



Office of Temporary and Disability Assistance

KATHY HOCHUL
Governor

BARBARA C. GUINN
Acting Commissioner

Administrative Directive Memorandum

Section 1

Transmittal:	23-ADM-06
To:	Social Services District Commissioners
Issuing Division/Office:	Division of Shelter Oversight and Compliance
Date:	July 26, 2023
Subject:	Submission of Operating Budgets and Associated Per Diem Rates
Suggested Distribution:	Temporary Assistance Directors and Staff Housing/Homeless Services Directors and Staff
Contact Person(s):	Division of Shelter Oversight and Compliance at 518-486-4040 or otda.sm.css.bss@otda.ny.gov
Attachments:	Attachment 1 – Fiscal Profile and Budgeting Instructions Attachment 2 – Fiscal Filing Instructions Attachment 3 – Hotel/Motel Rates Instructions Attachment 4 – Hotel/Motel Rate Submission Attachment 5 – Insurance Details Form

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
20-ADM-09	17-ADM-04	18 NYCRR §352.8(b)(1)	2 C.F.R., Title 2		

Section 2

I. Summary

This Administrative Directive (ADM) is to inform social services districts (districts) of updated requirements concerning the submission of operating budgets and associated per diem rates for all emergency shelters and the submission of payment rates for hotels and motels that provide emergency shelter, including temporary housing assistance (THA) outlined in 18 NYCRR Section 352.35. Specifically, this guidance establishes that operating budgets for emergency shelters and payment rates for hotels and motels that provide emergency shelter, including THA, must be submitted within the Shelter Management System (SMS). This ADM also provides updates to the *Fiscal Profile and Budgeting Instructions (Fiscal Profile)*, including informing districts of the requirements of Federal Uniform Guidance.

II. Purpose

The purpose of this ADM is to inform districts of the aforementioned changes and to provide an updated *Fiscal Profile*. This ADM supersedes 17-ADM-04.

III. Background

SMS

17-ADM-04 established the requirement for the annual submission of operating budgets and associated per diem rates for all emergency shelters and the submission of payment rates for hotels and motels that provide emergency shelter, including THA. Districts were notified in July 2021 that, beginning with Fiscal Year (FY) 2022 submissions, shelter budgets and hotel/motel rates must be submitted directly in SMS instead of through the process established by 17-ADM-04.

Fiscal Profile and Budgeting Instructions

The *Fiscal Profile* provides instructions to districts regarding the required accounting procedures, definitions of expenditure categories, reporting guidelines, and other requirements for shelter budgets. This ADM provides updates to the *Fiscal Profile*, including highlights of the requirements of Federal Uniform Guidance

Federal funds issued for new grant awards made on or after December 26, 2014 are subject to Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Guidance”), as issued by the Federal Office of Management and Budget (OMB) and by subsequent amendments. See Title 2 U.S. Code of Federal Regulations (CFR) Part 200. Uniform Guidance establishes the rules and requirements related to spending Federal awards. The Federal government issues funds to OTDA that are used for the provision of emergency shelter services, and OTDA reimburses districts for such costs using Federal and State funding. The *Fiscal Profile* contains more information on Uniform Guidance.

IV. Program Implications

SMS

Districts must submit shelter budgets and hotel/motel rates in SMS.

Fiscal Profile and Budgeting Instructions

In order to facilitate completion and review of shelter budgets, OTDA has updated the guidance contained in the *Fiscal Profile*. Modifications to the *Fiscal Profile* include:

- Providing information regarding Federal Uniform Guidance and unallowable expenditures;
- Removing outdated references; and
- Updating with instructions for SMS, as applicable.

The Fiscal Profile provides a broad overview of the requirements of Uniform Guidance. It is the responsibility of districts and shelter providers to understand and comply with all of the requirements of Uniform Guidance. OTDA has chosen to apply these requirements to Federal and State spending for emergency shelter, including THA.

Waiver Requests

A waiver may be available when a shelter is unable to comply fully with the requirements of the Fiscal Profile. A request for a waiver must be made in writing by the district and must explain why the waiver is desirable or necessary. Please submit waiver requests to otda.sm.css.bss@otda.ny.gov.

V. Required Action

Districts must submit operating budgets with corresponding per diem rates for all emergency shelters utilizing SMS, within the time frames outlined in 20-ADM-09 which are reiterated in the schedule below. Shelter operating budgets must comply with the requirements of the *Fiscal Profile* and Uniform Guidance.

The operating budget must be presented in sufficient detail to enable OTDA to identify costs that are not subject to federal financial participation and structured to ensure that the costs of resident services that may be paid from other funding sources, including medical assistance (MA), are not included in the proposed per diem rate.

SMS Access

Requests for access to SMS must be approved and processed by the district. Each district has at least one designated SMS coordinator responsible for obtaining a User ID for individual shelter/provider/district staff. For a current list of the SMS coordinators and/or a list of current SMS users in your district, please email the SMS Help Desk at smshelpdesk@otda.ny.gov.

Shelter Budget Submission Deadlines

Annual submission of facility budgets remains due on January 1st for shelters outside of New York City and by July 1st for shelters in New York City. If the prior year budget was received by OTDA by the deadline and OTDA has not issued a final determination, the deadline for the current year budget may be extended at OTDA's discretion.

Division of Shelter Oversight and Compliance (DSOC) staff will review each budget submission and work with the district to ensure that all required information has been included. In addition, the review will assess budgeted operating costs to verify that all expenditures are reasonable and necessary. The DSOC reviewer will work with the district to revise or remove costs as needed.

Hotel/Motel Rate Submission Deadlines

For hotels and motels that are utilized for temporary emergency shelter, including THA, districts must provide the negotiated contracted rate, as well as the corresponding commercial rate for the same facility. Districts must use the Commercial Hotel/Motel Rate Template and submit it to SMS using the attached instructions. Annual submission of hotel/motel rates remains due on January 1st for all hotels and motels that are utilized for temporary emergency shelter.

VI. Systems Implications

None. The updates to SMS that allow for the submission of shelter budgets and hotel/motel rates have already been completed.

VII. Effective Date

This ADM is effective immediately, provided however that the changes in the Fiscal Profile related to start-up costs will apply to shelter budgets submitted in SMS after the effective date of this ADM.

Issued By:

Name: Cheryl Contento

Title: Deputy Commissioner

Division/Office: Division of Shelter Oversight and Compliance/Office of Temporary and Disability Assistance