified [check applicable box(es)]:
❑ parent/custodian ❑ tribe/nation ❑ United States Secretary of the Interior;
❑ And the tribe/nation having: ❑ appeared and participated as a party;
❑ appeared and declined to assume jurisdiction;
❑ appeared and requested transfer of jurisdiction;
❑ not appeared;

[Note: Required; judicial findings must be made pursuant to I and, if petition is GRANTED, II , III and, if applicable, IV]:
And the matter having duly come on for a hearing before this Court, the Court, after hearing the proof and testimony offered in relation to the case, finds and determines that:

I. Criteria for Approval of Placement Instrument [Check applicable box(es) in A, B and C, below]:
A. The ❑ parent(s) [specify]: ❑ guardian(s) [specify]:
❑ did ❑ did not execute such instrument knowingly and voluntarily; and

B. The ❑ parent(s) [specify]: ❑ guardian(s) [specify]:

❑ would ❑ would not be able to make adequate provision for the care, maintenance and supervision of the child in the home; and

C. The requirements of Social Services Law §384-a have been satisfied (except [specify]).

II. "Best Interests" and "Reasonable Efforts" Findings [check applicable boxes and provide case-specific reasons in A, B and C, below]

A. Continuation of the child in, or return of the child to, the child's home would be contrary to the best interests of the child because [specify facts and reasons]:

This determination is supported by the following information [check applicable box(es)]:

❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Other [specify]:

B. Reasonable efforts, where appropriate, to prevent or eliminate the need for placement, and, if the child was removed prior to the date of the hearing, to return the child home safely [check applicable box and state reasons as indicated]:

❑ were made as follows [specify]:
❑ were not made but the lack of efforts was appropriate [check all applicable boxes]:
  ❑ because of a prior judicial finding that the authorized agency was not required to make reasonable efforts to reunify the child with the ❑ parent(s)
  ❑ guardian(s) [specify date of finding]:
  ❑ because [specify other reasons]:
❑ were not made.

This determination is supported by the following information [check applicable box(es)]:

❑ Case Record, dated [specify]:
❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Other [specify]:

C . **[REQUIRED in cases in which the child's permanency plan is adoption, guardianship or permanent living arrangement other than reunification]:** Reasonable efforts to make and finalize the permanency plan of [specify]:

❑ were made as follows [specify]:

❑ were not made.

This determination is supported by the following information [check applicable box(es)]:

❑ Case Record, dated [specify]:

❑ Service Plan, dated [specify]:
❑ The report of [specify]: , dated [specify]:
❑ Other [specify]:

III. Findings Regarding Relatives and Siblings [Required; check applicable boxes in A and B, below]:

A. Relatives: Based upon the investigation conducted by the Commissioner of Social Services, [Check applicable box(es)]:

❑ The following person is a suitable person related to the child with whom such child may appropriately reside [specify]:

Such person: ❑ seeks approval as a foster parent in order to provide care for the child;

❑ wishes to provide care and custody for the child without foster care subsidy at this time.

❑ may be a resource but not yet determined whether as foster parent or custodian.

❑ There is no suitable person related to the child with whom the child may appropriately reside.

B. Siblings: Based upon the investigation conducted by the Commissioner of Social Services, [Check applicable box(es)]:

❑ The following sibling(s) or half-sibling(s) are in the care and custody of the Commissioner of Social Services of [specify]: County [specify]:

❑ Placement of the child with the following sibling(s) or half-sibling(s) [specify]: would be appropriate and in the children's best interests [specify]:

❑ Placement of the child with the following sibling(s) or half-sibling(s) [specify]: would not be in the child's best interests based upon the following facts and for the following reasons [specify]:

❑ The following is the plan for visiting and communication with the sibling(s) or half-sibling(s)[specify]:

❑ Visiting and communication with the sibling(s) or half-sibling(s) would be contrary to the children's best interests based upon the following facts and for the following reasons [specify]:[specify]:

❑ The child has no siblings or half-siblings.

❑ The child has the following siblings or half-siblings [specify]:

who are in the custody of [specify]:

IV. Transitional Services [Required where child is 14 years of age and older]:

❑ The services, if any, needed to assist the child to make the transition from foster care to independent living are [specify]:

V. ❑ Required Findings if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]: ; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the child ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the child in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the child in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the child, as specified in the child's permanency plan because [specify facts and reasons]:

D. Where the Qualified Individual has determined that the placement of the above-named child in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named child in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named child's needs in a less restrictive environment; **and**

❑ Placement or continued placement in the Qualified Residential Treatment Program (QRTP) is in the child's best interests because [specify facts and reasons]:

NOW, therefore, it is hereby [check applicable box(es)]:

A. Disposition of Petition [Required; check applicable box]

❑ ORDERED that the petition is GRANTED and the instrument dated [specify]: and executed by [specify]: is approved and the custody and care of the child is hereby transferred to the Petitioner ;

OR

❑ ORDERED that the petition is DISMISSED and the child is discharged. and must be returned forthwith to [specify]: ; (and it is further)

B. Reasonable Efforts [Applicable where petition granted]
[Applicable where the child's permanency plan is reunification with the parent or guardian]:

❑ ORDERED that following reasonable efforts shall be made to make and finalize the child's permanency plan of reunification [specify]:

❑ ORDERED that [specify]: , ❑ a social services official ❑ a duly authorized agency, undertake diligent efforts to encourage and strengthen the parental relationship, including, but not limited to, the following [specify]:

; (and it is further)

[Applicable where the child's permanency plan is adoption, guardianship or permanent living arrangement other than reunification]:

❑ ORDERED that following reasonable efforts shall be made to make and finalize the child's permanency plan of [specify permanency plan and describe efforts]:

; (and it is further)

C. Relatives, Suitable Persons, Siblings and Half-siblings [Applicable if petition granted]:

❑ ORDERED that the Commissioner of Social Services investigate [specify]: as a relative or other suitable person with whom the child may reside; (and it is further)

❑ ORDERED that the Commissioner of Social Services investigate placement of the child with the following siblings or half-siblings [specify]: ; (and it is further)

D. Visitation with Parents, Guardians, Grandparents, Siblings and Half-siblings [Required where petition granted]2

---

[2] The visiting plan with the parents or guardians must be described in the order pursuant to Social Services Law §358-a(3)(e). If the Petitioner or attorney for the child oppose incorporation of a visiting order regarding a non-custodial parent or grandparent, this order must contain a determination of that application. *See* Social Services Law §358-a(10)(b). Further, this order may contain a direction to the Petitioner regarding the findings rendered with respect to the child's placement, visiting and communication with siblings or half-siblings. *See* Social Services Law §358-a(11).

❑ ORDERED that Petitioner shall provide the ❑ parent(s) ❑(guardian(s) with visitation with the child as follows [describe visitation plan]:

;(and it is further)

[Applicable where Petitioner or the attorney for the child opposed incorporation of a visitation order regarding non-custodial parents or grandparents into the placement instrument]:

❑ ORDERED that the application of ❑ Petitioner ❑ attorney for the child for the visitation order regarding the following non-custodial parents or grandparents [specify]: not to be incorporated into the placement instrument is hereby ❑ granted ❑ denied; and the visitation order is ❑ incorporated ❑ not incorporated ❑ modified as follows [specify]:

; (and it is further)

❑ ORDERED that Petitioner shall provide the following sibling(s) or half-sibling(s) of the child with visitation with the child as follows [describe visitation plan]:

; (and it is further)

E. Notice of Planning Conferences, Service of Order and Service Plan [Required in all cases in which the petition is granted]

❑ ORDERED that the ❑ parent(s) ❑(guardian(s) be notified of the planning conference or conferences to be held with respect to the child, of the parent(s)' or guardian(s)' right to attend such conference(s) and of the right to be accompanied at such conference(s) by counsel or other person; or (and it is further)

❑ ORDERED that the Petitioner shall serve a copy of this Order and service plan ❑ personally ❑ by certified mail upon the ❑ parent(s) ❑(guardian(s) who executed the aforesaid instrument. Such service shall be made within [specify]: days from the date of this order, and shall be accompanied by a notice of the terms and conditions, if any, under which the custody and care of the child may be returned to the parent(s) or guardian(s); (and it is further)

F. Request for Return of Child [Required in all cases in which the petition is granted]

❑ ORDERED that the child shall be returned to the ❑ parent(s) ❑(guardian(s) in accordance with the terms and conditions of the placement instrument without further Court order; (and it is further)

G. Native-American Children [Check box if applicable]:

❑ ORDERED that the following should be notified of this proceeding [specify]:
the ❑ custodian of the child; ❑ tribe/nation; ❑ United States Secretary of the Interior

❑ ORDERED that in light of the assumption of jurisdiction by the tribe/nation, this petition is DISMISSED WITHOUT PREJUDICE; (and it is further)

H. ☐ REQUIRED if Order if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]: After examination and inquiry into the facts and

circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is GRANTED, and placement of the child in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]:
the above-named child shall be [check applicable box and specify]:

❑ returned or released to the following parent [specify]:

❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the lo9cal social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named child's care and welfare that is in the best interests of the child and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

I. <u>Date Certain for Permanency Hearing</u> [Required in <u>all</u> cases where petition is granted]

❑ ORDERED that if the child(ren) remain(s) in foster care or in placement with a relative or other suitable person, the next permanency hearing shall be held on [specify date/time]:3

[3] *See* Footnote 1.

Petitioner shall transmit notice of the hearing and a permanency report no later than 14 days in advance of the above date certain to the parents, other parties, attorneys, the attorney for the child and any pre-adoptive parent or relative providing care to the child(ren) and shall transmit notice of the hearing to former foster parent(s) who have had care of the child(ren) in excess of 12 months.

❑ And it is further ORDERED that

ENTER

Dated: _____
Judge of the Family Court

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:_____

❑ Order received in court on [specify date(s) and to whom given]:_____

F.C.A.§§ 353.7; 756-b; 1055-c; 1089; 1091-a; 1097
S.S.. L §§ 393, 409-h

Form GF-45
(Notice of Motion–Approval of Placement in a QRTP)
(9 /2021)

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF
.....

In the Matter of a Proceeding under
Article of the Family Court Act

Docket No.
FF#

NOTICE OF MOTION FOR APPROVAL OF A PLACEMENT IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM (QRTP)

A Child Under 21 Years of Age Alleged to Require Placement
.....

To:

PLEASE TAKE NOTICE, that upon the annexed affidavit of , sworn to on , , and upon all the proceedings heretofore had herein, a motion will be made at this Court at on , , or as soon thereafter as the parties can be heard for an Order Approving the Placement of the child [specify name] in the following Qualified Residential Treatment Program (QRTP) [specify]:
as provided in Article of the Family Court Act, and for such other and further relief as to the Court may seem just and proper.

Dated:

Yours, etc.

_____
Print or type name

_____
Signature of Attorney, if any

_____
Attorney's Name (Print or Type)

_____
_____
_____
_____
_____
Attorney's Address. Telephone Number and Email Address

F.C.A.§§ 353.7;756-b;1055-c;1089;1091-a; 1097
S.S.L. Sec. 393

Form GF-45a
(Affidavit in Support of Motion for Approval of QRTP Placement)
(9 /2021)

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF
.....
In the Matter of a Proceeding under
Article of the Family Court Act

Docket No.
FF#

AFFIDAVIT IN SUPPORT OF MOTION FOR APPROVAL OF PLACEMENT IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM (QRTP)

A Child Under 21 Years of Age Alleged to Require Placement
.....
STATE OF NEW YORK)
COUNTY OF) SS.:

I, [specify name]: swear the following to be true under the penalties of perjury:

1. The Affiant is authorized to file this motion in that (s)he is an official of the

❑ Department of Social Services for [specify]: County
❑ New York City Administration for Children's Services
❑ New York State Office of Children and Family Services,

having (his)(her) office and place of business at [specify]:

2. a. The above-named child is a ❑ male ❑ female ❑ non-binary and was born on [specify]:

b. The names and addresses of the [check appropriate box]: ❑ birth or ❑ adoptive parent(s) or ❑ legal guardian(s) of the child are as follows:

Name Address[1]

[1] Specify address unless ordered to be kept confidential in accordance with Family Court Act §154-b(2).

3. (Upon information and belief,) the above-named child was removed from his/her home on [specify date]: and was placed in ❑ foster care ❑ relative/kin care ❑ suitable adult care ❑ congregate care facility ❑ other [specify]: on [specify date]:

as a result of a proceeding under Article [specify]: of the Family Court Act.

4. The status of the case is as follows [specify most recent court action, date of fact-finding, disposition and/or most recent permanency hearing, if any; if child was surrendered by or had parental rights terminated with respect to either parent, so indicate with date]:

5. The permanency plan for the child is [specify]: .
This plan ❑ has ❑ has not changed since the most recent dispositional or permanency hearing.

6. The needs of the child require a higher level of care than can be provided by a foster or therapeutic foster home because [specify]:

7. The child has been ❑ placed ❑ recommended for placement in [specify name]:
a qualified residential treatment program (QRTP).

8. The needs of the child have been assessed by a Qualified Individual as defined in Social Services Law, Section 409-h (5) and a copy of the Qualified Individual's report ❑ has been submitted separately ❑ is submitted herewith ❑ will be submitted within five days of completion but not less than (10) days prior to the date of the first-scheduled hearing on this motion.

9. The following circumstances exist that necessitate the continued placement of the child in the QRTP [specify]:

10. There is no alternative setting available that can meet the child's needs in a less restrictive environment because [specify]:

11. a) [For SSL Section 358-a and FCA Article 10, 10-B and 10-C cases] Continued placement in the QRTP is in the child's best interests because [specify]:

b) [For FCA Article 3 cases] Continued placement serves the Respondent child's needs and best interests or the need for protection of the community because [specify]:

c) [For FCA Article 7 cases] It would be contrary to the welfare of the Respondent child to be placed in a less restrictive setting and that continued placement in a QRTP is in the Respondent child's best interests because [specify]:

12. The subject child ❑ is ❑ is not a Native-American child, who is subject to the Indian Child Welfare Act of 1978 (25 U.S.C. §§ 1901-1963). If so, the following have been notified [check applicable box(es)]:

❑ parent/custodian [specify name and give notification date]:

❑ tribe/nation [specify name and give notification date]:

❑ United States Secretary of the Interior [give notification date]:

13. No previous application has been made to any court or judge for the relief herein requested (except [specify]:

WHEREFORE, for the reasons stated above, affiant respectfully requests this Court to issue an order approving the above-named child's placement in the specified Qualified Residential Treatment Program (QRTP) and for such other and further relief as the Court may deem just and proper.

Dated:

_____
Signature
Print Name: _____
Title and Agency: _____
_____

Sworn to before me this
day of ,

_____
(Deputy) Clerk of the Court
Notary Public

_____
Signature of Attorney,

_____
Attorney's Name (Print or Type)

_____
_____
_____
_____
_____
Attorney's Address. Telephone Number
and Email Address

F.C.A. §§ 353.7; 756-b; 1055-c; 1089; 1091-a; 1097
S.S.L. §§ 393, 409-h[1]

Form GF-46
(Order on Motion for Approval of Placement in a QRTP)
(9/2021)

At a term of the Family Court of the State of New York, held in and for the County of ,

at New York
on

P R E S E N T:
HON.
Judge

.....

In the Matter of

Docket No.
FF #

A Child Under 21 Years of Age
Alleged to Require Placement

ORDER ON MOTION FOR APPROVAL OF PLACEMENT IN A QUALIFIED RESIDENTIAL TREATMENT PROGRAM

.....

NOTICE: IF YOUR CHILD IS PLACED IN FOSTER CARE, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD AND YOUR CHILD MAY BE ADOPTED WITHOUT YOUR CONSENT.

IF YOUR CHILD STAYS IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD.

THE NEXT COURT DATE IS [specify date certain]:
THE PERMANENCY HEARING WILL BE HELD ON [specify date certain]:[2]

---

[1] This form must be used when the qualified residential treatment program (QRTP) hearing is NOT combined with a dispositional, permanency or extension of placement hearing. The Order must be made within 60 days of the child's entry into the QRTP.

[2] If this Order grants a motion to approve placement in a qualified residential treatment program (QRTP), a review of this placement must occur at the next scheduled permanency hearing. Upon such review, the Court shall determine: 1) whether the ongoing assessment of the strengths and needs of the child continues to support the determination that the needs of the child cannot be met through placement in a foster family home; 2) whether placement in the QRTP provides the most effective and appropriate level of care in the least restrictive environment; and 3) whether placement in the QRTP continues to be consistent with the child's short and long-term goals.

A motion having been filed with this Court on [specify date]: ,
requesting an order approving placement of the above-named child in a Qualified Residential Treatment Program (QRTP), and the Petitioner, having appeared with counsel and the parent(s) having ❑ appeared ❑not appeared, and counsel for the parent(s) having ❑appeared ❑ not appeared, and the attorney for the child having ❑ appeared ❑ not appeared; and

[Required in cases involving Native-American children; check if applicable]:
❑ And the following having been duly notified [check applicable box(es)]:
❑ parent/custodian ❑ tribe/nation ❑ United States Secretary of the Interior;
And the tribe/nation having: appeared and participated as a party;
❑ appeared and declined to assume jurisdiction;
❑ appeared and requested transfer of jurisdiction;
❑ not appeared;

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]: ; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

a. The needs of the child ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

b. Placement of the child in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the child in the least restrictive environment because: [specify facts and reasons]:

c. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the child, as specified in the child's permanency plan because [specify facts and reasons]:

d. Where the Qualified Individual has determined that the placement of the above-named child in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named child in

the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named child's needs in a less restrictive environment; **and**

❑ (For SSL Section 358-a and FCA Article 10, 10-B and 10-C cases): Continued placement in the Qualified Residential Treatment Program (QRTP) is in the child's best interests because [specify facts and reasons]:

❑ (For FCA Article 3 cases): Continued placement serves the above-named child's needs and best interests or the need for protection of the community because [specify facts and reasons]:

❑ (For FCA Article 7 cases): It would be contrary to the welfare of the above-named child to be placed in a less restrictive setting and continued placement in the QRTP is in the child's best interests because [specify facts and reasons]:

NOW, after examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's motion is GRANTED, and placement of the child in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's motion is DENIED, and on or before [specify date]: the above-named child shall be [check applicable box and specify]:

❑ returned or released to the following parent [specify]:

❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other

arrangements for the above-named child's care and welfare that is in the best interests of the child and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

[Applicable where child may be eligible for the *Indian Child Welfare Act*}; delete if inapplicable]:

❑ ORDERED that the following should be notified of this proceeding [specify]:

the ❑ custodian of the child(ren); ❑ tribe/nation; ❑ United States Secretary of the Interior

❑ ORDERED that in light of the assumption of jurisdiction by the tribe/nation, the Petitioner's motion is **DISMISSED WITHOUT PREJUDICE;**

(and it is further)

❑ ORDERED, that

ENTER

_____

Judge of the Family Court

Dated: _____,

PURSUANT TO § 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT OR 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO THE APPELLANT BY THE CLERK OF THE COURT, WHICHEVER IS EARLIEST.

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:

❑ Order received in court on [specify date(s) and to whom given]:

F.C.A.§§1089, 1089-A[1]
S.S.L. §§393, 409-h

Form PH-5
(Permanency Hearing Order)
9/2021

New York State Family Court
County of _____
Hearing Date: _____

PRESENT:
Hon.
Judge

.....

In the Matter of

Docket No.
CIN #
PERMANENCY HEARING ORDER

A Child or Children Under 21 Years of Age
Alleged to be ❑ Abused ❑ Neglected ❑ Voluntarily Placed
❑ Destitute

Respondent(s)

.....

NOTICE: IF YOUR CHILD(REN) STAY IN FOSTER CARE FOR 15 OF THE MOST RECENT 22 MONTHS, THE AGENCY MAY BE REQUIRED BY LAW TO FILE A PETITION TO TERMINATE YOUR PARENTAL RIGHTS AND MAY FILE BEFORE THE END OF THE 15-MONTH PERIOD. IF THE PETITION IS GRANTED, YOU MAY LOSE YOUR RIGHTS TO YOUR CHILD(REN) AND YOUR CHILD(REN) MAY BE ADOPTED WITHOUT YOUR CONSENT.

THE NEXT COURT DATE IS [date/time]: _____
THE NEXT PERMANENCY HEARING SHALL BE HELD ON [date/time]:_____

An order having been issued directing that the child(ren) be placed or removed from the parent or person legally responsible for the child(ren) ; and

❑ This hearing having been heard jointly with the ❑ custody ❑ guardianship petition,
Docket #: _____ ;

And the position and information provided by the local department of social services, as well as that of the child(ren) and others appearing before the Court, having been considered by the Court;

And the following child(ren) having [check applicable box(es)]:

[1] Note: If permanency planning goals, findings or other provisions of this order differ for different children, a separate permanency order for each child should be issued.

Child: ❑ appeared ❑ participated as follows [specify]:
❑ did not participate
Child: ❑ appeared ❑ participated as follows [specify]:
❑ did not participate Child: ❑ appeared ❑ participated as follows [specify]:
❑ did not participate

Reasonable Efforts Determination

The Court makes the following findings regarding **reasonable efforts to implement the permanency hearing goal in place at the commencement of this hearing**:

Reasonable efforts to make and finalize the permanency planning goal of **[return to parent, adoption, guardianship, permanent placement with a fit and willing relative, or placement in another planned permanent living arrangement]**[specify]:_____

❑ were made as follows [specify reasonable efforts, including consideration of out-of-State resources:] _____
_____

❑ were not made [specify]: _____
_____

❑ The permanency goal is reunification and reasonable efforts were not made, but the lack of efforts was appropriate because of a prior judicial finding that the authorized agency was not required to make reasonable efforts to reunify the child(ren) with the parent(s).

This determination is based upon the following information [check applicable box(es)]:

❑ Permanency report, sworn to on [specify date]: _____
❑ Case record, dated [specify]: _____
❑ Service plan, dated [specify]: _____
❑ Probation Department report, dated [specify]: _____
❑ Mental health evaluation, dated [specify]: _____
❑ The report of [specify]: _____, dated: _____
❑ Testimony of [specify]: _____, (on _____)
❑ Other [specify]: _____

Findings and Orders

THE COURT ORDERS that:

❑ **PLACEMENT OR TEMPORARY REMOVAL IS TERMINATED:**

❑ And the child(ren) (is) (are) discharged to the custody of the respondent(s) _____

❑ Immediately or on [specify date]: _____

❑ without supervision ❑ with supervision of a child protective agency, social services official, or duly authorized agency until:_____

❑ upon the following terms and conditions: _____

_____

❑ **THE CHILD(REN) IS/ARE PLACED OR CONTINUE(S) TO BE PLACED** in the custody of the Commissioner of Social Services until the completion of the next permanency hearing or pending further orders of this court. The Court finds that continued placement or temporary removal of the child(ren) is required due to best interests and safety needs of the child(ren) and that the child(ren) would be at risk of further abuse or neglect if returned to the parent/respondent.

❑ [Applicable if placement is for residence with a relative or other suitable person]: And the child(ren) shall reside with [specify relative or other suitable person][2]:_____

❑ And during the period of such placement, respondent(s)[specify]: _____ shall remain under the supervision of a child protective agency, social services official, or duly authorized agency

❑ upon the following terms and conditions:_____

❑ **THE CHILD(REN) IS/ARE DIRECTLY PLACED OR CONTINUE(S) TO BE DIRECTLY PLACED** pursuant to Family Court Act §1055(a)(ii), with [specify relative or suitable person]:_____ until the completion of the next permanency hearing or further orders of this court. The Court finds that continued placement or temporary removal of the child(ren) is required due to best interests and safety needs of the child(ren) and that the child(ren) would be at risk of further abuse or neglect if returned to the parent/respondent.

[2] The relative or suitable person must be approved or certified as a foster parent.

❑ **THE CHILD(REN) IS/ARE RELEASED**, pursuant to Family Court Act §1054, to [specify non-respondent parent, legal custodian[3] or guardian]: _____ until [specify date]:[4] or further orders of this court.

ORDERED that, during the period of release, the individual to whom the child has been released under this Order may [check applicable box(es)]:

❑ enroll the child in public school in the applicable school district and, upon verifying the Order and that the individual resides within the district, such district shall enroll the child;

❑ enroll the child in their employer-based health insurance plan with the same rights as a child for whom the individual is the legal guardian or custodian; and

❑ make decisions and provide any necessary consents regarding the child's:

❑ protection ❑ education ❑ care and control ❑ physical custody ❑ health and medical needs, provided that this Order does not limit any rights of the child to consent to medical care under applicable laws.

REQUIRED WHERE CHILD(REN) ARE DIRECTLY PLACED OR RELEASED:
[Required Findings regarding all releases of child(ren) to Respondent(s), Non-respondent parents or legal custodians or guardians and orders of direct placement with relative(s) or suitable person(s); check applicable box(es)]

❑ And the Court having searched the statewide registry of orders of protection, the sex offender registry and the Family Court's warrant and child protective records, and having notified the attorneys for the parties and for the child [check if applicable]: ❑ and the following self-represented party or parties [specify]: of the results of these searches;

And the Court having considered and relied upon the following results of these searches in making this decision [specify; if no results found, so indicate]:

❑ **ORDERED** that, during the pendency of the placement or release, the relative or suitable person with whom the child(ren) has/have been placed or the non-respondent parent, legal custodian or guardian to whom the child(ren) has/have been released , who has consented to the jurisdiction of this Court with respect to the child, shall cooperate with respect to making the child(ren) available for court-ordered visitation with respondents, siblings and others, appointments with the child(ren)'s) attorneys and clinicians and other individuals or programs providing services to the children, visits (including home visits) by the child protective agency ❑ and the following additional direction(s) [specify]:

---

[3] "Legal custodian" refers to an individual with an order of custody issued prior to, and separate from, the child protective proceeding. A release to such an individual is distinguished from a child placed in the custody of an individual pursuant to an order of custody issued under Article 6 and section 1055-b or 1089-a of the Family Court Act. Such a custody order results in the termination of all orders under Article 10 of the Family Court Act, would not be deemed a "release" of the child and would thus not be the subject of a permanency hearing.

[4] The period of release may not exceed one year plus an extension for good cause so that the total period of the release and extension thereof may not exceed two years.

❑ **ORDERED** that during the period of such placement, Respondent(s) [specify]:

are to remain under the supervision of a child protective agency, social services official, or duly authorized agency:

❑ upon the following terms and conditions to be met by Respondent(s) [specify]:

❑ upon the terms and conditions specified in the annexed Family Treatment Court agreement, dated [specify]:

❑ upon the performance of the following supervisory actions by the child protective agency, social services official or duly authorized agency [specify]:

❑ **ORDERED** that the child protective agency, social services official or duly authorized agency shall provide the following services or assistance to the child(ren) and their family, pursuant to section 1015-a of the Family Court Act [specify]:[5]

❑ REQUIRED FINDINGS AND ORDER WHERE PLACEMENT IN QUALIFIED RESIDENTIAL TREATMENT PROGRAM IS REQUESTED [DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); [Applicable to INITIAL QRTP placements only]: the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]: ; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the child ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the child in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the child in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the child, as specified in

[5] Services and assistance ordered under F.C.A. §1015-a must be authorized under the comprehensive annual services program plan in effect.

the child's permanency plan because [specify facts and reasons]:

D. The following efforts, if any, have been made to prepare the child to return home, or to be placed with a fit and willing relative, foster family home, legal guardian or adoptive parent [specify]:

E. [Applicable to initial placements in QRTP; delete if inapplicable]: Where the Qualified Individual has determined that the placement of the above-named child in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named child in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named child's needs in a less restrictive environment; **and**

❑ Continued placement in the Qualified Residential Treatment Program (QRTP) is in the child's best interests because [specify facts and reasons]:

❑ Required Order if Placement in "Qualified Residential Treatment Program" is Requested [DELETE if inapplicable]:

after examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is GRANTED, and placement of the child in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]:
the above-named child shall be [check applicable box and specify]:
- ❑ returned or released to the following parent [specify]:
- ❑ returned to or placed with the following legal guardian [specify]:
- ❑ returned to or placed with the following suitable adult/relative [specify]:
- ❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named child's care and welfare that is in the best interests of the child and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

PERMANENCY HEARING HELD JOINTLY WITH CUSTODY OR GUARDIANSHIP HEARING, PURSUANT TO FAMILY COURT ACT §1089-a:

[Applicable to custody with non-respondent parents]:

❑ The Court having adjudged that custody of the following child(ren)[specify]:

with the following non-respondent parent [specify]:
is in the best interests of the child(ren) in accordance with Article 6 of the Family Court Act and Domestic Relations Law §240, **ORDERED** that such non-respondent parent is granted custody of [specify child(ren)]:_____ pursuant to an Order of custody granted on Docket #_____, dated: _____, thereby terminating the jurisdiction of this Court over this permanency proceeding and terminating custody with the local Commissioner of Social Services.

OR

[Applicable to custody with Respondent(s), relative(s) or suitable persons; guardianship with relative(s) or suitable person(s)]:

The Court having adjudged that [Note: Findings are REQUIRED under (i) and (ii), below]:

(i) [Check one of the following boxes]:

❑ all parties, including the attorney of the child(ren) and any foster parent who has had custody of the child(ren) in excess of one year, have consented to such custody or guardianship;

OR

❑ the following parent(s)[specify]: have not consented but this Court has found extraordinary circumstances supporting custody or guardianship;

AND

(ii) ❑ custody of the following child(ren)[specify]: with [specify respondent parent(s)]:
will provide a safe and permanent home for the child(ren) and the safety of the child(ren) will not be jeopardized if the respondent(s) are no longer under the jurisdiction of this Court on this petition and are not receiving services or supervision;

OR

❑ custody ❑guardianship of the following child(ren)[specify]:
with by [specify relative(s) or suitable person(s)]:
will provide a safe and permanent home for the child(ren) and the safety of the child(ren) will not be jeopardized if the respondent(s) are no longer under the jurisdiction of this Court on this petition and are not receiving services or supervision;

AND

❑ **IT IS, THEREFORE ORDERED** that [specify Respondent, relative(s) or suitable person(s)]:
is/are ❑ granted custody of [specify child(ren)]:
pursuant to an Order granted on Docket # [specify]: , dated [specify]:
thereby terminating the jurisdiction of this Court over this proceeding;

OR

❑ **IT IS, THEREFORE ORDERED** that [specify relative(s) or suitable person(s)]**:**

is/are appointed guardian(s) of [specify child(ren)]:

pursuant to an Order granted on Docket # [specify]: , dated [specify]:
thereby terminating the jurisdiction of this Court over this proceeding;

❑ **AND IT IS FURTHER ORDERED** that the following local department of social services [specify]: and the following attorney for the child(ren)[specify]:
shall be notified and shall be made parties to any subsequent proceedings for modification, enforcement or termination of the Order granted on such Docket #;

AND THE COURT FURTHER ORDERS:

FINAL DISCHARGE

❑ The Commissioner of Social Services is authorized to FINALLY discharge the child(ren) from the Commissioner's care to the parent without further court hearing, provided that written notice is provided to the Court and attorney for the child(ren) not less than 10 days in advance of the discharge.

TRIAL DISCHARGE: RESTRICTIONS AND EXTENSIONS

The Commissioner of Social Services[6]

❑ may discharge the child(ren) on a trial basis or continue such a discharge until the earlier of the completion of the next Permanency Hearing or further Order of the Court

❑ may not discharge the child(ren) on a trial basis to the physical custody of respondent(s):

❑ may only discharge the child(ren) on a trial basis to the physical custody of respondent(s) _____upon the following event(s) or condition(s):_____
_____

❑ may not discharge the child(ren) on a trial basis to another planned permanent living arrangement; _____

❑ may only discharge the child(ren) on a trial basis to the following planned permanent living arrangement [specify, including significant connections to an adult willing to be a permanent resource]:_____upon the following event(s) or condition(s):
_____
; (and it is further)

[Applicable to youth 18 and over who will be discharged on a trial basis with their consent]:

❑ The Commissioner of Social Services
❑ shall discharge the youth on a trial basis
❑ shall continue the discharge of the youth
❑ may continue or extend the trial discharge of the youth

to ❑ another planned permanent living arrangement ❑ other [specify]:
until the earlier of the next permanency hearing, further Order of the Court OR 21st birthday(s) of the youth.

Youth 18 and over discharged on a trial basis shall inform the local department of social services of any change in mailing address and contact information.

❑ **ABSCONDING [Required if child(ren) in placement]:**
If the child(ren) abscond(s) from the above-named custodial person or facility, written notice shall be given within 48 hours to the Clerk of Court by the custodial person or by an authorized representative of the facility, stating the name of the child(ren), the docket number of this proceeding, and the date on which the child(ren) ran away.

❑ **ORDER OF PROTECTION:**

[6] Note: during a period of trial discharge, legal care and custody remains with the Commissioner and permanency hearings must be held. Youth 18 years of age or older must consent to any trial discharge.

[Specify respondent(s) or other person(s) before the court]:_____
(is)(are) required to comply with the terms and conditions specified in the order of protection, issued pursuant to Family Court Act §1056, annexed to this order and made a part thereof.

Permanency Goal

The Petitioner's permanency goal for the child(ren) ❑ which has already been achieved or ❑ is to be achieved by: ❑ the next permanency hearing date or ❑ [specify date]: _____ is

❑ approved ❑ modified as follows:

❑ reunification with the ❑ parent(s) ❑ other person(s) legally responsible for the child(ren)'s care

❑ placement for adoption, including consideration of interstate options

❑ upon filing a petition to terminate parental rights within 90 days, unless a surrender has been executed;

❑ pending a parental rights termination petition already filed;

❑ upon judicial approval of surrender instrument;

❑ referral for legal guardianship by:_____

❑ permanent placement with the following fit and willing relative:_____

❑ **[Applicable ONLY to children 16 years of age or older]:** permanent placement in the following alternative planned living arrangement: _____

Required for all children 16 years of age or older with Alternative Planned Permanent Living Arrangement (APPLA) Goals [check applicable box(es) in ¶¶a - f]:

Required for permanency hearing involving a child(ren) 16 years of age or older with Alternative Planned Permanent Living Arrangement (APPLA) Goals [check applicable box(es) in ¶¶a - f]:

a. ❑ Evidence has been provided to the Court, indicating compelling reason(s) that it would not be in the child(ren)'s best interests to return home, be referred for termination of parental rights and adoption, placed with a fit and willing relative, or placed with a legal guardian. These reasons are as follows [specify compelling reason(s)]:

b. ❑ Evidence has been provided to the Court, indicating that intensive, ongoing, and, as of the date of this Order, unsuccessful efforts were made to return the child(ren) home or secure a placement for the child(ren) with a fit and willing relative, including adult siblings, a legal guardian, or an adoptive parent, including through efforts that utilize search technology including social media to find biological family members of the child(ren).

c. ❑ Evidence ❑ has ❑ has not been provided to the Court that a "reasonable and prudent parent" standard of care has been applied to the child(ren) in the facility or home in which he or she resides;

d. ❑ Evidence ❑ has ❑ has not been provided to the Court that the child(ren) has/have been provided with regular, ongoing opportunities to engage in age or developmentally appropriate activities and has been consulted in an age-appropriate manner about the opportunities to participate in such activities;

e. The Court inquired directly of the child(ren) regarding the permanency plan.

f. The following individual, with whom the child(ren) has/have a significant connection, is willing and is designated to be the child(ren)'s permanency resource [specify]:

g. The Court has determined that APPLA with a significant connection to an adult willing to be a permanency resource for the child(ren) is the best permanency plan for the child(ren) because [specify]:

[Applicable in all cases]: Any modifications of the Permanency Goal shall be given by Petitioner to the parent(s) or other person(s) legally responsible for the child(ren)'s care, with a copy of this Order.

Future Reasonable Efforts Ordered by the Court

❑ The following reasonable efforts shall be made to make and finalize the child(ren)'s goal of [specify goal and describe efforts]:_____

❑ Petitioner shall plan concurrently for_____

EDUCATIONAL PLAN (child(ren) remaining in out of home care):
The ❑ educational ❑ vocational components of the child(ren's) permanency plan ❑ are appropriate ❑ should be modified as follows:_____
_____

The Petitioner shall take the following steps and/or provide the following services for the education, health and well-being of the child(ren): _____
_____
_____

STRENGTHENING PARENTAL RELATIONSHIP:
❑ The local social services district or authorized agency shall undertake diligent efforts to encourage and strengthen the parental relationship, including encouraging and facilitating visitation with the child(ren) by the parent or other person legally responsible, and encourage and facilitate visitation with the child(ren) by any non-custodial parent or grandparent who has obtained an order pursuant to F.C.A. §1081 and by the child(ren)'s siblings. Such efforts shall include, but are not limited to, the following [specify]:_____
_____

VISITATION (child(ren) remaining in out of home care):
❑ The Petitioner shall provide the parent or other person(s) legally responsible for the child(ren)'s care with

visits with the child(ren) as follows:_____
_____

❑ The Petitioner shall provide the following sibling(s):_____
with visits with the child(ren) as follows: _____
_____

❑ Visits with the ❑ parent or other person(s) legally responsible for the child(ren)'s care ❑ siblings shall be limited as follows [specify]: _____
_____

TERMINATION OF PARENTAL RIGHTS PETITION (Goal - Adoption):
❑ Unless a surrender has been executed, the Commissioner of Social Services or authorized agency is directed to file termination of parental rights petitions regarding the following child(ren):
_____ against the following respondent(s): _____
within 90 days of the date of this order or as directed as follows: _____

TRANSITIONAL SERVICES (Child(ren) will be 14 or older prior to the next permanency hearing)
❑ The Court **FINDS** that the following services and assistance are needed to assist the child(ren) in learning independent living skills to make the transition from foster care to successful adulthood and the court **ORDERS** the Petitioner is to provide the following services and assistance to assist the child(ren) in learning independent living skills to make the transition from foster care to successful adulthood [specify]:

And it is further **ORDERED that** the permanency plan developed for the child(ren) in foster care and any revision or addition to the plan, shall be developed in consultation with the child(ren). The child(ren) may select up to two members of the child(ren)'s permanency planning team to participate, one of whom may be designated to be the child(ren)'s advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child(ren); provided, however, that such members may not be foster parents of, or case workers, case planners or case managers for, the child(ren) and that the local commissioner of social services with custody of the child(ren) may reject an individual so selected by the child(ren) if such local commissioner has good cause to believe that the individual would not act in the best interests of the child(ren);

OR

❑ The Court finds that NO services or assistance are needed to assist the child(ren) to assist the child(ren) in learning independent living skills to make the transition from foster care to successful adulthood.

CONSENT - CHILD(REN) 18 OR OLDER (child(ren) remaining in out of home care):
The child(ren) ❑ has/have consented ❑ has/have not consented to remain in foster care;

OUT OF STATE PLACEMENT (child(ren) remaining in out of home care):
❑ The court ***finds*** that placement outside New York State is appropriate, necessary, and in the child(ren)'s best interests, and the court ***orders*** that the placement of the child(ren) _____

_____ is continued until completion of the next permanency hearing.

❑ The court finds that placement outside New York State is NOT appropriate, necessary and in the child(ren)'s best interests, and the child(ren) shall be returned to New York State to be:

❑ placed with [specify, if individual]: _____ .

❑ discharged to [specify, if individual]:_____ .

PROGRESS REPORTS AND NOTICES:

❑ Petitioner shall make a progress report to the Court, the parties and the attorney for the child(ren) on the implementation of this order as follows [specify date and/or frequency]: _____

❑ If the above permanency goal for the above-named child(ren) is changed, notice shall be provided to the Court, the parties and the attorney for the child(ren) forthwith.

[**Applicable to children released to non-respondent parent or legal custodian or guardian, pursuant to Family Court Act §1054]:**

❑ Petitioner shall report to the Court, the parties and the attorney for the child [check applicable box(es)]:

❑ not later than 60 days prior to the termination of the order, unless a petition for extension of the period of supervision of Respondent and/or release of the child has been filed;[7] and

❑ during the period of supervision and/or release, Petitioner shall submit progress reports to the Court, the parties and the attorney for the child as follows [specify]:

DUTY TO DISCLOSE CHANGES IN MAILING ADDRESS:

The respondent parent(s) or other person(s) legally responsible for the child(ren)'s care, as well as any youth 18 years of age or older who are discharged on a trial basis, are required to notify the local department of social services or agency of any change of mailing address and contact information.

PLANNING CONFERENCES (child(ren) remaining in out of home care):

The parent(s) or other person(s) legally responsible for the child(ren)'s care shall be notified of the planning conference(s) to be held and of (his)(her)right to attend such conference(s) with counsel or other person.

NOTICES AND PERMANENCY HEARING REPORTS (child(ren) remaining in out of home care):

Petitioner shall transmit notice of the hearing and a permanency report **NO LATER THAN 14 DAYS IN ADVANCE OF** the permanency hearing date directed on the face of this Order to the respondent and non-respondent parent(s), other parties, attorneys, the attorney for the child(ren) and any pre-adoptive parents or relatives providing care to the child(ren) and shall also transmit notice of the hearing to former foster parent(s) who have had care of the child(ren) in excess of 12 months, unless otherwise directed by this Court..

[7] Unless the Court determines that facts and circumstances do not warrant a report, a report 60 days prior to the expiration of the order is required where the extension is issued on consent of the parties and the attorney for the child and may be ordered in the Court's discretion in other cases. *See* Family Court Act §§1054(d); 1057(c).

FURTHER ORDERS:
❑ It is further ORDERED

ENTER

_____
Judge of the Family Court

Dated: _____

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:
❑ Order mailed on [specify date(s) and to whom mailed]: _____
❑ Order received in court on [specify date(s) and to whom given]:_____

F.C.A. § 1089;
S.S.L. §§393, 409-h

Form PH-6
(Permanency Hearing Order
Regarding Child Freed
for Adoption)
9/2021

At a term of Family Court of the
State of New York, held in and for
the County of ,
at New York
on , .

PRESENT:
Hon.
Judge

In the Matter of the Permanency Hearing Regarding

Docket No.

PERMANENCY HEARING ORDER
(Permanency Hearing Regarding
Child Freed for Adoption)

CIN #

A Child Under the Age of 21 who
Has Been Freed for Adoption

THE NEXT PERMANENCY HEARING SHALL BE HELD ON [specify date and time certain within six months of completion of this hearing]:
_____ .

The report of [specify]: , for a Permanency Hearing regarding the above-named child, sworn to on [specify date]: , having been filed in this Court;

And, as indicated below, notice of the permanency hearing and the permanency report having been duly sent to the following person(s) not less than 14 days in advance of the date scheduled for this hearing and the following persons having appeared [specify; check applicable boxes]:

❑ Prospective adoptive parent(s) [specify]:	❑ given notice	❑ appeared	❑ did not appear
❑ Foster parent(s) caring for child [specify]:	❑ given notice	❑ appeared	❑ did not appear
❑ Relative(s) caring for child [specify]:	❑ given notice	❑ appeared	❑ did not appear
❑ Authorized agency caring for child [specify]:	❑ given notice	❑ appeared	❑ did not appear
❑ Attorney for the child [specify]:	❑ given notice	❑ appeared	❑ did not appear
❑ Former foster parent(s) who cared for the child in excess of one year [specify]:	❑ given notice	❑ appeared	❑ did not appear

❑ Other [specify]: ❑ given notice ❑ appeared ❑ did not appear
[check box(es) if applicable]:

And the following child(ren) having [check applicable box(es)]:

Child: ❑ appeared ❑ participated as follows [specify]:
❑ did not participate

Child: ❑ appeared ❑ participated as follows [specify]:
❑ did not participate

Child: ❑ appeared ❑ participated as follows [specify]:
❑ did not participate

And the child(ren) having been represented by an attorney for the child and the Court having consulted with the child(ren) in an age-appropriate manner regarding the proposed permanency plan;

❑ And notice of the permanency hearing having been sent not less than 14 days in advance of the hearing to the following former foster parents, who provided care for the child in excess of one year [specify;]:

❑ And the Court having dispensed with notice to the following former foster care parent(s) [specify]:
as contrary to the child's best interests:

[Required where adoption is the permanency plan; check box if applicable]:
❑ And the Court having determined that the child has been duly freed for adoption and that adoption is in the child's best interests.

And the matter having duly come on to be heard, and the above-named persons appearing having been given an opportunity to be heard;

And the Court having considered the position and information provided by the [check applicable box(es)]: ❑ authorized agency ❑ local department of social services;

The Court, after having made an examination and inquiry into the facts and circumstances of the case and into the surroundings, conditions, and capacities of the persons involved, finds and determines the following [Note: judicial findings must be made under I and, if applicable, II and III]:

I. Required "Reasonable Efforts" Findings [check applicable boxes; provide case-specific reasons]:

A. [Findings required where adoption is the permanency plan]:
Reasonable efforts to make and finalize the permanency plan of ADOPTION
❑ were made as follows [specify; check applicable box(es)]:

❑ for child freed for adoption, but not yet placed in pre-adoptive home:
❑ recruitment efforts [specify, including consideration of out-of-State resources]:
❑ other [specify]:
❑ for child freed for adoption and placed in pre-adoptive home
❑ adoption placement agreement signed
❑ adoptive parent(s) retained attorney(s)
❑ adoption subsidy application:
❑ submitted to NYS OCFS and: ❑ granted ❑ denied ❑ pending ❑ re-submitted ❑ submitted and pending review by local dept. of social services or NYC ACS
❑ criminal history checks: ❑ submitted ❑ completed ❑ child abuse and maltreatment checks:
❑ submitted ❑ completed
❑ Interstate Compact on Placement of Children ❑ submitted ❑ completed

❑ home study completed
❑ birth parents' documents submitted: certified copy of:
❑ order terminating parental rights
❑ surrender
❑ consent
❑ death certificate
❑ putative father: ❑ putative father registry request made ❑ other [specify]:
❑ child's documents submitted:
❑ two copies of certified birth certificate
❑ medical report
❑ consent, if child 14 or over
❑ adoptive parents' documents submitted:
❑ financial disclosure affidavit
❑ medical report
❑ marriage certificate, if applicable
❑ divorce certificate, if applicable
❑ death certificate of adoptive spouse, if applicable
❑ back-up resource documents submitted, if applicable [specify]:
❑ attorney's documents submitted: ❑ affidavit of readiness
❑ financial disclosure affidavit ❑ certification of service upon OCA
❑ adoption petition: ❑ docketed ❑ scheduled for hearing on [specify]:

❑ were not made.

OR

B. [Findings required where permanency plan is other than adoption]:
Reasonable efforts to make and finalize the permanency plan of [specify]:

❑ were made as follows [specify including consideration of out-of-State resources]:

❑ were not made.

The conclusion in ¶ I A or I B is supported by the following information [check applicable box(es)]:

❑ Permanency Report, sworn to on [specify date]:

❑ Case Record, dated [specify]:

❑ Service Plan, dated [specify]:

❑ The report of [specify]: , dated [specify]:

❑ The testimony of [specify]:

❑ Other [specify]:

II. Findings: Transitional Services, Out-of-State Placements and Children Over 18:

❑ **[Required if child in out-of-home care is or by the next permanency hearing will be 14 years of age or older]:** ❑ The following services and assistance are needed to assist the child(ren) in learning independent living skills to make the transition from foster care to successful adulthood [specify]:

OR

❑ The Court finds that NO services or assistance are needed to assist the child(ren) to assist the child(ren) in learning independent living skills to make the transition from foster care to successful adulthood.

❑ **[Required if placement of the child outside New York State is continued]:** Placement outside New York State ❑ is ❑ is not appropriate, necessary and in the child's best interests;

❑ **[Required if Child is Over 18]**: The child ❑ has ❑ has not consented to remain in care;

III. Finding Regarding Consent to Adoption by Child Over the Age of 14:

The above-named child, who was born on [specify date of birth]:

❑ has consented to adoption by [specify]:

❑ has indicated that he or she will not consent to adoption by [specify]:

for the following reasons [specify, including information furnished by the attorney for the child and/or the child]:

IV. ❑ [REQUIRED Where Approval of Placement in Qualified Residential Treatment Program is Requested]:

[DELETE if inapplicable]:

This Court, upon examination of the motion papers and supporting affidavit(s); [initial placements only]: the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]: ; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the child ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the child in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the child in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:

❑ is ❑ is not consistent with the short-term and long-term goals for the child, as specified in the child's permanency plan because [specify facts and reasons]:

D. The following efforts, if any, have been made to prepare the child to return home, or to be placed with a fit and willing relative, foster family home, legal guardian or adoptive parent [specify]:

E. [Applicable to initial placements in QRTP; delete if inapplicable]: Where the Qualified Individual has determined that the placement of the above-named child in the Qualified Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named child in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named child's needs in a less restrictive environment; **and**

❑ Continued placement in the Qualified Residential Treatment Program (QRTP) is in the

child's best interests because [specify facts and reasons]:

NOW, after examination and inquiry into the facts and circumstances and after hearing the proof and testimony, it is therefore

A. Permanency Plan [Required][1]

ORDERED that Petitioner's permanency goal for the child is ❑ approved ❑ modified, as follows [check applicable box(es) and indicate anticipated date for achievement of goal]:

❑ placement for adoption by [specify date]: including consideration of interstate options

❑ if already in a pre-adoptive home, petition for adoption by [specify date]:

❑ referral for legal guardianship by [specify name and date]:

❑ permanent placement with the following fit and willing relative [specify name]: by [specify date]: .

❑ **[Applicable ONLY to child 16 years of age or older]:** permanent placement in the following alternative planned living arrangement: _____

[Required for all child(ren) 16 years of age or older with Alternative Planned Permanent Living Arrangement (APPLA) Goals; check applicable box(es) in ¶¶a - d]:

a. ❑ Evidence has been provided to the Court, indicating compelling reason(s) that it would not be in the child(ren)'s best interests to return home, be referred for termination of parental rights and adoption, placed with a fit and willing relative, or placed with a legal guardian. These reasons are as follows [specify compelling reason(s)]:

b. ❑ Evidence has been provided to the Court, indicating that intensive, ongoing, and, as of the date of this Order, unsuccessful efforts were made to return the child(ren) home or secure a placement for the child(ren) with a fit and willing relative, including adult siblings, a legal guardian, or an adoptive parent, including through efforts that utilize search technology including social media to find biological family members of the child(ren).

c. ❑ Evidence ❑ has ❑ has not been provided to the Court that a "reasonable and prudent parent" standard of care has been applied to the child(ren) in the facility or home in which he or she resides;

d. ❑ Evidence ❑ has ❑ has not been provided to the Court that the child(ren) has/have been provided with regular, ongoing opportunities to engage in age or developmentally appropriate activities and has been consulted in an age-appropriate manner about the opportunities to participate in such activities;

e. The Court inquired directly of the child(ren) regarding the permanency plan.

f. The following individual, with whom the child(ren) has/have a significant connection, is

[1] NOTE: Permanency plans for freed children include only adoption or alternative planned living arrangement, NOT referral for legal guardianship or placement with a fit and willing relative.

willing and is designated to be the child(ren)'s permanency resource [specify]:

g. The Court has determined that APPLA with a significant connection to an adult willing to be a permanency resource for the child(ren) is the best permanency plan for the child(ren) because [specify]:

[Applicable in all cases]: Any modifications of the Permanency Goal shall be given by Petitioner to the parent(s) or other person(s) legally responsible for the child(ren)'s care, with a copy of this Order.

B. Reasonable Efforts to Further Permanency Plan

1. [Applicable where the child's permanency plan is adoption; check any applicable box(es)]:

❑ ORDERED that [specify]: , an authorized agency, is directed to [check applicable box(es) and specify deadlines for compliance]:

❑ place the above-named child, if not already placed, by [specify date]:
for adoption with [check applicable box]:

❑ the foster family home where (s)he resides or has resided

❑ other prospective adoptive parent(s) [specify]:

❑ take the following steps to recruit prospective adoptive parent(s) for the child, if the child is not already placed in a prospective adoptive home, including consideration of interstate options [specify, including dates]:

❑ submit *Interstate Compact on Placement of Children* [SSL §374-a] documents by [specify date]:

❑ submit documents regarding adoption subsidy eligibility by [specify date]:

❑ if prospective adoptive parents have not yet signed Adoption Placement Agreement, work to address concerns they may have in order that the agreement may be signed by [specify date]:

❑ if child over 14 has not consented to adoption, work with child and attorney for the child to address concerns, identify significant adults who may be adoptive resources or who may be of assistance regarding an alternate permanency plan, by [specify date]:

❑ obtain child abuse and maltreatment clearance(s) by [specify date]:

❑ obtain criminal history clearance(s) by [specify date]:

❑ obtain information regarding back-up resources by [specify date]:

❑ obtain the following documents regarding child's birth parent(s) [specify]:

❑ order terminating parental rights ❑ surrender ❑ consent

❑ death certificate

by [specify date]:

❑ obtain the following documents regarding the child [specify]:

❑ two copies of birth certificate ❑ medical report ❑ consent of child 14 or older

by [specify date]:

❑ obtain completed home study by [specify date]:

❑ obtain the following additional documents [specify]:

by [specify date]:

❑ report to the Court on the status of an appeal regarding the child by [specify date]:

❑ other [specify, including date]:

; (and it is further)

❑ ORDERED that the authorized agency assist the prospective adoptive parent(s) in [check applicable box(es) and specify deadlines for compliance]:

❑ retaining an attorney by [specify date]:

❑ signing an Adoption Placement Agreement by [specify date]:

❑ submitting *Interstate Compact on Placement of Children* documents by [specify date]:

❑ submitting documents regarding adoption subsidy by [specify date]:

❑ submitting financial disclosure affidavit by [specify date]:

❑ submitting medical report(s) by [specify date]:

❑ submitting certified copy of certificate of: ❑ marriage ❑ divorce ❑ death of spouse

❑ obtaining a completed home study by [specify date]:

❑ obtain the following additional documents [specify]:

❑ filing a petition for adoption by [specify date]:

❑ other [specify, including date]:

; (and it is further)

2. [Applicable where the child has a permanency plan <u>other than</u> adoption; check box[es] if applicable]:

❑ ORDERED that following reasonable efforts shall be made to make and finalize the child's permanency plan of [specify permanency plan, describe efforts and specify deadlines for compliance]:

❑ ORDERED that the Commissioner of Social Services [2]

❑ may discharge the child(ren) on a trial basis or continue such a discharge until the earlier of the completion of the next Permanency Hearing or further Order of the Court

❑ may not discharge the child(ren) on a trial basis to another planned permanent living arrangement;

[2] Note: during a period of trial discharge, legal care and custody remains with the Commissioner and permanency hearings must be held. Youth 18 years of age or older must consent to any trial discharge.

❑ may only discharge the child(ren) on a trial basis to the following planned permanent living arrangement [specify, including significant connections to an adult willing to be a permanent resource]:
upon the following event(s) or condition(s) [specify]:

[Applicable to youth 18 and over who will be discharged on a trial basis with their consent]:
❑ The Commissioner of Social Services
❑ shall discharge the youth on a trial basis
❑ shall continue the discharge of the youth
❑ may continue or extend the trial discharge of the youth to ❑ another planned permanent living arrangement ❑ other [specify]:

until the earlier of the next permanency hearing, further Order of the Court OR the 21st birthday(s) of the youth.

Youth 18 and over discharged on a trial basis shall inform the local department of social services or agency of any change in mailing address and contact information.

3. <u>Sibling Visiting Plans and Post-Adoption Contact</u> [check box(es), if applicable]**:**
❑ ORDERED that Petitioner shall provide the following sibling(s) [specify]:

with visits with the child as follows [describe visiting plan]:

❑ ORDERED that the following provisions of the Post-adoption Contact agreement determined by the Court that approved the surrender of the child to be in the child's best interests be implemented at this time as follows [specify]:

; (and it is further)

4. <u>Educational, Vocational and Transitional Services:</u>
❑ ORDERED that the ❑ educational ❑ vocational components of the child's permanency plan
❑ are appropriate ❑ should be modified as follows [specify]:

❑ ORDERED that Petitioner shall take the following steps and/or provide the following services for the education, health and well-being of the child [specify]:

[Applicable in cases where the child is 14 years of age or older or will attain the age of 14 by the next permanency hearing]:
❑ ORDERED that the Petitioner is to provide the following services and assistance to assist the child(ren) in learning independent living skills to make the transition from foster care to successful adulthood [specify]:
❑ ORDERED that the permanency plan developed for the child(ren) and any revision or addition to the plan, shall be developed in consultation with the child(ren). The child(ren) may select up to two

members of the child(ren)'s permanency planning team to participate, one of whom may be designated to be the child(ren)'s advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child(ren); provided, however, that such members may not be foster parents of, or case workers, case planners or case managers for, the child(ren) and that the local commissioner of social services with custody of the child(ren) may reject an individual so selected by the child(ren) if such local commissioner has good cause to believe that the individual would not act in the best interests of the child(ren);

5. Placement Outside New York State. [Required where the child is out-of-state]:

❑ ORDERED that the placement of the child at [specify]:_____,

❑ is appropriate, necessary and in the child's best interests and is continued until [specify]:

❑ is not appropriate, necessary and in the child's best interests and the child shall, therefore, be returned to New York State to be ❑ placed with [specify]: until [specify]:

❑ discharged to [specify]:

; (and it is further)

6. Progress Reports and Notices

❑ ORDERED that Petitioner shall make a progress report to the Court, the parties and the attorney for the child on the implementation of this order as follows [specify date and/or frequency]:

; (and it is further)

❑ ORDERED that if the above permanency plan for the above-named child is changed, notice shall be provided to the Court, the parties and the attorney for the child forthwith;

; (and it is further)

7. Recommendations Regarding State Agency Oversight [Check box if applicable]:

❑ RECOMMENDED that the New York State Office of Children and Family Services investigate the facts and circumstances concerning the discharge of responsibilities for the care and welfare of the child by the social services district of the County of [specify]: pursuant to Social Services Law § 395;

(and it is further)

8. Order of Protection

❑ ORDERED that [specify person(s) before the court]: (is)(are) required to comply with the terms and conditions specified in the order of protection, issued pursuant to Family Court Act §1056 annexed to this order and made a part thereof.

9. Notice Regarding Absconding: [Required in cases in which child remains in foster care]:

❑ ORDERED that if the child absconds from the above-named custodial person or facility, written notice shall be given within 48 hours to the Clerk of Court by the custodial person or by an authorized representative of the facility, stating the name of the child, the docket number of this proceeding, and the date on which the child ran away.

10. Transfer to Another Agency [Check box if applicable]:

❑ ORDERED that, in view of the authorized agency's failure to comply with the Court's prior order to place the child in a prospective adoptive home and/or to provide services and assistance to the child, guardianship and custody of the child is hereby transferred to the following other authorized agency [specify]:

C. [[REQUIRED Where Placement in Qualified Residential Treatment Program is Requested] [DELETE if inapplicable]: After examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is GRANTED, and placement of the child in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]:

the above-named child shall be [check applicable box and specify]:

❑ returned or released to the following parent [specify]:

❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named child's care and welfare that is in the best interests of the child and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

D. Next Permanency Hearing [Required in all cases in which the child is in the guardianship and custody of the authorized agency or foster parent]:

ORDERED that if the child remains in the custody and guardianship of the authorized agency or foster parent, the next permanency hearing shall be held on [specify date and time certain within six months of the completion of this hearing]:

ORDERED that Petitioner shall transmit notice of the hearing and a permanency report no later than 14 days in advance of the above date certain to all parties, attorneys, the attorney for the child and any pre-adoptive parent or relative providing care to the child(ren), and shall transmit notice of the hearing to former foster parent(s) who have had care of the child(ren) in excess of 12 months, except [specify former foster parents for whom such notice would be contrary to child's best interests; delete if inapplicable]:

❑ AND IT IS FURTHER ORDERED that

ENTER

_____
Judge of the Family Court

Dated: , .

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:_____

❑ Order received in court on [specify date(s) and to whom given]:_____

F.C.A. §§1091, 1091-a;
S.S.L. §§393, 409-h

Form PH-7
(Order to Show Cause for)
Reentry into Foster Care)
9/2021

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF
.....
In the Matter of

Docket No.

ORDER TO SHOW CAUSE --
RETURN OF YOUTH TO
FOSTER CARE

CIN #
A Child under 21 Years of Age
Who Was Discharged From Foster Care
.....

Upon the affidavit of , dated annexed hereto, it is

ORDERED that show cause before this Court at New York, on the day of , at o'clock in the ❑ morning ❑ afternoon of that day, or as soon thereafter as the parties can be heard, why an order should not be made returning the above-named youth to foster care and directing such other and further relief as the Court may determine,

[Check box(es) if applicable]:

❑ **And this Court having found, based upon ❑ the attached affidavit ❑ other [specify]: that it would be contrary to the welfare of the above-named youth to remain discharged from foster care during the pendency of this application and that reasonable efforts, if appropriate, were made to prevent the need to return the youth to foster care, IT IS FURTHER ORDERED** that, pending a decision on this application, the above-named youth shall be temporarily returned to the custody of the department of social services of [specify county]:

❑ **{Applicable where placement in Qualified Residential Treatment Program (QRTP) is requested; DELETE if inapplicable]: AND IT IS FURTHER ORDERED that pending a final determination by this Court, the child shall be placed temporarily in the following QRTP (specify):**

❑ **AND IT IS FURTHER ORDERED that** [specify]:

AND IT IS FURTHER ORDERED that service by of a copy of this order together with the papers upon which it is granted upon [check applicable box(es):
❑ the above-named youth [if application brought by local department of social services]
❑ the local department of social services [if application brought by above-named youth]
❑ respondent parent(s) [specify]: [unless parental rights had been terminated]

❑former foster parent(s) [specify]:
❑ other [specify]:
on or before the day of , , be deemed sufficient service.

Dated: , .

ENTER

Family Court Judge

F.C.A.§§1091, 1091-a;
S.S.L. §§393, 409-h

Form PH-7c
(Affidavit in Support of Order to Show Cause by Agency to Return Youth to Foster Care)
92021

FAMILY COURT OF THE STATE OF NEW YORK
COUNTY OF
.....
In the Matter of

Docket No.
AFFIDAVIT IN SUPPORT OF ORDER TO SHOW CAUSE BY AGENCY TO RETURN YOUTH TO FOSTER CARE

CIN #
A Child under 21 Years of Age
Who Was Discharged From Foster Care
.....
STATE OF NEW YORK)
)ss.:
COUNTY OF NEW YORK)

I, [name]: , swear the following to be true under the penalties of perjury:

1. I am [state title/position and agency]: and am making this affidavit in support of an Order to Show Cause for an order for the above-named former foster youth to return to foster care.

2. The above-named youth, who was born on [specify date of birth]: was discharged from foster care on [specify date]: At that time, the youth was 18 years of age or older and did not consent to remain in foster care.

3. The above-named youth has consented to return to foster care and has no reasonable alternative to foster care because [specify, including any relevant facts and circumstances]:

4. [Check applicable box]:

❑ The youth has consented to enroll in and attend an appropriate educational or vocational program and has agreed to cooperate with referrals made to assist in enrolling in such a program.

OR

❑ It would be unnecessary or inappropriate for the youth to attend an educational or vocational program because [specify]:

5. Continuation of the above-named youth's final discharge from foster care would be contrary to his or her best interests and return of the youth to foster care is compelled by the following reason(s) [specify]:

This assertion is based upon the following information [check applicable box(es)]:

❑ Permanency report, sworn to on [specify date]:
❑ Case record, dated [specify]:
❑ The report of [specify]: , dated:
❑ Testimony of [specify]: , on [specify date]:
❑ Other [specify]:

6. Reasonable efforts, where appropriate, to prevent or eliminate the need for the above-named youth to return to foster care [check applicable box and state reasons as indicated]:
❑ were made as follows [specify]:

❑ were not made, (because [specify reason if efforts would have been inappropriate]:).
This assertion is based upon the following information [check applicable box(es)]:
❑ Permanency report, sworn to on [specify date]:
❑ Case record, dated [specify]:
❑ The report of [specify]: , dated:
❑ Testimony of [specify]: , on [specify date]:
❑ Other [specify]:

7. [Check box if applicable]: ❑ This Court should enter an order immediately returning the above-named youth to foster care pending a decision on this motion because [specify reason(s)]:

8. **[REQUIRED if placement in Qualified Residential Treatment Program is requested**:
a). The permanency plan for the child is [specify]: .
This plan ❑ has ❑ has not changed since the most recent dispositional or permanency hearing.

b). The needs of the child require a higher level of care than can be provided by a foster or therapeutic foster home because [specify]:

c). The child has been ❑ placed ❑ recommended for placement in [specify name]: a qualified residential treatment program (QRTP).

d). The needs of the child have been assessed by a Qualified Individual as defined in Social Services Law, Section 409-h (5) and a copy of the Qualified Individual's report ❑ has been submitted separately ❑ is submitted herewith ❑ will be submitted within five days of completion but not less than (10) days prior to the date of the first-scheduled hearing on this motion.

e). The following circumstances exist that necessitate the continued placement of the child in the QRTP [specify]:

f). There is no alternative setting available that can meet the child's needs in a less restrictive environment because [specify]:

g).. Continued placement in the QRTP is in the child's best interests because [specify]:

9.The subject child ❑ is ❑ is not a Native-American child, who is subject to the Indian Child Welfare Act of 1978 (25 U.S.C. §§ 1901-1963). If so, the following have been notified [check applicable box(es)]: ❑ parent/custodian [specify name and give notification date]:
❑ tribe/nation [specify name and give notification date]:
❑ United States Secretary of the Interior [give notification date]:

10. No previous application has been made to any court or judge for the relief herein requested [check box if applicable]: ❑ except [specify, including any prior motions to return to foster care]:

WHEREFORE, I respectfully request that this Court issue an Order returning the above-named youth to foster care and for such other and further relief as it may deem proper.

Dated , .

_____
Signature of Agency Official or Caseworker

_____
Print or Type Name

Sworn to before me this
day of ,

(Deputy) Clerk of the Court
Notary Public

_____
Signature of Attorney, if any

_____
Attorney's Name (print or type)

_____

_____

_____
Attorney's Address and Telephone Number

F.C.A §1091, 1091-a;
S.S.L. §§393, 409-h

Form PH-8
Permanency – Order on
Motion to Reenter Foster Care)
9/2021

At a term of the Family Court of the State of New York, held in and for the County of , at New York on , .

PRESENT:
Hon.
Judge

.....

In the Matter of

Docket No.

CIN #
A Child under 21 Years
of Age Who Was Discharged
From Foster Care

ORDER (Order on Motion to
Reenter Foster Care)

.....

A motion made by notice of motion or order to show cause seeking reentry of the above-named youth into foster care having been made by [check applicable box]: ❑ the youth ❑ the local department of social services;

And the above-named youth being under the age of 21 and having been finally discharged from foster care on [specify date]:

And the youth having [check applicable box(es)]:
❑ appeared ❑ with counsel ❑ without counsel ❑ waived counsel
❑ not appeared but counsel appeared;

And the following having appeared [check applicable box(es)]:
❑ local department of social services [specify]:
❑ authorized agency [specify]:
❑ foster parent [specify]:
❑ other [specify]:

[Required if motion made by youth]: ❑ And the local department of social services having:
❑ consented to the return of the youth into foster care;
❑ not consented to the return of the youth into foster care, but such failure to consent was reasonable
❑ not consented to the return of the youth into foster care, but such failure to consent was unreasonable

[Required if motion made by local department of social services]: ❑ And the youth having:
❑ consented ❑ not consented to return to foster care,

[Required]: ❑ And the youth having ❑ consented ❑ not consented to enroll in and attend a vocational or educational program;

OR

❑ Participation in an educational or vocational program would be unnecessary or inappropriate for the following compelling reason [specify, if applicable]:

And the youth having [check applicable box]:
❑ no reasonable alternative to foster care ❑ the following reasonable alternative to foster care [specify]:

And the court finds that [Check A, B or C]:

❑ A. Reasonable efforts were made to attempt to prevent the youth's return to foster care as follows [specify]:

❑ B. Reasonable efforts were not made to attempt to prevent the youth's return to foster care but such efforts would not have been appropriate because [specify]:

❑ C. Reasonable efforts were not made to attempt to prevent the youth's return to foster care.

The determination of A, B or C is based upon the following information [check applicable box(es)]:

❑ Permanency report, sworn to on [specify date]:
❑ Case record, dated [specify]:
❑ The report of [specify]: , dated:
❑ Testimony of [specify]: , on [specify date]:
❑ Other [specify]:

And the Court further finds that [Check A or B]:

❑ A. It would be contrary to the youth's welfare to remain discharged from foster care and it is in the youth's best interests to return to foster care because of the following compelling reason(s) [specify]:

OR

❑ B. There is no compelling reason supporting return of the youth into foster care;

The determination of A or B is based upon the following information [check applicable box(es)]:

❑ Permanency report, sworn to on [specify date]:
❑ Case record, dated [specify]:
❑ The report of [specify]: , dated:

❑ Testimony of [specify]: , on [specify date]:
❑ Other [specify]:

[Check box(es) if applicable]:
❑ And the instant motion having been filed no more than 24 months after the first final discharge of the youth following the 18th birthday of the youth;
❑ And, apart from any temporary orders issued on this motion, this Court having previously:
❑ granted an earlier motion to return the youth to foster care following final discharge
❑ granted more than one earlier motion to return the youth to foster care following final discharge, which renders the youth ineligible to return to foster care
❑ denied an earlier motion to return the youth to foster care following final discharge

OR

❑ And no prior motions for return of the youth to foster care having been made;

And the Court having considered the position and information provided by the local department of social services;

❑ **[REQUIRED Where Placement in Qualified Residential Treatment Program is Requested]**: **[DELETE if inapplicable]:**

This Court, upon examination of the motion papers and supporting affidavit(s); the Qualified Individual's written assessment of the appropriateness of the requested placement; and any response thereto, including [specify]: ; and [specify other information considered]:

; and ❑ upon hearing testimony in relation thereto ❑ upon consent of all parties without a hearing, finds the following [check applicable box(es)]:

A. The needs of the child ❑ can ❑ cannot be met through placement in a foster family home because [specify facts and reasons]:

B. Placement of the child in a Qualified Residential Treatment Program (QRTP) ❑ does ❑ does not provide the most effective and appropriate level of care for the child in the least restrictive environment because: [specify facts and reasons]:

C. Placement in [specify name of QRTP]:
❑ is ❑ is not consistent with the short-term and long-term goals for the child, as specified in the child's permanency plan because [specify facts and reasons]:

D. Where the Qualified Individual has determined that the placement of the above-named child in the Qualifies Residential Treatment Program (QRTP) is not appropriate, the Court nevertheless finds:

❑ Circumstances exist that necessitate the continued placement of the above-named child in the Qualified Residential Treatment Program (QRTP) as follows [specify facts and reasons]:

❑ There is not an alternative setting available that can meet the above-named child's needs in a less restrictive environment; **and**

❑ Continued placement in the Qualified Residential Treatment Program (QRTP) is in the child's best interests because [specify facts and reasons]:

NOW, therefore, it is hereby [check applicable box]:

❑ ORDERED that the motion for return of the youth into foster care is **GRANTED**,

and it is further ORDERED that the youth is committed to the custody of the department of social services of [specify county]: to reside [specify authorized agency or foster parent, if applicable]:

And it is further ORDERED that [check applicable box]:

❑ the youth shall participate in an educational or vocational program as follows [specify]:

❑ a compelling reason exempts the youth from the program participation requirement

And it is further ORDERED that a permanency hearing shall be held on [specify date not later than 30 days from the date of this Order)]:

And it is further ORDERED that local department of social services shall transmit notice of the hearing and a permanency report by [specify date]: to the youth, his or her attorney, other parties, any former foster parents or relatives providing care to the youth and shall transmit notice of the hearing to former foster parent(s) who have had care of the youth in excess of 12 months, except [specify former foster parents for whom such notice would be contrary to the best interests of the youth; delete if inapplicable]:

OR

❑ ORDERED that the motion for return of the youth into foster care is **DENIED**.

❑ **[REQUIRED Where Placement in Qualified Residential Treatment Program is Requested]**: **[DELETE if inapplicable]: After examination and inquiry into the facts and circumstances [check box if applicable]: ❑ and after hearing the proof and testimony offered in relation thereto, it is therefore** [Check applicable box(es)]:

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is GRANTED, and placement of the child in [specify name of QRTP]: is hereby approved.

OR

❑ ORDERED, that the Petitioner's application for placement of the child in the "Qualified Residential Treatment Program" is DENIED, and on or before [specify date]:
the above-named child shall be [check applicable box and specify]:

❑ returned or released to the following parent [specify]:

❑ returned to or placed with the following legal guardian [specify]:

❑ returned to or placed with the following suitable adult/relative [specify]:

❑ returned to or placed in the following foster home [specify]:

❑ returned to or placed in the following facility providing supports for pre-natal, post-partum and parenting youth: (specify]:

❑ returned to or placed in the following residential program providing supportive services for youth suspected of being or at risk of becoming sexually exploited, as defined in Social Services Law §447-a (1) [specify]:

❑ returned or placed in an available supervised setting, as defined in Social Services Law §371, that is approved and supervised by an authorized agency or the local social services district and that provides a transitional experience for older youth in which such youth may live independently [specify]:

OR

❑ On or before [specify date]: , Petitioner shall make such other arrangements for the above-named child's care and welfare that is in the best interests of the child and in the most effective and least restrictive setting as the facts of the case require as follows [specify]:

Next Permanency Hearing [Required in all cases in which the child is in the guardianship and custody of the authorized agency or foster parent]:

ORDERED that if the child remains in the custody and guardianship of the authorized agency or foster parent, the next permanency hearing shall be held on [specify date and time certain within six months of the completion of this hearing]:

❑ AND IT IS FURTHER ORDERED that [specify]:

ENTER

_____
Judge of the Family Court

Dated:

PURSUANT TO SECTION 1113 OF THE FAMILY COURT ACT, AN APPEAL FROM THIS ORDER MUST BE TAKEN WITHIN 30 DAYS OF RECEIPT OF THE ORDER BY APPELLANT IN COURT, 35 DAYS FROM THE DATE OF MAILING OF THE ORDER TO APPELLANT BY THE CLERK OF COURT, OR 30 DAYS AFTER SERVICE BY A PARTY OR THE ATTORNEY FOR THE CHILD UPON THE APPELLANT, WHICHEVER IS EARLIEST.

Check applicable box:

❑ Order mailed on [specify date(s) and to whom mailed]:_____

❑ Order received in court on [specify date(s) and to whom given]:_____

NYS DEPARTMENT OF STATE
DIVISION OF ADMINISTRATIVE RULES

2022 RULE MAKING CALENDAR *(2023 dates in italic)*

VOL. XLIV (Revised October 2021)

REGISTER NO.	DATE	30 DAYS	45 DAYS	60 DAYS	90 DAYS	120 DAYS	365 DAYS
1	JAN 5	FEB 4	FEB 19	MAR 6	APR 5	MAY 5	*JAN 5*
2	12	11	26	13	12	12	*12*
3	19	18	MAR 5	20	19	19	*19*
4	26	25	12	27	26	26	*26*
5	FEB 2	MAR 4	19	APR 3	MAY 3	JUN 2	*FEB 2*
6	9	11	26	10	10	9	*9*
7	16	18	APR 2	17	17	16	*16*
8	23	25	9	24	24	23	*23*
9	MAR 2	APR 1	16	MAY 1	31	30	*MAR 2*
10	9	8	23	8	JUN 7	JUL 7	*9*
11	16	15	30	15	14	14	*16*
12	23	22	MAY 7	22	21	21	*23*
13	30	29	14	29	28	28	*30*
14	APR 6	MAY 6	21	JUN 5	JUL 5	AUG 4	*APR 6*
15	13	13	26	12	12	11	*13*
16	20	20	JUN 4	19	19	18	*20*
17	27	27	11	26	26	25	*27*
18	MAY 4	JUN 3	18	JUL 3	AUG 2	SEP 1	*MAY 4*
19	11	10	25	10	9	8	*11*
20	18	17	JUL 2	17	16	15	*18*
21	25	24	9	24	23	22	*25*
22	JUN 1	JUL 1	16	31	30	29	*JUN 1*
23	8	8	23	JUL 7	SEP 6	OCT 6	*8*
24	15	15	30	14	13	13	*15*
25	22	22	AUG 6	21	20	20	*22*
26	29	29	13	28	27	27	*29*
27	JUL 6	AUG 5	20	SEP 4	OCT 4	NOV 3	*JUL 6*
28	13	12	27	11	11	10	*13*
29	20	19	SEP 3	18	18	17	*20*
30	27	26	10	25	25	24	*27*
31	AUG 3	SEP 2	17	OCT 2	NOV 1	DEC 1	*AUG 3*
32	10	9	24	9	8	8	*10*
33	17	16	OCT 1	16	15	15	*17*
34	24	23	8	23	22	22	*24*
35	31	30	15	30	29	29	*31*
36	SEP 7	SEP 7	22	NOV 6	DEC 6	JAN 5	*SEP 7*
37	14	14	29	13	13	12	*14*
38	21	21	NOV 5	20	20	19	*21*
39	28	28	12	27	27	26	*28*
40	OCT 5	NOV 4	19	DEC 4	*JAN 3*	FEB 2	*OCT 5*
41	12	11	26	11	*10*	9	*12*
42	19	18	DEC 3	18	17	16	*19*
43	26	25	10	25	24	23	*26*
44	NOV 2	DEC 2	17	*JAN 1*	31	MAR 2	*NOV 2*
45	9	9	24	8	FEB 1	9	*9*
46	16	16	31	15	14	16	*16*
47	23	23	*JAN 7*	22	21	23	*23*
48	30	30	14	29	28	30	*30*
49	DEC 7	*JAN 6*	21	FEB 5	MAR 7	APR 6	*DEC 7*
50	14	13	28	12	14	13	*14*
51	21	20	FEB 4	19	21	20	*21*
52	28	27	11	26	28	27	*28*

When any of the above dates falls on a Saturday, Sunday or legal holiday, the action that is due or the time span that expires does so on the close of business of the *next succeeding* work day.

2022 SCHEDULE
REGISTER

DEADLINE Tuesday	ISSUE DATE Wednesday
JANUARY	
December 21	January 5
December 28	January 12
January 4	January 19
January 11	January 26
FEBRUARY	
January 18	February 2
January 25	February 9
February 1	February 16
February 8	February 23
MARCH	
February 15	March 2
February 22	March 9
March 1	March 16
March 8	March 23
March 15	March 30
APRIL	
March 22	April 6
March 29	April 13
April 5	April 20
April 12	April 27
MAY	
April 19	May 4
April 26	May 11
May 3	May 18
May 10	May 25
JUNE	
May 17	June 1
May 24	June 8
May 31	June 15
June 7	June 22
June 14	June 29

DEADLINE Tuesday	ISSUE DATE Wednesday
JULY	
June 21	July 6
June 28	July 13
July 5	July 20
July 12	July 27
AUGUST	
July 19	August 3
July 26	August 10
August 2	August 17
August 9	August 24
August 16	August 31
SEPTEMBER	
August 23	September 7
August 30	September 14
September 6	September 21
September 13	September 28
OCTOBER	
September 20	October 5
September 27	October 12
October 4	October 19
October 11	October 26
NOVEMBER	
October 18	November 2
October 25	November 9
November 1	November 16
November 8	November 23
November 15	November 30
DECEMBER	
November 22	December 7
November 29	December 14
December 6	December 21
December 13	December 28

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Publications Production Supervisor	10/19/2021

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