



Office of Children and Family Services

Andrew M. Cuomo
Governor

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Sheila J. Poole
Commissioner

Administrative Directive

Transmittal:	21-OCFS-ADM-10
To:	Commissioners of Social Services Executive Directors of Voluntary Authorized Agencies
Issuing Division/Office:	Child Welfare and Community Services
Date:	June 4, 2021
Subject:	Anchoring of Furniture
Suggested Distribution:	Commissioners of Social Services Directors of Social Services Child Welfare Supervisors Foster Care Supervisors
Contact Person(s):	Please see section VI.
Attachments:	None
Attachments Available Online:	

Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
			Chapter 162 of the Laws of 2019; §390-l of the Social Services Law (SSL)		

I. Purpose

The purpose of this Administrative Directive (ADM) is to inform local departments of social services (LDSSs) and voluntary authorized agencies (VAs) of the provisions of Chapter 162 of the Laws of 2019 (Chapter 162) requiring the secure anchoring of large furniture and electronic devices in child day care centers and certain residential programs operated by VAs.

II. Background

On August 13, 2019, Governor Andrew M. Cuomo signed legislation (Chapter 162 of the Laws of 2019) that added section 390-I to the SSL to address preventable child deaths and injuries that occur from the tipping over of furniture and electronic equipment. Chapter 162 requires child day care centers and VAs operating congregate residential child care facilities to securely anchor to the floors or walls all large furniture and electronic appliances capable of being tipped over due to design, height, weight, stability or other features, using angle braces, anchors or other anchoring devices. Chapter 162 took effect on February 9, 2020. This ADM discusses the requirements relating to VAs only.

III. Program Implications

Chapter 162 requires VAs to securely anchor large furniture and electronic devices capable of being tipped over. This requirement applies to congregate care settings providing care to children in foster care, including institutions, group residences, group homes and agency-operated boarding homes.

This requirement does **not** apply to the following:

- Foster boarding homes
- Runaway and Homeless Youth Programs

More information, including how to anchor furniture and electronic devices can be found at <https://www.anchorit.gov/>.

IV. Required Action

VAs are required to secure large furniture and electronic devices in institutions, group residences, group homes and agency-operated boarding homes that are capable of tipping over due to design, height, weight, stability or other features. The statute does not define which pieces of furniture and electronic equipment are considered large or capable of being tipped over. Therefore, VAs must assess the furniture and electronic equipment within each congregate care program and determine which specific pieces must be anchored to prevent the possibility of a tip-over. Identified furniture and electronic equipment must be secured to the floor or walls using angle braces, anchors or other anchoring devices. Furniture and electronic devices must be in good working order and not recalled. Any item of furniture or electronic device to which Chapter 162 applies that cannot be anchored must be removed from the facility.

In determining whether to secure large furniture and electronic equipment, VAs should consider, at a minimum, the following factors:

Age of children served

Younger children are statistically more likely to be injured from accidental tip overs. Children younger than ten are associated with the largest total number of emergency

department treated injuries resulting from tip overs.¹ Programs serving younger children should take extra precautions in determining whether to anchor furniture and electronic equipment.

Development and temperament of children served

Programs serving children with emotional, behavioral and other needs may need to take additional precautions. VAs should evaluate the characteristics of the children served within each program setting as they relate to the potential for injury from a tip over.

The likelihood of a tip over

Evaluation should include the possibility of a child climbing, leaning, exerting force, or otherwise causing the furniture or electronic device to tip over. Consideration should be given to the types of activities that take place near furniture and electronic equipment that might result in a tip over. Televisions, tables, dressers, and bookshelves are particularly hazardous.²

Some furniture and electronic equipment are at greater risk to tip over due to issues with the product's center of gravity changing. Such pieces may become unstable from normal use, and not from any additional pressure exerted by children or staff.³

The impact anchoring would have on regular program activities

While safety must be the greatest factor in making this determination, every reasonable effort should be made to allow youth placed in congregate care to experience day to day activities in the same manner as a youth not placed in foster care. When the VA determines that there is minimal risk to safety, given the age and maturity of the youth served, they may choose not to secure furniture and electronic equipment when doing so would create a less home-like environment and interfere with normal activities.

V. Systems Implications

None.

VI. Contacts

Any questions concerning this release should be directed to the appropriate regional office, Division of Child Welfare and Community Services:

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¹ Ibid. page 6.

² Ibid. pages 7, 9.

³ Ibid. pages 27-28.

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VII. Effective Date

This policy directive is effective immediately upon release.

/s/ Lisa Ghartey Ogundimu

Issued By:

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