

New York Public Welfare Association

NYPWA Testimony on the Executive Budget for SFY 2017-18 for the Joint Legislative Budget Committee Public Hearing on Human Services

Sheila Harrigan, Executive Director

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The New York Public Welfare Association represents all fifty-eight local departments of social services statewide. Our members are dedicated to improving the quality and effectiveness of social welfare policy so that it is accountable to taxpayers and protective of vulnerable people.

Everyone Needs a Place To Call Home

Local social services commissioners and their staff are committed to serving vulnerable children and adults in New York State. In recent years, the issue of homelessness has made headlines—and efforts to combat the problem have occurred at the state and local level to help ensure access and improve safety at shelters across the state. Multiple state inspections, audits and regulatory changes affecting shelters, hotels, and motels have impacted every county. These are important steps, but the best way to keep people safe and warm is to prevent homelessness in the first place. Temporary emergency housing is like using a hospital emergency room. It is important that it is available in a crisis, but it is better to maintain stability and prevent emergencies by providing sufficient resources. We need low-cost, permanent housing options in order to avoid homelessness altogether. When we can prevent evictions and provide people with supportive services we can achieve success. Once people are on the streets, it is a much tougher battle.

We recommend the following actions:

- Restore the partnership on State/local funding for the Safety Net Assistance Program.
- Re-evaluate the definition of hardship to include homelessness and to determine how we might reallocate the TANF block grant accordingly, consistent with existing federal rules.
- Support efforts to utilize Medicaid for supportive housing and health homes initiatives—and engage OASAS and OMH in funding solutions for people struggling with addiction or mental illness.
- Develop strategies that lead people from temporary to permanent housing without creating conditions that significantly lengthen time on public assistance.
- To support our collective efforts to shelter people from the frigid weather, we recommend that the State include language in the OTDA “Cold Blue” emergency regulations that ensure that the state will fund 100 percent of the costs related to implementing this state mandate.

NYS's Safety Net Commitment

It is time to restore the State's fiscal commitment to Safety Net Assistance. New York State funds only 29 percent of benefits to recipients and none of the administrative expense. The Safety Net Assistance (SNA) program is based on Article XVII of our State Constitution, which proclaims that "The aid, care and support of the needy are public concerns and shall be provided by the state and by such of its subdivisions, and in such manner and by such means, as the legislature may from time to time determine." The SNA program serves adults who are not eligible for TANF and families who have exceeded the 5-year time limit. In fact, families make up a significant portion of the expenditures for SNA benefits. The program, which is entirely controlled by the State, was funded 50/50 State and local shares until five years ago when the State increased the county share of Safety Net funding to 71 percent and reduced the State share to 29 percent. Initially this was offset by fully federalizing both State and local family assistance costs, but we have reached a tipping point where counties are losing money. The time has come to restore 50/50 shares of funding. In addition, we recommend that the State increase its reimbursement to counties for housing costs where the funding is inadequate to provide shelter.

Implementation of SNAP and HEAP Expansion

The Governor announced plans to keep the Home Energy Assistance Program (HEAP) season open year-round in order to maximize access to the Supplemental Nutrition Assistance Program (SNAP) and HEAP—and to generate an additional \$228 million annually in federal SNAP benefits. Currently, counties contract with agencies seasonally and utilize temporary staff to process HEAP applications. We ask that the state provide administrative dollars for local implementation, as currently these programs receive no administrative funds from the State—and federal reimbursement covers only a portion of the administrative cost. Even if the state is able to automate functions in the future, this mandate will still require a role for local staff year round.

Child Care Assistance and Federal Rules

The federal Child Care and Development Block Grant of 2014 focuses on the quality of child care and child development, without providing the funding that is needed to implement the new rules. As the State considers how best to address child care needs, it is important to maintain funds for other social services and child welfare programs that serve families in need—and to hold counties harmless for the fiscal implications of new federal rules. Taking Title XX funding from child welfare and other human services to support child care subsidies is ill-advised.

Supporting Preventive Services & Maintaining Title XX Where it is Needed

We are pleased to see open-ended funding for children's services maintained at 62 percent and hope to see it restored to 65 percent in the future. However, children's services will take the brunt of the \$26.1 million hit if Title XX is restricted to child care. To a large extent, Title XX dollars are used for preventive services contracts with voluntary agencies and to help support case work positions in local districts. New York State should keep funding for child care subsidies whole using state general fund dollars instead of taking the funds from child welfare and related human services.

Foster Care Block Grant - Why Mess with Success?

Local districts have reduced length of stays in foster care and used the savings to invest in preventive services so that children can be kept safe at home and avoid placement. By cutting foster care by \$62 million statewide, the Executive Budget undermines our success and imposes a cost shift onto counties. The proposed cut will begin to unravel years of effective practices that have enabled counties to contribute the local share for preventive services that led to the reductions in foster care. The Foster Care Block Grant should be maintained at current levels.

Raising the Age of Juvenile Jurisdiction to Age 18 - Guarantee 100% State Funding

We support plans to raise the age of juvenile jurisdiction to 17 on January 1, 2019, and to 18 on January 1, 2020—with a **guarantee** that all of the costs needed to implement the change will be fully funded by the state as part of an integrated set of strategies to provide assistance to at-risk children and youth in our communities. Previous Raise the Age proposals by the Governor included 100 percent state reimbursement for the new costs associated with such a change in juvenile justice policy. Unfortunately, this year's budget proposal represents a step backward by replacing full reimbursement with a plan that would lead to only partial reimbursement available to only certain counties. It effectively adds another unfunded administrative burden on counties to prove that implementing Raise the Age would create a fiscal hardship; that all property tax cap requirements are met; and that a plan is in place to implement the law.

The State has stepped back from its original financial support for programs serving the needy before—including lowering the State share for preventive and protective services, Safety Net Assistance, foster care, probation services, and countless other program and administrative funding streams. Therefore, statutory language is needed to hold counties harmless for both current and future costs associated with Raise the Age. The state must also provide the necessary policies and resources to help at-risk youth and prevent their entry into the criminal justice system. The final page of our budget testimony features a one-page synopsis of our position on raising the age of juvenile jurisdiction.

Every New Policy Directive Comes with a Price: Be Mindful of New Mandates

Local administrative costs are rising, and there is currently no State administrative funding for the Supplemental Nutrition Assistance Program or for Safety Net Assistance. In 2016, local districts received a combined total of nearly 100 policy directives issued by OCFS and OTDA. This sum does not include any of the changes under the Health Department or new State regulations and legislation enacted in 2016 that impact social services—including those related to shelter inspection, safety and operational plans. In key areas, we recommend that the LEAN approach be used before new rules are issued to ensure that processes are not made more cumbersome. Individual counties have volunteered to partner with the State on LEAN initiatives. In addition to these administrative challenges, districts are investing in additional security measures that should be exempt from any administrative funding caps to help us promote safety at government offices and out in the community.

With respect to the Department of Health Budget's impact on social services:

Preserve State Cap on Medicaid Local Share

All human services administered by counties are to some degree dependent on the continuation of the Medicaid Cap.

We support the Governor and Legislature's ongoing commitment to cap the local share of Medicaid benefits and to continue funding the local administration of the program as the Medicaid transition evolves.

In recognition of discussions on the future of the Affordable Care Act, and the possibility of a Medicaid Block Grant, we wish to voice the importance of continued federal funding for the Medicaid options implemented in our state. We ask that counties be held harmless for any future federal actions that could reduce allocations in order for counties to stay within the state-imposed property tax cap.

In closing, we wish to thank the NYS Assembly Ways and Means and NYS Senate Finance Committees for your leadership in bringing attention to the challenging fiscal and policy issues affecting social services.

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NEW YORK PUBLIC WELFARE ASSOCIATION, INC.

Raising the Age of Juvenile Jurisdiction

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Position: The New York Public Welfare Association (NYPWA) supports raising the age of juvenile jurisdiction, with a guarantee that all of the costs will be fully funded by the State, as part of an integrated set of strategies to provide assistance to at-risk children and youth in our communities. The NYPWA represents the local departments of social services (DSS) in NYS.

Executive Proposal: The SFY 2017-18 Executive Budget would raise the age of juvenile jurisdiction to age 17 on January 1, 2019 and to age 18 on January 1, 2020. Last year's proposal included a 100 percent state reimbursement for new costs associated with Raise the Age. Unfortunately, this was replaced with a plan that would lead to only partial reimbursement available to only some counties. It would add an unfunded administrative burden on counties to prove that implementing Raise the Age would create a fiscal hardship; that all property tax cap requirements are met; and that a plan is in place to implement the law.

Key Recommendations:

- We need the State to enact language in statute to hold counties harmless for the costs (now and in the future) associated with the Raise the Age initiative.
- The State should provide the necessary policies and resources to help children and youth at-risk in order to prevent their entry into the criminal justice system.

Actions Needed:

Reinstate a State/Local Fiscal Partnership

- Restore the proposed \$62 million cut to Foster Care and remove the cap on funding.
- Remove the proposed mandate that "Title XX All Other" funds must be spent on child care subsidies instead of other eligible services such as child welfare.
- Return detention services to open-ended funding.
- Restore preventive services to a 65% state share from its current 62%.

These, and other, fiscal assurances are necessary in light of the fact that the State has dramatically reduced its financial support for foster care, detention, prevention, and Safety Net Assistance (SNA), and has entirely eliminated its financial contribution for the local administration of SNA, Supplemental Nutrition Assistance, and child support enforcement.

Support Services for Children and Families

The key to success is providing children and youth the help that they need at an early age. The State should address the following six implementation issues and actively involve local DSS commissioners in policy discussions:

1. Family Support Centers are intended to reduce the need for placements and should, therefore, be accessible to youth in every county, not just in targeted areas.
2. While we wish to minimize placements, the State should retain the option for Persons In Need of Supervision (PINS) to be placed in non-secure detention and in foster care until such time that sufficient services capacity is available to make placements unnecessary.
3. The state must engage schools as an active participant in planning for these 16 and 17-year-olds. In New York, school is not compulsory past age 16 as it is in some other states, but education is still desirable and is required for children in foster care. Access to vocational training and other educational services for out-of-school youth is necessary.
4. Attention should be given to the impact of Raise the Age on the larger child welfare system. The earlier we reach the children, the more likely problems at ages 16-18 can be avoided. Targeted funding at an earlier age can lead to better outcomes. When serving a 17-year-old, there is typically a focus on the family, including parents and younger siblings, so funding resources will need to serve the entire family unit.
5. The State must address the recruitment of and specialized training for foster parents. Troubled, older teens are very difficult to place with foster families. The State will also need to determine how many cases are anticipated for reinstatement of older teens into foster care and how they will be served.
6. We need agencies to build service capacity in our communities. Facilities for housing youth need to be expanded and conveniently located. Community-based mental health, substance abuse, and developmental delay treatment needs to be expanded. Existing services need to be adapted for older teens.