

## Rural Area Flexibility Analysis

1. Types and estimated numbers of rural areas: *(Describe the types and estimated number of rural areas to which the rule will apply.)*

This rule is applicable in all rural areas of the state. The rule would affect 44 local departments of social services and approximately 25 programs run by non-profit agencies in rural areas.

2. Reporting, recordkeeping and other compliance requirements; and professional services: *(Describe the reporting, recordkeeping and other compliance requirements of the rule and the kinds of professional services that are likely to be needed in a rural area to comply with the rule.)*

There are no new reporting, record keeping, or compliance requirements associated with this rule. There are also no new professional services anticipated to be required as a result of this rule.

3. Costs: *(Estimate the initial capital costs and any annual cost to comply with the rule, indicating any likely variation in such costs for different types of public and private entities in rural areas.)*

There are no new costs associated with this rule.

4. Minimizing adverse impact: *(Explain how the rule is designed to minimize any adverse impact on rural areas, including information regarding whether the approaches suggested by SAPA §202-bb(2) or other similar approaches were considered.)*

There is no adverse economic impact for rural areas associated with this rule. New York State has long had standards for determining the physical and mental fitness of persons caring for children in the context of foster care or an adoption. This rule simplifies, standardizes and modernizes these requirements by removing provisions, such as annual requirements for tuberculosis testing and chest x-rays, even when person have no symptoms that would otherwise medically indicate that such test are appropriate or eiligble for insurance coverage.

5. Rural area participation: *(Explain how your agency complied with SAPA § 202-bb(7), that requires agencies to provide public and private interests in rural areas with the opportunity to participate in the rule making process, public and/or direct notice, public hearings and/or meetings, and adoption or modification of procedural rules to minimize cost or complexity.)*

OCFS is in regular communication with the non-profit entities and LDSSs impacted by this rule. The Council on Family and Child Caring Agencies (COFCCA), which is the umbrella organization representing the non-profit entities impacted by this rule, and multiple LDSSs have repeatedly and strongly urged OCFS to make the changes reflected in this rule. This consultation encompasses impacted entities in both rural and non-rural areas of the state.

6. *(IF APPLICABLE)* Initial review of the rule, pursuant to SAPA §207 as amended by L. 2012, ch. 462: *(When proposing that the initial review of this rule shall occur later than in the third year after the year in which the rule is adopted: specify the proposed initial review period, which shall be no later than in the fifth calendar year after the year in which the rule is adopted; provide justification for such proposed initial review period; and invite public comment thereon.)*

Not applicable.