



## Local Commissioners Memorandum

### Section 1

<b>Transmittal:</b>	24-LCM-13
<b>To:</b>	Social Services District Commissioners
<b>Issuing Division/Office:</b>	Division of Housing and Refugee Services
<b>Date:</b>	October 11, 2024
<b>Subject:</b>	Code Blue Allocations
<b>Contact Person(s):</b>	Heather Diamond; (518) 473-3262; <a href="mailto:heather.diamond@otda.ny.gov">heather.diamond@otda.ny.gov</a>
<b>Attachments:</b>	<a href="#">Code Blue Attachment 1 - Funding Allocations</a> <a href="#">Code Blue Attachment 2 - Claiming Instructions</a> <a href="#">Code Blue Attachment 3 - Code Blue Annual Report</a>

### Section 2

#### I. Purpose

This Local Commissioners Memorandum informs social services districts (districts) of their Code Blue Allocations and Code Blue reporting and monitoring requirements. The SFY 2024-25 New York State Budget appropriated \$20 million for district 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 2023-24 Code Blue plans, reporting, and historical district 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 the 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 – June 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. Final allocations may be adjusted within the appropriated funding limit. Expenditures must be claimed through the RF17 claim package for special projects per the Claiming Instructions outlined in Attachment 2.

### **IV. Claiming**

The Code Blue Program Year has been changed to end June 30, 2025 to better align with the seasonality of the program. Claims for the 2024-2025 program year must be submitted by August 15th, 2025. Please see Attachment 2 for updated claiming instructions.

## **V. Monitoring**

Districts and/or their subcontractors are required to provide OTDA access to program records during the program year as requested. Code Blue programs may be monitored by OTDA at least annually and may include onsite visits. The goal of monitoring is to ensure compliance with the Code Blue regulation. In addition, monitoring enables OTDA to provide technical assistance and to assist the district and/or community partners to meet the overall intent of Code Blue programming. It is the responsibility of the district to monitor all subcontracts.

## **VI. Reporting**

Districts must report annually how many people were served, what services were provided, and the related expenses incurred through April. The Code Blue Annual Report (Attachment 3) must be submitted to OTDA by August 15, 2025.

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