



Office of Children and Family Services

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Administrative Directive

Transmittal:	22-OCFS-ADM-06
To:	Commissioners of Local Departments of Social Services Executive Directors of Voluntary Authorized Agencies
Issuing Division/Office:	Division of Youth Development and Partnerships for Success Division of Child Welfare and Community Services
Date:	February 28, 2022
Subject:	Utilization of Stress Passes in an EMPOWER Program
Suggested Distribution:	Directors of Local Departments of Social Services Child Welfare Supervisors Foster Care Supervisors Staff Development Coordinators CONNECTIONS Implementation Coordinators LDSS Fiscal Administrators Safe Harbour Coordinators
Contact Person(s):	See section VI.
Attachments:	None.

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
16-OCFS-ADM-09; 21-OCFS-ADM-04; 21-OCFS-ADM-19; 15-OCFS-ADM-21		18 NYCRR 427.2, Parts 440, 441, 442, 447, 448, 476, 447 and 628.3	Family First Prevention Services Act (FFPSA) (P.L. 115-123), 42 USC §672(k) and SSL §460-a		

I. Purpose

The purpose of this Administrative Directive (ADM) is to advise local departments of social services (LDSSs) and voluntary authorized agencies (VAs) – particularly those operating programs serving children and youth who are found to be, or are at risk of becoming, victims or survivors of sex trafficking – of requirements pertaining to programs designed to meet the needs of this population.

II. Background

EMPOWER programs are certified by the New York State Office of Children and Family Services (OCFS) to provide high quality residential care and support services to children and youth who have been found to be, or are at risk of becoming, victims or survivors of sex trafficking. Like all foster care settings, EMPOWER programs are required to support normative experiences for youth in their care by applying the Reasonable and Prudent Parenting Standard (RPPS) as required by the federal Preventing Sex Trafficking and Strengthening Families Act (PL.113-183)¹.

Young people with trafficking risk and experience have higher rates of unplanned absences from foster care without consent (AWOC), and AWOCs may last for longer periods of time compared with other youth in foster care. An important strategy to reduce the frequency and duration of AWOC episodes is to safety plan with youth around unplanned absences from care. One tool EMPOWER programs will use to engage in this safety planning is a stress pass program, as required by program standard² 7.5. Stress passes allow youth to practice safer coping mechanisms during times of stress. Rather than leaving a program without communication, stress passes allow youth to communicate to program staff that they need a short break and will be with a trusted resource for a limited period.

Use of a stress pass is not the same as a preapproved home visit, although the location(s) must be preapproved by the program and the youth's LDSS case manager. The process used by EMPOWER programs to approve stress passes for youth must be in alignment with requirements pertaining to the application of the RPPS.

III. Program Implications

A stress pass is a written agreement developed between the youth and their program case worker that allows the youth to go to a preapproved location when the youth feels the need to leave the program due to a stressful situation. Stress passes are an AWOC prevention tool. Youth on a stress pass are not AWOC because the youth is not missing, and there are required notifications and contacts with the pre-approved adults at the stress pass location. These locations are ideally the homes of trusted community resources for the youth, such as a family member, kin, or the home of a friend with reliable parents. They can – but do not need to be - permanency resources.

Stress passes are short term in nature and may be used for no longer than 72 hours. The location(s) available to a youth through a stress pass must be agreed upon by the youth, their case manager at the EMPOWER program, the EMPOWER program's employee that has been designated to apply the RPPS, and their LDSS case worker in advance, on the basis that they are appropriate and safe, and that there are adult(s) in the home who are willing and able to provide youth a short-term, safe, and informally supervised break from program on an as-needed basis.

Each program must establish policies and procedures governing how they will implement a stress pass program. Information about stress passes must also be included in the program's youth manual in language that is understandable to youth. Those policies and procedures need to comport with the information provided in this directive, demonstrate the application of the RPPS, and address the following topics, at minimum.

- Establishing a stress pass:
 - Maximum number of locations permitted on a youth's stress pass.

¹ Detailed information about the RPPS can be found in [15-OCFS-ADM-21](#).

² Appendix A attached to [21-OCFS-ADM-19](#).

- Expectations of the adults providing the short-term informal supervision to youth on a stress pass.
 - Protocols to notify those adults when a youth is coming to their home on a stress pass.
 - Process by which the program will assess the safety of and approve location(s) that youth can access via a stress pass which:
 - applies the RPPS
 - includes the engagement and approval of parents and guardians
 - stipulates any background checks required for the adults in the approved location.
 - Any parameters or limitations established by the program related to the initial approval and periodic updating of a youth's stress pass.
 - Process by which the program will seek approval from the youth's LDSS case manager on proposed stress pass location(s) and adult(s), including how the program will respond in instances when one or more proposed locations or adults is disapproved.
 - Protocol the program will follow to notify potential individuals when their status as a stress pass resource for a youth is approved or denied.
- Using a stress pass:
 - Transportation arrangements for youth traveling to and from a stress pass location and payment for transport, if relevant.
 - Program expectations regarding communication between the supportive adult and the program.
 - Maximum length of time youth can be absent from program on a stress pass during a single episode of stress pass utilization.
 - Maximum number of days youth can be absent from program on a stress pass each year.
 - Conditions under which a youth may or may not move from one approved stress pass location to another during a single episode of stress pass utilization.
 - Program documentation requirements concerning youth while on a stress pass.
 - Monitoring the use of stress passes:
 - Circumstances under which an approved location *must* be removed from a stress pass.
 - Protocol and parameters to revoke, either temporarily or permanently, the youth's right to use a stress pass if a youth is found to be utilizing stress passes inappropriately, including how the program will safety plan with youth around AWOC when their stress pass is suspended.

IV. Required Action

Each program must establish policies and procedures governing how they will implement a stress pass option. Information about stress passes must also be included in the program's youth manual in language that is understandable to youth. Those policies and procedures need to comport with the information provided in this directive, demonstrate the application of the RPPS, and address the topics addressed in the Program Implications section above.

The program must inform the youth's family/kin, as applicable, of the program's stress pass option and engage the family/kin in identifying and selecting stress pass locations, to the extent possible. Programs must notify the family/kin of the names and locations that are approved for a youth to access via a stress pass, unless there is a compelling safety reason not to provide such notification, in which case such reason must be documented by the program in the youth's file.

When a youth uses a stress pass they must notify their EMPOWER program case manager as soon as possible, and ideally before leaving the program. If their case manager is unavailable, the youth should notify another program staff member before leaving the program. The program must make all reasonable efforts to engage the youth to stay in the program; however, the program cannot prevent the youth from using a stress pass.

Regardless of previous notification(s), a youth must notify the program when they arrive at their stress pass location. The program must confirm the youth's presence at a preapproved location by speaking with a preapproved adult who resides at the stress pass location. Contact between the program and supportive adults must be made within three hours of the program learning that the youth is using their stress pass. If the program cannot make contact or the supportive adult cannot confirm the youth's presence, the program must follow its missing persons policies and procedures as required by program standard³ 7.6.

While on a stress pass, the supportive adult(s) must provide informal supervision and support to the youth and maintain contact with the program in accordance with the program's stress pass policies. A plan must be made among the program, youth, and supportive adult(s) for how and when the youth will return to the program. If the youth leaves the stress pass location without the agreement of the supportive adult(s) or does not return to the program as planned, the program must follow its missing persons policies and procedures.

When a youth returns to the program, the program will meet with the youth to debrief. The debrief will address the triggers that resulted in the youth using the stress pass, whether using the stress pass was helpful, and what other coping strategies the youth could try in the future. A similar debrief should be conducted by the program with the youth's supportive adult(s) to assess how their time on the stress pass was spent, the youth's needs, and any other pertinent issues related to the use of the stress pass.

V. Systems Implications

When a youth uses a stress pass, the days they are not present in the program should be coded as an absence using the vacation code. Consistent with the *Standards of Payment for Foster Care of Children Program Manual*, a maximum of 15 vacation days can be reimbursed per youth each calendar year. Days spent on a stress pass should be entered in CONNECTIONS Activities as an absence. Absence code SO, indicating vacation, must be entered on the M950, Child begins Absence, along with the number of billable days. If no billable days are entered on the M950 no payment will be made for the absent days in the Benefits Issuance Control System (BICS).

VI. Contacts

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³ Appendix A attached to [21-OCFS-ADM-19](#).

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VII. Effective Date

This ADM is effective upon release.

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