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Administrative Directive

Transmittal:	07-OCFS-ADM-09/07-OTDA-ADM-11
To:	Local District Commissioners
Issuing Division/Office:	Office of Temporary and Disability Assistance (OTDA) and Office of Children and Family Services (OCFS)
Date:	June 25, 2007
Subject:	Access to the Federal Parent Locator Service (FPLS), State Parent Locator Service (SPLS), and Additional Financial Information in Child Welfare Cases for the Purposes of Permanency
Suggested Distribution:	Social Services District: Director of Child Support Enforcement; Directors of Services: Supervisors of Foster Care, CPS, Adoption, and Preventive Services
Contact Person(s):	OTDA -- Division of Child Support Enforcement (DCSE), Program Operations, at 1-800-343-8859 or NYC 1-212-961-8269 OCFS – Any questions concerning this release should be directed to the appropriate Regional Office, Division of Development and Prevention Services: BRO – Linda C. Brown (716) 847 – 3145 Linda.Brown@ocfs.state.ny.us RRO – Linda Kurtz (585) 238 – 8200 Linda.Kurtz@ocfs.state.ny.us SRO – Jack Klump (315) 423 – 1200 Jack.Klump@ocfs.state.ny.us ARO – Glenn Humphreys (518) 486-7078 Glenn.Humphreys@ocfs.state.ny.us YRO – Patricia Sheehy (914) 377 – 2080 Patricia.Sheehy@ocfs.state.ny.us NYCRO – Brenda Smalls (212) 383 – 1788 Brenda.Smalls@ocfs.state.ny.us Native American Services – Kim Thomas (716) 847 – 3123 Kim.Thomas@ocfs.state.ny.us
Attachments:	<ol style="list-style-type: none"> 1. Transmittal for Parent Locator Service Search Form 2. Explanation of IVDJRA “Respondent Address Information Screen” 3. Explanation of IVDJRE “Respondent Employer Information Screen” 4. Explanation of IVDQFS “Fiscal Summary Screen” 5. Explanation of IVDQRY “General Inquiry Screen”
Attachments Available Online:	Yes

Filing References

Previous ADMs/INFs	Releases Canceled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
00 OCFS INF-5 05 OCFS INF-5	05-OCFS-ADM-05	18NYCRR 421.5(a)	FCA 1017 DRL 111		45 CFR 303.70 Adoption and Safe Families Act (PL 105-89) OCSE IM-99-01 ACYF-CB-IM-00-02

I. Summary

This Administrative Directive (ADM) provides a procedure for child welfare staff to receive information from child support staff regarding absent parents, including their location, employment information, and certain financial information, for the purposes of establishing parentage and developing permanency plans in relation to children receiving child welfare services. These services include child protective services, preventive services, foster care and adoption services. This ADM replaces 05-OCFS-ADM-05, dated November 16, 2005, which provided the procedures for using the Federal Parent Locator Service (FPLS) only. The information in that release is fully incorporated in this ADM.

II. Purpose

The purpose of this ADM is to set forth an interim manual administrative procedure to allow child welfare staff in a social services district to access parent locator service information until CONNECTIONS Build 19 is implemented and the process becomes automated. This interim procedure provides a means for child welfare services workers to obtain information regarding absent parents through the FPLS. Additionally, it provides for access to certain financial information which may be known to the local child support unit through the New York State Child Support Management System (CSMS) and the State Parent Locator Service (SPLS). This information is important to support decisions regarding child welfare permanency planning.

III. Background

Use of FPLS for child welfare cases was authorized by the federal Adoption and Safe Families Act (ASFA) of 1997 (Public Law 105-89) which, in part, amended Title IV-D standards in 42 U.S.C. 653.

Recognizing the role that absent parents may take, the federal Office of Child Support Enforcement and the federal Administration for Children and Families Children's Bureau issued information memoranda, OCSE IM-99-01 and ACYF-CB IM-99-02, respectively, regarding use of the FPLS for child welfare services for specific purposes authorized by statute and related federal policy guidance. The purpose of both releases was to inform relevant state agencies of the capacity to use the FPLS to locate or facilitate the identification of an individual who is or may be a child's parent, and to make more informed decisions about permanency planning.

In addition, the federal Safe and Timely Interstate Placement of Foster Children Act of 2006 included a "sense of Congress" statement as follows: "It is the sense of the Congress that State agencies should fully cooperate with any court which has authority with respect to the placement of a child in foster care or for adoption, for the purpose of locating a parent of the child, and such cooperation should include making available all information obtained from the Federal Parent Locator Service."

The FPLS and the SPLS are part of a computerized network of information on individuals, including their Social Security numbers, most recent home address, wage and benefit information, and employment data. The SPLS obtains such information from New York State

agencies, including the Division of Criminal Justice Services, and the Departments of Motor Vehicles and Taxation and Finance. The FPLS obtains its information from federal agencies, including the Internal Revenue Service, the Department of Defense, the Social Security Administration, and the Department of Veterans Affairs. In addition, states report newly hired employees to a National Directory of New Hires, which is also part of FPLS. The Federal Case Registry (FCR) contains child support enforcement information from every state and is a “pointer” system to all of the databases accessed through the FPLS. The FCR is used to locate individuals that owe child support across state lines.

Through the FPLS and SPLS, absent parents in child welfare cases can be located for the purpose of establishing parentage and achieving permanency plans for children. Child welfare cases include child protective services, preventive services, foster care and adoption services cases. They also include foster care cases where the child is in the legal custody of the Commissioner of the Office of Children and Family Services (OCFS). Since federal law and regulations (45 CFR 303.70) currently authorize only the state’s Title IV-D Child Support Enforcement Agency’s SPLS to transmit a child welfare agency’s requests for information to the FPLS, such requests must be made through the local district’s child support enforcement unit (CSEU).

Also, pursuant to OCFS regulation 18 NYCRR 421.5(a), in all cases involving the possible adoptive placement of a child born out of wedlock, the authorized agency serving the child must take steps to identify the child’s father and determine the extent of the relationship between the father and mother and between the father and child. Part of assessing that relationship may include information regarding the payments made by the father to support the child. The authorized agency must also determine whether a person identified as the child’s father is entitled to notice of a court proceeding involving the custody of a child, including an adoption proceeding. One factor in making that determination for children who are over the age of six months when placed for adoption is the payment by the father towards the support of the child of a fair and reasonable sum, according to the means of the father (see section 111(1)(d)(i) of the Domestic Relations Law). See also section 384-c of the Social Services Law concerning notice requirements, in regard to foster care proceedings, to fathers of children born out of wedlock.

In addition, when removal of a child is a possibility in child protective services cases, the social services district must identify and evaluate placement options for the purpose of permanency planning. Section 1017 of the Family Court Act was amended in 2005 to require the social services district, in any abuse or neglect proceeding involving the removal of a child, to conduct an immediate investigation of a non-respondent parent and to report to the court on whether such person may be a suitable placement for the child or children. Finally, when a child is in foster care and the permanency goal is adoption, it is also essential to address issues relating to parental rights.

Once the absent parent is identified and located, the child’s caseworker can attempt to contact the absent parent with regard to his/her custodial availability, interest and/or capability as part of developing a permanency plan for the foster child. Even if an absent parent is unable to provide a permanent home for the child, if the whereabouts and circumstances of all parents are known, the agency and the court can move more expeditiously toward adoption or another permanent placement. An absent parent may also provide information on other relatives who can be explored as possible permanency resources. Please note, however, that the FPLS and

the SPLS are not available for direct requests to locate information on relatives other than the absent parent.

The history of the noncustodial parent's employment, child support obligations, and payment history provided through New York State's Child Support Management System (CSMS) may assist child welfare staff in determining an absent parent's pattern of responsibility toward his or her child.

IV. Program Implications

Social services district child welfare workers and OCFS Division of Rehabilitative Services (DRS) workers may request authorized FPLS, SPLS, and financial information (as found in the CSMS) from their local CSEU workers, using the form attached to this ADM as Attachment 1, "Transmittal For Parent Locator Service Search" (hereinafter referred to as the "transmittal form"). The CSEU workers will submit the case information via CSMS to the FPLS and SPLS, and send any information received from the FPLS and SPLS back to the requesting child welfare or DRS worker. The response may include an absent parent's Social Security number; address or location; employer's name and address; employment wages, benefits or other income; and the child support payment history and obligation amount.

The Family Violence Indicator (FVI) is used to identify cases in CSMS in which there is reasonable evidence that domestic violence or child abuse exists and disclosure of identifying information could be harmful to either the custodial parent, noncustodial parent or the child. An FVI is linked to a person or persons that may be threatened and not to the perpetrator of the violence. No information on a person or persons (including children) where an FVI has been set will be transmitted to the FCR, and consequently an FPLS request will not be processed. Likewise, no SPLS or financial information will be released to child welfare on individuals with an FVI. However, if no FVI exists for the other parent on a case, then location information from FPLS and SPLS will be available for that person.

V. Required Action

A. Child Welfare/DRS Worker Actions

1. The child welfare/DRS worker shall complete the "Child Welfare Request for Information" section of the transmittal form. In order for the CSEU worker to access the FPLS and SPLS information requested, the following information must be supplied on the transmittal form:
 - a. Child(ren) Information: the child(ren)'s complete name(s).
 - b. Absent Parent Information: the complete name (last, first, middle) of the absent parent for whom the location information is requested, and either:
 - (i) the Social Security number and the date of birth (if known) of the absent parent; or

- (ii) if the absent parent's Social Security number and date of birth are not known, at least two of the following three absent parent data elements: the absent parent's father's complete name (last, first, middle); absent parent's mother's maiden name (maiden, first, middle); or the absent parent's city and state of birth.
2. Forward the transmittal form to the local CSEU, requesting that the CSEU worker access the FPLS and SPLS to search for the person in question.

Note: Response periods from agencies responding to FPLS/SPLS searches vary. As such, CSEU worker responses to the transmittal form may occur multiple times, as information is received, up to and including a 75-day period, per Section B below.

B. Child Support Enforcement Worker Actions

1. Upon receipt of a transmittal form identified in Section V.A.1., check IVDSNS to see if a IV-D case exists on CSMS for the absent parent identified on the transmittal. Both first and last names are required for a statewide search. If a IV-D case exists, follow worker actions in 2 below. If no IV-D case exists, follow worker actions in 3 below.
2. **If a IV-D child support case exists on CSMS**, the following actions should be taken:
 - a. The CSEU worker should first check CSMS screens IVDJCA (see "FVI") and IVDJRI (see "FV-IND") for the presence of a Family Violence Indicator. The IVDJCA screen will show the presence of a Family Violence Indicator for a custodial parent and the IVDJRI screen will show the presence of a Family Violence Indicator for a noncustodial parent. Please note that the Family Violence Indicator is linked to a custodial or noncustodial parent on the child support case, not the perpetrator of the violence.
 - b. In the instance of a request to the CSEU where a Family Violence Indicator is present for any person, the CSEU worker will check the box "Information may not be disclosed due to a safety concern and, under such circumstances, may only be disclosed to a court or to an agent of the court." on the transmittal form (see Attachment 1) and return the transmittal form to the child welfare worker. No further action is necessary.
 - c. Where no Family Violence Indicator is present, the CSEU worker will check the IVDJRA and IVDJRE screens on CSMS. The IVDJRA screen (Attachment 2) from CSMS provides the FPLS and SPLS address information. The IVDJRE screen (Attachment 3) from CSMS provides the noncustodial parent employer information, including wage and unemployment insurance benefit (UIB) information, and displays data on employment, income executions and medical support execution notices

sent to an employer, which help establish a pattern of support responsibility for a noncustodial parent.

- (i) If the address information on the IVDJRA screen is verified, with a VER-IND of V, M, or R, and/or the employment information on the IVDJRE screen is verified, with a VER-IND of V, print the screen in preparation for a response to the transmittal form.
 - (ii) If the address information is available on the IVDJRA screen and requires verification (VER-IND is blank), a location must be opened by entering the status code L001 and a V000 referencing the IVDJRA record number in the MISC field on the IVDJSI screen to generate a postal clearance letter (PCL).
 - (iii) If the employment information is available on the IVDJRE screen and requires verification (VER-IND is blank), a Wage and Health Benefits Report (WHBR) must be requested to verify the status of employment. Local district workers may request the original WHBR from the Child Support Processing Center after centralized data capture, by entering an F000 status referencing the IVDJRE record number in the MISC field on the IVDJSI screen with "LD__" as the worker code. The return of the original WHBR may be used as a tickler on the child welfare request.
 - (iv) If a positive response is received on the PCL, update the VER-IND field on the IVDJRA screen to a V, M, or R, as appropriate, and print the screen in preparation for a response to the transmittal form. All positive responses to the WHBR are returned to the Processing Center for data capture and update of CSMS. The F901 (Financial Investigation Successfully Closed) or F801 (Financial Investigation Unsuccessfully Closed) status will be reported on the daily CSMS Status Change Report. Generate a screen print of the IVDJRE(s) in preparation for a response to the transmittal form.
 - (v) No screen prints are necessary if:
 - No new address information is received from the PCL process;
 - The address information on the IVDJRA screen reflects no current verified address; or
 - No new employment information is received from the WHBR process and the employment information on the IVDJRE screen reflects no current verified employment.
- d. In the instance of a request where no Family Violence Indicator is present, and there is an account for IV-D case, the CSEU worker will access the IVDQFS and IVDQRY screens on CSMS. If there is additional financial information (e.g., income execution, payment history

or obligation amount) print out the CSMS screens for IVDQFS and IVDQRY. The IVDQFS screen (Attachment 4) from CSMS provides a financial history of what the noncustodial parent has been required to pay in child support and details the amount the noncustodial parent owes for each ledger type. The IVDQRY screen (Attachment 5) from CSMS indicates when the last child support payment was made and can demonstrate the consistency or inconsistency of the noncustodial parent's payment history.

- e. Enter a tickler date for 75 days in the "TICKLER-DT" field on the CA1 screen as a reminder to review the CSMS case for any PLS information received.
- f. Prior to 75 days, review PLS Information Report daily and, as any FPLS or SPLS information is received, immediately complete actions identified in B.2.g. below.
- g. At the end of the 75-day period, the CSEU worker shall complete the "CSEU Response to Request" section of the transmittal form by checking the appropriate boxes as to whether there was, or was not, any FPLS or SPLS absent parent address and/or employer information received, and confirming that financial information is attached. The CSEU worker shall attach any appropriate screen prints with the case information from the IVDJRA, IVDJRE, IVDQFS, and/or IVDQRS screens, and return the information to the child welfare/DRS worker. Attachments 2, 3, 4, and 5 provide examples of the various screen prints and explanations for the relevant data that the child welfare/DRS worker will need to review on each screen print.

Note: If the CSEU worker is taking the action because information is partially available, or was provided prior to the expiration of 75 days, the worker shall **make a copy** of the transmittal form, complete the copy of the transmittal form and send it, and attachments (if any), immediately to the requesting child welfare/DRS worker. Keep the original transmittal form and, in the event that new or additional information is discovered before the expiration of 75 days, repeat steps a. through g. above, as necessary.

3. **If a IV-D child support case does not exist on CSMS**, the following actions should be taken:

- a. The CSEU worker must build a new case in CSMS and open an FPLS search by completing the steps below. (Note: an SPLS search is automatically generated by the case building process.)

In IVDCAB:

- (i) Access IVDCAB.
- (ii) In client field, enter SEARCH, _ FPLS*.
- (iii) Under RESPONDENTS, enter absent parent's name LAST NAME, _ FIRST NAME.

- (iv) Enter absent parent's SSN and DOB, if known.
- (v) In WKR field, enter appropriate worker code.
- (vi) In TYP field enter "5."
- (vii) In CSS APP date field, enter date of referral.
- (viii) In LOC field, enter "X."
- (ix) XMT, enter "CB1."

*If the parents were married and filed a joint tax return within the last three years, entering the mother's name in the client field should locate the father's SSN.

In IVDCB1:

- (i) Enter child's name LAST NAME, _ FIRST NAME.
 - (ii) Enter "8" in WI field.
 - (iii) Enter "23" in MED INS IND field.
 - (iv) XMT, enter "BLD."
- b. To search for any New Hire information for employment sources, from a blank screen, enter IVDNHR, and then the absent parent's Social Security number. If the search is positive, build an RE record, print it out and attach it to the transmittal, and leave the verification indicator blank.
 - c. If the absent parent's Social Security number and date of birth are unknown, enter the following information on the IVDJRL "Respondent Location Information Screen" on CSMS:
 - (i) In the "Father" field, enter the absent parent's father's complete name (last, first, middle);
 - (ii) In the "Mother's" field, enter the mother's complete maiden name (maiden, first, middle); and
 - (iii) In the "Birth" field, enter the absent parent's city and state of birth.
 - d. Enter a tickler date for 75 days in the "TICKLER-DT" field on the CA1 screen as a reminder to review the CSMS case for any PLS information received.
 - e. Prior to 75 days, review PLS Information Report daily and, as any FPLS or SPLS information is received, immediately complete actions identified in B.3.i. below.
 - f. Review the CSMS Aging Report for the expiration of 75 days, review CSMS for any PLS information, and complete the transmittal form as provided in B.3.i. below.

- g. If there is absent parent address information, confirm the information on the IVDJRA screen on CSMS and print out the screen in preparation for a response to the transmittal form. The IVDJRA screen from CSMS provides the FPLS and SPLS address information. The information will not reflect verification at this time.
- h. If there is absent parent employer information, confirm the information on the IVDJRE screen on CSMS and print out the screen in preparation for a response to the transmittal form. The IVDJRE screen from CSMS provides the noncustodial parent employer information, including wage and UIB information, and displays data on employment, income executions and medical support execution notices sent to an employer, which help establish a pattern of support responsibility for a noncustodial parent.
- i. At the end of the 75-day period, the CSEU worker shall complete the “CSEU Response to Request” section of the transmittal form by checking the appropriate boxes as to whether there was, or was not, any FPLS or SPLS absent parent address and/or employer information received. The CSEU worker shall attach any appropriate screen prints with the case information from the IVDJRA and IVDJRE screens, and return the information to the child welfare/DRS worker. Attachments 2 and 3 provide examples of the various screen prints and explanations for the relevant data that the child welfare/DRS worker will need to review on each screen print.
- j. If the CSEU worker is taking the action because PLS information was provided prior to the expiration of 75 days, **make a copy** of the transmittal form, complete the copy of the transmittal form and send it, and attachments (if any), immediately to the requesting child welfare/DRS worker. Keep the original transmittal form and, in the event that new PLS information is discovered before the expiration of 75 days, repeat steps a. through i. above as necessary.
- k. Close the case in CSMS as follows:

In IVDSI1:

- (i) Enter the number of the L group (“002”) in XMT.
- (ii) Enter “ADD” in XMT.
- (iii) Enter “L999” and XMT.
- (iv) Enter “BLD” in XMT.
- (v) Enter “D001” and XMT.
- (vi) Enter “ADD” in XMT.
- (vii) Enter “D901 03” and XMT.
- (viii) Enter the number of the Y group (“001”) in XMT.
- (ix) Enter “ADD” in XMT.
- (x) Enter “Y901” and XMT.

VI. Systems Implications

There are no systems implications.

VII. Additional Information

FPLS, SPLS, and financial information received by the child welfare/DRS workers is to be used for the sole purpose of locating or facilitating the identification of an absent parent for establishing parentage or for child welfare permanency purposes as set forth in this ADM. Any information obtained by the child welfare/DRS worker shall be treated as confidential and shall not be disclosed except as is necessary for the authorized purposes set forth in this ADM.

VIII. Effective Date

This ADM is effective immediately.

Issued By: /s/ Nancy W. Martinez
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Issued By: /s/ Scott E. Cade
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