

Andrew M. Cuomo Governor

52 WASHINGTON STREET RENSSELAER, NY 12144

Sheila J. Poole Commissioner

Local Commissioners Memorandum

Transmittal:	21-OCFS-LCM-14
То:	Local District Commissioners Directors of Services Adult Protective Supervisors
Issuing Division/Office:	Child Welfare and Community Services
Date:	June 8, 2021
Subject:	Administration for Community Living - Adult Protective Services Grant
Contact Person(s):	Shelly Aubertine-Fiebich Shelly.Aubertine-Fiebich@ocfs.ny.gov 518-402-1639
Attachments:	Attachment A: District Allocation Amounts Attachment B: Attestation of Use of Administration for Community Living – Adult Protective Services Grant Attachment C: Request for Approval of Equipment Expenditure Attachment D: List of Tribes and County of Residence Attachment E: Annual Program Report Template and Instructions Attachment F: For U.S. Administration for Community Living Grants

I. Purpose

The purpose of this Local Commissioners Memorandum (LCM) is to advise local departments of social services (LDSSs) of the availability of federal funds through the Grants to Enhance Adult Protective Services to Respond to COVID-19 administered by the Administration for Community Living (ACL). The federal ACL has made available one-time funding in the amount of \$5,306,382 to New York State for use from April 1, 2021, through May 31, 2022. The New York State Office of Children and Family Services (OCFS) intends to use \$480,000 of the federal funding to enhance the Adult Protective Services (APS) database, known as ASAP.Net. This LCM provides information on each LDSS's allocation (Attachment A) from the remaining funds, how the funds can be used, and annual reporting and claiming requirements.

II. Background

These funds are being made available to states to provide APS with resources related to their response during the Coronavirus Public Health Emergency. The funding is intended

to enhance, improve, and expand the ability of APS to investigate allegations of abuse, neglect, and exploitation in the context of COVID-19. OCFS recently surveyed the districts to ascertain the current needs and services of vulnerable adults in their LDSS and of their staff. The survey identified the following needs and services: the need for additional/temporary staff, additional personal protection equipment, the use of tele-health services, and tangible services for clients, such as rental assistance, transportation, and food and meal delivery. This information was shared with ACL and was considered in their funding objectives.

III. Program Implications

LDSSs can only use the funds for the allowable expenditures noted below. LDSSs will be required to sign an attestation (Attachment B) indicating how they will use the funds in accordance with the allowable identified expenditures of the federal grant. LDSSs must also attest that they will not use their allocation to supplant any New York State (NYS) APS funds and that the funds will only be used to supplement existing state and LDSS APS resources. OCFS may reallocate any unspent funds from a LDSS to other LDSSs that have claims that exceed their allocations. Funds can be used from April 1, 2021, through May 31, 2022.

The funds may be used for the following purposes:

- Improving and supporting remote work, such as the purchase of communications and technology hardware, software, or infrastructure such as:
 - Laptops
 - Smartphones
 - Electronic tablets
 - Wi-Fi hotspots
 - Software to facilitate secure video conferencing and virtual meetings
- Establishing new or improving existing processes for responding to alleged scams and frauds, especially related to COVID-19 vaccine or cure scams.
- Costs associated with community outreach, including:
 - advertising, postage, and printing of brochures and similar educational materials
- Providing goods and services to APS clients related to COVID-19, including:
 - o home care
 - o food, personal hygiene, over the counter medications
- Acquiring personal protection equipment and supplies, including costs for and associated with COVID-19-related clean-up/sanitation services for an adult to return safely to their home environment
- Paying for extended hours/overtime for staff, hiring temporary staff, and associated personnel costs
 - This funding may be used to pay for bonuses or hazard pay for APS staff, provided that the expenditure is reasonable, allocable, and allowable. When implementing hazard pay or bonuses, a written policy and procedures should be followed. (See 45CFR75.430 for more information on compensation for personal services for federal Health and Human Services awards).
 - The funding through this opportunity must add to the LDSS's current funding levels and not be used to replace funding. This is a one-time funding, and there is no expectation that there will be additional, similar funds available in the future.

- LDSSs can use these funds to hire temporary staff through a contract with an agency that provides case aid services.
- Training (both remote and in-person) for current and new APS employees on conducting investigations, interviews, and documentation during COVID-19, including additional costs associated with advertising, recruiting, certifying, and providing continuing education.
- Paving for travel related to COVID-19.
- Assisting APS clients with securing the least restrictive option for emergency
 or alternative housing, and with obtaining, providing or coordinating with care
 transitions as appropriate; these funds can be used to assist an APS client in
 securing housing services with a Family Type Home for Adults or assisting an
 APS client who is residing in a Family Type Home for Adults for other COVID19 services/needs.

Any prospective equipment purchases made at or more than \$5,000 must receive **prior** approval from OCFS and ACL per 45 CFR 75.320(a)(2). Equipment refers to tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the non-federal entity for financial statement purposes, or \$5,000. Each district is required to forward to OCFS any proposed equipment purchase costing \$5,000 or more using Attachment C.

When submitting equipment purchase requests using Attachment C, the following information is required:

- · Identification of and cost of purchase
- Purpose and intended use of the proposed purchase
- Market research completed (i.e. obtaining bids, assessment of lease vs. purchase)
- Efforts to adhere to "Buy American"

Once prior approval is received, districts should then follow their own procurement policies.

IV. Annual Reporting Requirements

LDSSs awarded funding will be expected to submit an annual programmatic report, which details how the funds were used in accordance with the federal requirements, and what challenges and successes they encountered in using the funds. A template and instructions are provided in Attachment E.

Additionally, LDSSs with Tribes residing within the LDSS must work collaboratively with the Tribes to provide support to those individuals age 60 or older who have an APS need and have been impacted by COVID-19. A list of the Tribes and the LDSS they reside in is listed in Attachment D.

Completed programmatic reports should be emailed to Shelly Aubertine-Fiebich at Shelly.Aubertine-Fiebich@ocfs.ny.gov by July 7, 2021.

V. Claiming Requirements

There is \$4,826,382 in federal funds for expenditures related to the implementation of the Grants to Enhance Adult Protective Services to Respond to COVID-19. Claims for these funds must be submitted as described below. These funds are to be used only to reimburse expenditures beginning April 1, 2021 and ending May 31, 2022, and accepted as final in the Automated Claiming System (ACS) by July 29, 2022.

Expenditures for the Adult Protective Services to Respond to COVID-19 project should be claimed through the RF17 claim package for special project claiming. These costs are first identified on the RF2A claim package as F17 functional costs and reported in the F17 column on the LDSS-923 Cost Allocation Schedule of Payments Administrative Expenses Other Than Salaries and the LDSS-2347 Schedule D DSS Administrative Expenses Allocation and Distribution by Function and Program. After final accepting the RF2A claim package, the individual project costs are then reported under the project label Adult Protective COVID19 on the LDSS-4975A, RF17 Worksheet, Distribution of Allocated Costs to Other Reimbursable Programs.

Non-salary administrative costs are reported with the appropriate object of expense(s) on the LDSS-923B, Summary-Administrative (page 1), Schedule of Payments for Expenses Other Than Salaries for Other Reimbursable Programs. Program costs should be reported as object of expense 37 - Special Project Program Expense on the LDSS-923B, Summary-Program (page 2), Schedule of Payments for Expenses Other Than Salaries for Other Reimbursable Programs.

Total project costs should be reported on the LDSS-4975, *Monthly Statement of Special Project Claims Federal and State Aid (RF-17)*, as 100 percent federal share. For each LDSS, the expenditures reported for *Adult Protective COVID-19* will be reimbursed up to the amount of the district's allocation.

Further instructions for completing the time studies, Schedule D, and RF17 claim package are found in Chapters 4, 7, and 18, respectively, of the *Fiscal Reference Manual* (FRM), Volume 3. The FRM is available online at http://otda.state.nyenet/bfdm/finance/.

I. Contact Persons

Questions pertaining to the allocations may be directed to:

Shonna Clinton, Local Operations Manager, Bureau of Budget Management, (518) 474-1361
Shonna.Clinton@ocfs.nv.gov

Any ACS claiming questions should be directed to the OTDA Bureau of Financial Services by email or telephone:

Lauren Horn (Regions I-V) at 518-474-7549 otda.sm.Field Ops.I-IV@otda.ny.gov

Michael Simon (Regions VI) at 212-961-8250 Michael.Simon@otda.ny.gov

/s/ Lisa Ghartey Ogundimu

Issued by:

Name: Lisa Ghartey Ogundimu Title: Deputy Commissioner

Division/Office: Division of Child Welfare and Community Services

/s/ Derek J. Holtzclaw

Issued by:

Name: Derek J. Holtzclaw Title: Deputy Commissioner

Division/Office: Division of Administration

Attachment A District Allocation Amounts

District	Allocation	District	Allocation
Albany	\$79,245	Ontario	\$19,640
Allegany	\$15,700	Orange	\$68,082
Broome	\$46,950	Orleans	\$5,611
Cattaraugus	\$8,566	Oswego	\$28,266
Cayuga	\$19,490	Otsego	\$16,356
Chautauqua	\$42,861	Putnam	\$23,221
Chemung	\$27,102	Rensselaer	\$48,592
Chenango	\$3,791	Rockland	\$64,620
Clinton	\$10,059	Saratoga	\$47,846
Columbia	\$20,714	Schenectady	\$30,236
Cortland	\$14,118	Schoharie	\$6,059
Delaware	\$37,847	Schuyler	\$11,611
Dutchess	\$61,605	Seneca	\$5,432
Erie	\$275,732	St. Lawrence	\$34,772
Essex	\$7,731	St. Regis	\$2,328
Franklin	\$10,327	Steuben	\$49,069
Fulton	\$20,416	Suffolk	\$125,330
Genesee	\$14,207	Sullivan	\$27,281
Greene	\$10,178	Tioga	\$14,416
Hamilton	\$1,522	Tompkins	\$24,236
Herkimer	\$21,938	Ulster	\$18,505
Jefferson	\$22,326	Warren	\$10,894
Lewis	\$4,835	Washington	\$15,580
Livingston	\$17,252	Wayne	\$6,537
Madison	\$9,462	Westchester	\$86,916
Monroe	\$130,613	Wyoming	\$5,880
Montgomery	\$11,491	Yates	\$2,597
Nassau	\$85,573		
Niagara	\$65,903	NYC	\$2,778,066
Oneida	\$32,026		
Onondaga	\$118,823	Statewide Total	\$4,826,382

Attachment B Attestation of Use of Administration for Community Living Adult Protective Services Grant

This is to certify that department of social serve these funds authorized in the amount of \$ to enhance LDSS's Adult Protective Services ability to investigate allegation exploitation in the context of COVID-19, as indicated below. collaboratively with any Tribe residing within our district to implement	e, improve, and expand the ons of abuse, neglect, and Additionally, we will work
Such funds will not be used to supplant any other state or local fundused to supplement existing New York State and district A reimbursement under this appropriation will not be submitted for funding covered by any other state or locally authorized appropriation.	APS resources. Claims for the same type and level of
Plan for use of funds – check all that apply:	
□ Improving and supporting remote work, such as purchasing of combardware, software, or infrastructure (Equipment costing \$5,000 or infrastructure)	
□ Establishing new or improving existing processes for responding tespecially related to COVID-19 vaccine or cure scams	to alleged scams and frauds,
□ Conducting community outreach	
□ Providing goods and services to APS clients related to COVID-19)
□ Acquiring personal protection equipment and supplies	
$\hfill \square$ Paying for extended hours/overtime for staff, hiring temporary states costs	ff, and associated personnel
□ Training costs related to COVID-19	
□ Paying for travel related to or required by COVID-19	
□ Assisting APS clients with securing the least restrictive option f housing, and with obtaining, providing, or coordinating with care tra	
Name of person completing the form:	Date:
Name of commissioner:	
Commissioner's signature	Date:
Email completed attestations to Shelly Aubertine-Fiebich at Shelly.Aubertine-Fiebich@ocfs.ny.gov by July 7, 2021.	

Attachment C: Request for Approval of Equipment Expenditure Exceeding \$5,000

1.	Please identify what you would like to purchase, and the cost of the purchase(s). Please provide an individual cost for each item.
2.	What is the purpose and intended use of the purchase(s)?
3.	Please describe any related market research that was done (i.e. obtaining bids, assessment of lease vs. purchase) for each requested purchase.
1.	Please describe the efforts made to "Buy American"
	Email equipment requests costing \$5,000 or more Shelly Aubertine-Fiebich at Shelly.Aubertine-Fiebich@ocfs.ny.gov

Attachment D: Tribes in New York State and County of Residence

Cayuga Nation of Indians – Seneca and Cayuga Counties

Oneida Indian Nation – Madison County

Onondaga Nation – Onondaga County

St. Regis Mohawk Tribe- Franklin County

Seneca Nation of Indians – Erie, Cattaraugus, and Chautauqua Counties

Tonawanda Band of Seneca – Genesee County

Tuscarora Nation – Niagara County

Unkechaug and Shinnecock Indian Nations - Suffolk County

ATTACHMENT E: Annual Program Report Template and Instructions

New York State ACL Grant Report REPORTING PERIOD:					
	Name of Local District: Name and Title of Reporter:				
COVID-19 Strategy Se	lected:				
Overall Goal: List the i	ntended goal of the se	elected strategies			
Objectives/Activities Updated MM/DD/YY List the specific strategy/activity implemented to meet the goal Description of Accomplishments(Q1) List services purchased, goods or staff acquired and total implemented to meet the case process Description of Accomplishments(Q1) List what was accomplished with implementing the strategy/activity List any significant partners and their role in the activity Description of Impact (Q3) Description of Impact (Q3					
Challenges, Barriers, Alterations (Q2): Describe what if any challenges or barriers that were encountered during the reporting period, what actions were taken to address them and if there were any changes to the goals, objectives or activities because of the challenges.					
	V				

Instructions:

activities because of the challenges.

LDSS must complete and submit an Annual Program Performance Report to OCFS using the attached Reporting Form.

Due Dates: OCFS must submit a statewide report to ACL by May 1, 2022, to meet that deadline LDSS must submit the first annual report to OCFS no later than April 15, 2022. The final report must be submitted to OCFS no later than June 15, 2022.

The follow charts provide examples regarding report completion, linking activities with stages in the APS process and definitions services.

New York State ACL Grant Report			
REPORTING PERIO		ARCH 31, 2022	
: Address increased need			igher level of care
APS Process Model Topic Select the corresponding Input/Resource and stage of the case process	Description of Accomplishments(Q1) List what was accomplished with implementing the strategy/activity List any significant partners and their role in the activity	Outputs (Q4) List services purchased, goods or staff acquired and total expenditure, List the number of APS clients who received the service or activity; List the number of those who were 60 yrs of age or older	Description of Impact (Q3) Describe the impact the activity has had on the goal Are there measurable outcomes that can be included to support the impact. Have risks been decreased,
Community/Interagency Partnerships for post- investigation services	Local government approved the new contract request, a request for proposals was developed, published and an award was determined. Specifications of the contract were finalized and signed with ACME Home Care Services.	Purchased contracted services for home care from ACME Home Care Services. Current contract expenditures for this reporting period are \$45,000. 15 clients have received this service, 10 of which are over the age of 60	safety increased? For the 10 clients who were over the age of 60 the home care service allowed for them to continue to remain in their home and maintain a level of independence.
	REPORTING PERIOR Address increased need tions APS Process Model Topic Select the corresponding Input/Resource and stage of the case process Community/Interagency Partnerships for post-investigation services	EXAMPLE REPORTING PERIOD: APRIL 1, 2021 – M. Address increased need for client home care antions APS Process Model Topic Select the corresponding Input/Resource and stage of the case process Community/Interagency Partnerships for post-investigation services Community/Interagency Partnerships for post-investigation services	EXAMPLE REPORTING PERIOD: APRIL 1, 2021 – MARCH 31, 2022 Address increased need for client home care and reduce the need for hitons APS Process Model Topic Select the Corresponding Input/Resource and stage of the case process Community/Interagency Partnerships for postinvestigation services Community/Interagency Partnerships for postinvestigation services Community/Interagency Partnerships for postinvestigation services REPORTING PERIOD: APRIL 1, 2021 – MARCH 31, 2022 Country Interaged Period of Accomplishments(Q1) List what was accomplished with implementing the strategy/activity List any significant partners and their role in the activity Local government approved the new contract request, a request for proposals was developed, published and an award was determined. Specifications of the contract were finalized and signed with ACME Home Care Services. Local government approved the new contracted services for home care from ACME Home Care Services. Current contract expenditures for this reporting period are \$45,000. 15 clients have received this service, 10 of which are over

reporting period, what actions were taken to address them and if there were any changes to the goals, objectives or

Example 2: Overall Goal: Address increased need for safe temporary shelter for client				
Objectives/Activities Updated MM/DD/YY	APS Process Model Topic	Description of Accomplishments(Q1)	Outputs (Q4)	Description of Impact(Q3)
Develop new contract(s) for emergency shelter	Community and Interagency Partnerships	Local government approved several contractual agreements with local motels. Identification of three new emergency housing locations, spread out throughout the county, closer to shopping areas.	Current expenditures for emergency housing for this reporting period are \$30, 600. 12 clients have received this service, 8 of which are over the age of 60	Twelve clients were removed from unsafe and unsanitary conditions to locations near their current neighborhoods where they could continue to utilize the same shopping areas and maintain existing social and professional relationships while a long-term housing issues were addressed. Such placements allow for independence and dignity to remain intact.

Challenges, Barriers, Alterations (Q2): Describe what if any challenges or barriers that were encountered during the reporting period, what actions were taken to address them and if there were any changes to the goals, objectives or activities because of the challenges.

Example 3: Overall Goal: Address the increasing need to perform APS investigations and case work remotely				
Objectives/Activities Updated MM/DD/YY	APS Process Model Topic	Description of Accomplishments(Q1)	Outputs (Q4)	Description of Impact (Q3)
Purchase laptops and cell phones for case workers	Create New/Enhance Existing Operational Supports	10 laptops with MiFi and 10 cell phones were purchased for 8 case workers and 2 supervisors	Current equipment and contract expenditures total \$20,000. The equipment has been used for 10 months on 40 APS investigations/cases. 30 of those cases involved clients age 60 or older.	Initial and follow up visits for all 40 cases were conducted and documented timely. Service availability is confirmed more expeditiously as this can be verified while in the field. Case notes are completed while in the field and are detailed, concise and timely.

Challenges, Barriers, Alterations (Q2): Describe what if any challenges or barriers that were encountered during the reporting period, what actions were taken to address them and if there were any changes to the goals, objectives or activities because of the challenges.

Mapping to the APS Process Model and Annual Report

The simplified map includes the sample activities ACL outlined in the Federal Register Notice.

Inputs/Resources	Intake	Investigation	Post-Investigation	Quality Assurance
APS Staff:	Screening and	Assessment	Obtaining client	Documentation of
Training/Education	Assessment		agreement and	investigation/services
 Personnel costs, including hazard pay 	Tools	Interviews	Implementing Service Plan	 Purchase of new, or improvements
 Travel for in-person 	Case Planning Tools	Collecting		to existing, data
investigations		Physical	Referring clients to	systems and/or
 Costs for PPE and 	Create New/	Evidence	community partners	technology
supplies for in-person	EnhanceExisting		orServices:	infrastructure
visits	Reporting Systems	Consult Support	Purchasing Goods	related tocase
	Purchase of new,		andServices	management
Community/	orimprovements	Determinations	Purchase/provision	
Interagency Partnerships	to existing, data	and Services	ofPPE for clients,	Expand Data
 Public Awareness and 	systems and/or	Recommendation	and/orexpenses for	
community outreach	technology	S	COVID- related	Capacity Customer
 Costs for and associated 	infrastructure		clean-	
with establishingnew, or	related to		up/sanitation	Satisfaction Quality
improving existing,	REPORTING		services	
processes for			Paying for the	Assurance Review
responding to COVID-19			least restrictive	
scams and frauds			option for	
			emergency or	
Consult Support			alternative	
			housing	
Create New/				
Enhance Existing			Monitor Status of	
OperationalSupports			Victimand Services	
Purchase of equipment and				
associatedtechnologies that				
will allow for secure				
remote work and enhance				
APS workers'ability to				
interview and investigate				
whilethey cannot				
physically visit during to				
COVID-19 crisis.				
Legal and ethical processes				

The following table contains existing service categories and definitions for a range of home- and community-based services. This list is provided to assist in tracking and reporting goods and services purchased/obtained for APS clients being served by COVID-19 related funding. G rantees are encouraged to use this table to facilitate analysis and reporting.

Service Name	Service Definition	UNIT NAME	Unit definition
Assistive Technology, Durable Equipment	Durable Medical Equipment (chair lifts, wheelchairs, walkers, emergency response systems), anything given to or lent on a short-term basis, including technology or equipment, such as tablet computers, cellphones, or other devices, for use by clientin their home to maintain safety, allow for socialization, and/or promote participation in activities from the older adult's home	1) Expenditure 2) Units	Cost and quantity of items of assistance.
	Note: Please report any expenditures related to cell phone or internet <i>access plans</i> under Consumable Supplies .		
Care/Case Management Services	Development and implementation of a service plan to mobilize the formal and informal resources and services identified in the assessment to meet the needs ofthe client. Includes the development and oversight of a plan to ensure the safety and well-being of the client; developing a safety plan with a person's support network; referring and arranging support services, etc.	1) Expenditure 2) Hours	The cost and amount of time(measured in hours) to provide assistance.
Caregiver Support Services	Assistance to family and other informal caregivers to improve or sustain capacity for caring for the older adult or adult with disabilities. Includes counseling, supportgroups, training, respite, etc.	1) Expenditures 2) Units	The cost and number of unitsor sessions.
Community Day Services	Services or activities provided to adults who require care and supervision in a protective setting for a portion of a 24-hour day. Includes out of home supervision, health care, recreation, and/or independent living skills training offered in centers most commonly known as Adult Day, Adult Day Health, Senior Centers, and Disability Day Programs.	1) Expenditure 2) Hours	The cost and amount of time(measured in hours) to provide assistance.

ATTACHMENT F: FOR U.S. ADMINISTRATION FOR COMMUNITY LIVING GRANTS

Title 45 U.S. Code of Federal Regulations Part 75 (45 CFR 75), *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards*, section 354(a) states "all pass-through entities must ensure that every subaward is clearly identified to the subrecipient as a subaward and includes the following information at the time of the subaward and if any of these data elements change, includes the changes in subsequent subaward identification."

(i)	Subrecipient Name	Attachment A
(ii)	Subrecipient's unique entity identifier	Local Social Service Districts
(iii)	Federal Award Identification Number (FAIN)	
(iv)	Federal award date to the recipient by the HHS awarding agency	
(v)	Subaward period of performance start and end date	
(vi)	Amount of federal funds obligated to the subrecipient by this action by the pass-through entity to the subrecipient	Attachment A
(vii)	Total amount of the federal funds obligated to the subrecipient by the pass-through entity including the current obligation	Attachment A
(viii)	Total amount of the award committed to the subrecipient by the pass-through entity	Attachment A
(ix)	Federal award project description	
(x)	Name of the HHS awarding agency, pass-through entity, and contact information for awarding official of the pass-through entity	Administration for Community Living Shonna Clinton – (518) 474-2812 Shonna.Clinton@ocfs.ny.gov
(xi)	CFDA number and name	
(xii)	Identification of whether the award is Research and Development (R&D)	N
(xiii)	Indirect cost rate for the federal award (including if the de minimum rate is charged per section 75.414)	Please see uniform guidance 45 CFR 75