



## Local Commissioners Memorandum

### Section 1

<b>Transmittal:</b>	23-LCM-11
<b>To:</b>	Social Services District Commissioners
<b>Issuing Division/Office:</b>	Division of Housing and Refugee Services
<b>Date:</b>	August 21, 2023
<b>Subject:</b>	Code Blue Allocations
<b>Contact Person(s):</b>	Linda Camoin; (518) 473-6661; <a href="mailto:Linda.camoin@otda.ny.gov">Linda.camoin@otda.ny.gov</a>
<b>Attachments:</b>	<a href="#">Attachment 1 - Allocations</a> <a href="#">Attachment 2 - Code Blue Request and Overview</a> <a href="#">Attachment 3 - Code Blue Excel Budget</a> <a href="#">Attachment 4 - Budget Instructions</a> <a href="#">Attachment 5 - Claiming Instructions</a>

### Section 2

#### I. Purpose

This Local Commissioners Memorandum informs social services districts (districts) of their Code Blue Allocations. The SFY 2023-24 New York State Budget appropriated \$20 million for districts' costs related to implementing emergency measures for the homeless during inclement winter weather (Code Blue). This funding is to be allocated to districts according to a methodology developed by the Office of Temporary and Disability Assistance (OTDA) and approved by the Division of Budget. This LCM provides those allocations, which are based on approved 2022-23 Code Blue budgets and historical district Code Blue claiming.

#### II. Background

Per 18 NYCRR § 304.1, a Code Blue alert must be called when temperatures are expected to fall below 32°F with wind chill for at least two consecutive hours, based on the local forecast issued by the National Weather Service (<http://forecast.weather.gov/>) for the city, town or village within the district that is known to have the largest population of unsheltered homeless persons. When possible, the decision to declare a Code Blue alert should be made by 5:00 p.m. each day. The Code Blue should remain in effect until the temperature rises above 32°F with wind chill, but at least until 7:00 a.m. the next morning.

Code Blue reimbursement is for essential, additional costs that are directly related to the requirements of the Code Blue regulation to provide shelter during inclement weather. Only essential expenditures for services not previously funded prior to the regulations that are directly related to the regulation will be eligible for reimbursement.

Types of costs that are ineligible, include but are not limited to:

- The share of costs for items that are likely to be used outside of Code Blue periods, including cell phones, tablets, and office supplies. User fees for such items should only encompass the Code Blue period.
- Capital expenses including building modifications and repairs, unless specifically necessary for the provision of Code Blue Services. To the extent possible, these costs should be allocated to Code Blue periods and depreciated over the reasonable life of the asset.
- Costs incurred by local government entities as part of their normal scope of duties, such as police patrols and welfare checks.
- Fringe benefit costs that would otherwise be incurred by the district.
- Administrative overhead expenses for service providers that are not directly related to the Code Blue program.

If any costs associated with the regulation are eligible for reimbursement under the guidelines associated with Public Assistance, they should be claimed as Public Assistance on the appropriate claim schedules.

### Program Cycle

Reimbursement for expenditures related to activities in compliance with the regulation will be made available to districts. The program cycle's operational dates for activities undertaken to comply with this regulation are October 1 – September 30. Expenses should be based on what will be incurred for one program cycle.

Districts are expected to assist households in need within their own district. If a district must utilize shelter beds or motel beds in another district, it is expected that the district will provide transportation for households in need of shelter and will advise the neighboring district as to each person who is being placed in a shelter bed or motel bed in that neighboring district when the placement is made. If the household being placed in a neighboring district subsequently wishes to apply for Temporary Assistance or other available public benefits, it will be the responsibility of the placing district to process the application and provide transportation back to the county of origin if needed.

### **III. Program Implications**

Reimbursement for Code Blue expenses is available up to the stated allocations. To the extent that district projected expenses are anticipated to exceed the allocation based on the use of a new shelter location or other defined known service change from prior years, the district should notify Heather Diamond at OTDA no later than September 15, 2023 by submitting a completed Attachment 2 (Code Blue Request and Overview) and Attachment 3 (Code Blue Excel Budget ) for the total projected costs and detail the nature of the change. OTDA will review to extent to which the request can be accommodated within the available funding. If district funding needs above the stated allocations is not anticipated, no Budget submission is required.

Final allocations may be adjusted after the claiming deadline within the appropriated funding limit. Expenditures must be claimed through the RF17 claim package for special projects per the Claiming Instructions outlined in Attachment 5.

Districts must be prepared to report, quarterly and annually, how their Code Blue allocation was spent, how many people were served, and what services were provided between October 1, 2023 and September 30, 2024.

Districts are strongly encouraged to track Code Blue placements through a Homeless Management Information System (HMIS) or other electronic system that conforms to HMIS data standards promulgated by HUD.

Questions may be directed to Heather Diamond at [heather.diamond@otda.ny.gov](mailto:heather.diamond@otda.ny.gov) or by telephone at (518) 473-3262.

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**Issued By:**

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**Title:** Deputy Commissioner

**Division/Office:** Housing and Refugee Services (HRS)