

1 JOINT LEGISLATIVE SESSION
2 OF THE NEW YORK STATE SENATE AND ASSEMBLY

3 -----
4 Public Hearing Regarding the 2010-2011 Executive
5 Budget Proposal - **Human Services - Part I**
6 -----

7 Legislative Office Building
8 Hearing Room B
9 Albany, New York

10 February 10, 2010
11 Wednesday
12 2:00 p.m.

13 PRESIDING: Senator Liz Krueger,
14 Vice Chairman

15 Assemblyman Herman Farrell,
16 Chairman

17 PRESENT: Senator Ruben Diaz
18 Senator Velmanette Montgomery
19 Senator Daniel Squadron

20 Assemblyman James Hayes
21 Assemblyman Jeffrion Aubry
22 Assemblyman Keith L.T. Wright
23 Assemblywoman Susan John
24 Assemblyman Felix Ortiz
Assemblyman Gary Pretlow
Assemblyman Marc Butler

25 Human Services hearing continued to

26 February 23, 2010 - Part II

INDEX OF SPEAKERS

1

2 MICHAEL BURGESS.....4
 Director, NYS Office for the Aging

3

4 GLADYS CARRION.....39
 Director, NYS Governor's Office of Employee Relations

5 ELIZABETH BERLIN.....93
 Executive Deputy Commissioner, NYS Office of
 6 Temporary & Disabilities Assitance

7 COMMUNITY VOICES HEARD.....168
 Members of Community Voices Heard

8

9 GERMAINE KNAPP.....180
 Executive Director, Sojourner House

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

1 SENATOR KRUEGER: Pursuant to the State
2 Constitution on Legislative Law, the fiscal committees
3 of the State Legislature are authorized to hold hearings
4 on the executive budget.

5 This afternoon's hearing is limited to a
6 discussion of the Governor's proposed budget for the
7 Human Services Agencies, including the Office for the
8 Aging, the Office for Children and Family Services, the
9 Office of Temporary Disability Assistance.

10 Following the presentations will be allowed
11 for questions for the Chair of the fiscal committees and
12 other legislators.

13 We are going to be hearing testimony from
14 Commissioner Michael Burgess, the Office for the Aging,
15 followed by testimonies of Commissioner Gladys Carrion
16 of the Office Children and Family Services and Deputy
17 Commissioner Beth Berlin from the Office of Temporary
18 and Disability Assistance.

19 Just to introduce my Senate colleagues, I am
20 joined by our Aging Chair Senator Diaz, and our Chair of
21 Children and Family Services, Senator Velamanette
22 Montgomery.

23 Assembly.

24 ASSEMBLYMAN FARRELL: We have been joined by

1 Assemblyman Felix Ortiz, Assemblyman Gary Pretlow,
2 Assemblywoman Susan John, and Assemblyman Keith Wright
3 and Assemblyman Hayes.

4 ASSEMBLYMAN HAYES: On our side joined by
5 Assemblyman Marc Butler.

6 ASSEMBLYMAN FARRELL: And Assemblyman Jeff
7 Aubry.

8 SENATOR KRUEGER: Again, as I said several
9 times I guess to the earlier hearing, it's a snow day.
10 We are starting two hours late, and I'm going to urge
11 everyone testifying to summarize their testimony.
12 Please don't read your full testimony. We on the panel
13 have copies of the full testimony.

14 This is -- and all testimony will be
15 provided on the Internet. This is being televised, so
16 there's lots of opportunity for people to receive and
17 read complete testimony, but out of respect for the
18 people who I fear will be here fairly late this
19 afternoon, and wondering how they get out of Albany in
20 the snow storm, I'm going to be perhaps rude as we go
21 along.

22 So, please don't misunderstand. Thank you
23 very much, Commissioner.

24 MR. BURGESS: Good afternoon, Senator

1 Krueger, Assemblyman Farrell, Chairs of the Aging
2 Committees and Senator Diaz, I am Michael Burgess,
3 Director of the State Office for the Aging.

4 We are facing difficult economic times
5 across the country and here in New York State, and older
6 New Yorkers and their families and caregivers are
7 feeling the effects of the economic downturn as it
8 affects their income, their investments and their
9 standard of living.

10 The impact on their standard of living is
11 particularly problematic for those who are already
12 living close to the poverty level. Many older New
13 Yorkers rely on services funded through the state,
14 federal and local budgets for assistance with food,
15 shelter and tasks of daily living.

16 Counties continue to report escalating costs
17 of diminishing revenue while needs are growing, in part
18 due to the state's changing demographics. From 2010 to
19 2014, over four counties in New York will experience
20 increases in the percentage of their residents who are
21 over the age of 65.

22 Governor Paterson's budget ensures that the
23 New York State Office for the Aging will be able to
24 preserve the local infrastructure of the service network

1 for older adults, and the home and community based
2 services they and their families need to support
3 independent living. This is a network that has been
4 very successful in leveraging local dollars, including
5 significant contributions from program participants
6 themselves.

7 The network of area agencies on aging and
8 community based service providers is the first line of
9 support when an older adult needs assistance following
10 an illness or hospitalization. The network has proven
11 to support, in a very cost effective way, older adults
12 living independently in their community of choice, while
13 at the same time supporting non-paid informal
14 caregivers.

15 New York is facing difficult economic times,
16 which bring new challenges for maintaining these
17 services on all state agencies. The aging network
18 seized on this opportunity to be creative.

19 Let me give you a couple of examples. After
20 severe -- several weather related disasters in the past
21 year, county offices have been created addressing
22 concerns regarding a lack of volunteer drivers on days
23 when travel warnings are issued.

24 In order to compensate for driver shortages,

1 Franklin County Office for the Aging used ARRA money to
2 produce emergency preparedness boxes. Each
3 box contained 14 prepared shelf safe meals and will
4 ensure home delivery meals to clients and seniors at
5 congregate meal sites, and any senior that needs will
6 have enough food during the emergency.

7 The State of New York, after identifying a
8 connection between the lack of suitable transportation
9 and older adults' inability to obtain fresh foods at
10 market, the New York City Department for the Aging
11 launched Market Ride. In its first activity roughly two
12 dozen seniors from the Times Plaza Senior Center climbed
13 aboard bus 2261, normally carries students across Park
14 Slope.

15 The bus headed to Fairway, out Atlantic
16 Avenue and Redhook where the seniors purchased
17 everything from apples to Caribbean cooking spices.
18 These are difficult decisions that have to be made by
19 state policymakers when facing the deficit of more than
20 \$8 billion, so our budget is one of necessity, not of
21 choice.

22 Governor Paterson's strong support for older
23 New Yorkers and their families is reflected in this
24 proposed budget. Despite the projected deficit,

1 community based services funded through the New York
2 State Office for the Aging remains strong. This budget
3 reflects the Governor's commitment to preserving our
4 core services, and maintaining support services such as
5 NRRC, the Naturally Recurring Retirement Community,
6 caregiver supports and adult social day services.

7 This budget proposal preserves the network
8 of providers that serve older New Yorkers. It also
9 enables our office continuing to work to prevent and
10 postpone institutionalization for long term care needs
11 and to enhance the quality of life for community
12 residents.

13 The Governor's budget will allow the agency
14 to continue to support the independence of older New
15 Yorkers. The service providers that work with the
16 Offices for the Aging do this every day and at the state
17 level it's our role to support our local partners and
18 strengthen them as much as possible, while providing
19 technical assistance and identifying grants and other
20 alternative sources for new initiatives.

21 Across the state, many programs are
22 available to maintain older adults' independence and
23 improve their quality of life. These include meals
24 programs that I mentioned, the expanded in home services

1 for the elderly program, caregiver respite and adult day
2 services, transportation services, and economic security
3 programs including the low income home energy assistance
4 program and EPIC.

5 Access to information through these
6 resources, such as our health insurance information
7 counseling assistance program, HIICAP, which provides
8 counseling to people about Medicare Part D and Medicare
9 Advantage programs, and we have a statewide senior
10 citizens' helpline that has helped hundreds of thousands
11 of people.

12 The New York Connect Program is also
13 helping, in most of our counties, helping older adults
14 and people of all ages with disabilities and their
15 families to obtain information about long term care
16 options and services.

17 I want to note that the State Office for the
18 Aging worked to enhance the quality of life for the
19 older community residents in a combined responsibility
20 of state, federal and local funding sources as well as
21 many supportive philanthropies, agencies and individuals
22 that contribute to supplement local services.

23 For many years, federal funding for our core
24 services was relatively flat, but with the investment of

1 the ARRA funds and meals, totaling \$6,191,000, and the
2 senior community service employment program, or Title 5,
3 totalling \$7,698,000, we have been able to weather the
4 recent economic storm.

5 I'm pleased to note that President Obama has
6 included an increase in his proposed budget for senior
7 meals programs and other services, such as
8 transportation and adult day care, and the President has
9 expanded an initiative to support family caregivers.

10 New York would expect to receive an
11 additional \$6- to \$7 million as a result of these
12 federal budget proposals if they are enacted.

13 Now, regarding our budget specifically, the
14 only changes I will mention here are that funding
15 requested in the coming year's budget, executive budget,
16 for the SNAP program -- supplemental nutrition
17 assistance, community services for the elderly and
18 expanded in home services for the elderly remains at
19 \$82.7 million, which is what we proposed last year.

20 Number two, the cost of living appropriation
21 for these three programs remains in the same amount as
22 for fiscal year '09-'10, to be continuing to be funded
23 at \$14.7 million. The congregate services initiative is
24 proposed to be eliminated, as was the hospital patient

1 rights hotline and advocacy project, which was funded at
2 about \$63,000.

3 The State Office for the Aging recognizes
4 the importance of targeted services as part of the aging
5 services network. Funding will continue to go to these
6 settings, to their meals programs and community services
7 for the elderly, and other initiatives.

8 We did not cut the NORCS programs, caregiver
9 resource centers, long term care ombudsman program,
10 HIICAP, foster grandparents, retired senior volunteer,
11 social adult day services, elder abuse prevention,
12 transportation, managed care consumer assistance,
13 community empowerment, caregiver centers for excellence,
14 respite and enriched social adult day services.

15 In addition, funding for the NY Connects
16 program is funded at the same level as appropriated in
17 the fiscal year '09 and '10.

18 To keep this short, I'm just going to sketch
19 briefly our priorities for the coming year. In addition
20 to these funding programs that I mentioned at the state
21 and the federal level, here's what we want to do. We
22 want to allow older persons to have greater options for
23 non-medical care. We are changing the regulations on
24 the EISEP program, expanding center services.

1 We have some federal grants to do this and
2 demonstration projects continuing to educate, train, and
3 support caregivers so that they can maintain independent
4 living for friends and family members. We will be
5 proposing consumer direction in this program for the
6 first time.

7 We also have caregiver work that we continue
8 to do that's critical for all agencies. I mentioned the
9 recent study of the New York Aging Network Caregiver
10 Support found that individuals receiving care from
11 caregivers are more likely to be female, 64 percent.
12 And the majority, 85 percent, are age 75 or older.

13 Many of the individuals receiving care or
14 support from a caregiver have significant health needs,
15 the most prevalent being Alzheimer's or other dementia.
16 A majority, 85 percent, have one or more impairments.

17 52 percent of caregivers surveyed responded
18 that they could not continue caregiving without such
19 support offered through the State Office for the Aging
20 and county and city programs. Caregiver support
21 programs, such as Respite, individual counselings,
22 information and assistance and accessing services and
23 supplemental services like the PERS, Personal Emergency
24 Response System, have shown to be the difference between

1 someone remaining in their homes or going to a nursing
2 home.

3 Want to promote the economic security of
4 older adults in this time of economic difficulty by
5 assisting with direct benefits and providing information
6 and assistance to help older persons access available
7 benefits.

8 For example, the Medicare savings programs,
9 people can sign up for those and have their premiums and
10 deductibles paid for by that program.

11 Improve the health status and increase the
12 life span of older persons by promoting health and
13 wellness through evidence based health promotion,
14 disease prevention programs, and outreach to increase
15 utilization of Medicare covered screenings.

16 Efforts to reduce smoking, obesity and heart
17 disease and increase early cancer screenings have lead
18 to increased longevity, regardless of the age of
19 intervention. Since these initiatives benefit New
20 Yorkers across the life span, including older
21 generations, will work with the Health Department and
22 community partners on prevention and wellness.

23 We want to reduce hospital readmission rates
24 by developing volunteer programs with providers to

1 improve care transitions. We have spearheaded a
2 collaboration with stakeholders, including the senior
3 corps, which is part of Americorps and other volunteer
4 programs, hospitals and county agencies, the New York
5 City Department for the Aging, to develop a community
6 support navigated program, using trained volunteers who
7 will support older adults at risk for readmission to the
8 hospital.

9 Encourage every county and community to
10 develop a livable community plan that incorporates the
11 needs of an aging population. The key to this is
12 involving older volunteers, respecting their rights to
13 self determination, encouraging their participation and
14 prioritizing local needs and initiatives to address
15 them.

16 Our work will complement President Obama's
17 creation of the new Office of Livable Communities that
18 will coordinate federal interagency efforts. We have
19 also awarded 15 community empower grants for planning
20 and implementation efforts for local communities to do
21 aging in place or aging in the community. And Governor
22 Paterson has proposed continuing this funding for next
23 year.

24 In closing, New Yorkers have shown great

1 strength in these difficult times and come together to
2 help solve their own problems and work toward utilizing
3 their resources more effectively. These opportunities
4 have generated many successes.

5 Despite the poor economic conditions and a
6 strong desire for government and non-government agencies
7 and individuals to work more closely together to support
8 aging in the community, the development of living
9 communities where people of all ages and abilities can
10 live in, making New York State a place in which they can
11 retire to.

12 Thank you very much.

13 SENATOR KRUEGER: Thank you very much.

14 First go to our Chair of Housing, Senator
15 Diaz. I meant Aging. Excuse me. Chair of Aging.

16 SENATOR DIAZ: Thank you, Chairlady.

17 Let me see if we can do this fast. Tell me
18 what are the exact proposed cuts for the New York State
19 Office of the Aging, the exact cuts that's going on in
20 the proposal.

21 MR. BURGESS: There is about \$5 million in
22 cuts, about \$6 million actually. I mentioned the
23 congregate services initiative was eliminated and the
24 hospital health patient assistance program, which is a

1 small program, as well as some other programs which were
2 funded at last year's total that we proposed.

3 SENATOR DIAZ: So, the amount of money would
4 be about \$6 million?

5 MR. BURGESS: That is correct.

6 SENATOR DIAZ: What is the discrepancy
7 between the number you are giving me and the number that
8 my conference give me, about \$8 million. What is the
9 discrepancy? Why?

10 MR. BURGESS: Discrepancy between what?

11 SENATOR DIAZ: The money that's supposed to
12 be cut and the money that's going to be cut, \$6 million
13 to \$8 million.

14 MR. BURGESS: I don't know about an \$8
15 million. I know our budget was increased \$5 million
16 last year, if that's what you are asking, but the \$8
17 million, I am not familiar with what that is.

18 SENATOR DIAZ: The CSE being cut by \$1
19 million, what type of services are CSE provide?

20 MR. BURGESS: Community Services for the
21 Elderly is money that's given for all kinds of
22 supportive services for the County Offices for the Aging
23 and New York City Department for the Aging, and they can
24 use that pretty much as a block grant for support

1 services.

2 So, that's what it's used for, and I
3 mentioned we also get federal money for the same kind of
4 thing and the President's proposed increase in support
5 services that would be similar to that.

6 SENATOR DIAZ: Who receive this funding?

7 MR. BURGESS: The counties and the City of
8 New York, New York City Department for the Aging would
9 be the recipient of that money, as well as our County
10 Offices for the Aging.

11 SENATOR DIAZ: So, if we cut million dollars
12 for those services, could you tell me what kind of
13 services would be cut.

14 MR. BURGESS: They could cover any of the
15 things that I talked about earlier, whether it be
16 transportation. It could be used for meals.

17 SENATOR DIAZ: What kind of services you
18 think might be cut, might be eliminated?

19 MR. BURGESS: Again, as I said, it's general
20 purpose kind of funding so they are allowed to use it
21 for any of the services they feel they need. And of
22 course I should point out that they will look at, as all
23 of our counties and the City of New York do, they look
24 at all of their funding resources.

1 So when we say, if there is a cut at the
2 state level we had increases in federal money, so it
3 prevented us from having to cut at the local level. The
4 ARRA money I mentioned was \$6 million in additional food
5 money, and the older workers, that was all new money
6 from the federal government. The President's proposal
7 is to add some additional money next year.

8 So, when we get to the point of people
9 having -- counties and the city -- of having to plan an
10 annual budget, they submit us an annual plan, they will
11 have to make that plan based upon what money is
12 available. It may end up that their total is not
13 affected or they might even have an increase when they
14 use the federal money.

15 SENATOR DIAZ: EISEP, what kind of services.

16 MR. BURGESS: That's expanded in home
17 services for the elderly, non-medical services to allow
18 people to continue to remain living at home. So, that
19 is support services.

20 I mean it could be any number of things with
21 chores around the home, or assisting with housekeeping
22 and meal preparation. It's kind of a flexible program.

23 SENATOR DIAZ: You are proposing cut \$2
24 million in EISEP.

1 MR. BURGESS: Two million, the proposal, of
2 course, is to come in at the same level that we proposed
3 last year. As I said again, additional funding at the
4 federal level could be available.

5 SENATOR DIAZ: About how many seniors you
6 think would be affected or would not receive services
7 from EISEP, all those cuts. \$2 million seems like
8 nothing.

9 MR. BURGESS: I think the point, this is a
10 situation where the funding for this program has varied
11 over the last couple of years. Again, counties have to
12 deal with a number of people who are ready to apply for
13 those programs and provide services to them. And I
14 don't think that we have actually cut people off from
15 these programs as a result of the budget situation
16 because we've had other money or federal money.

17 But in terms of the number of peoples, worst
18 case scenario came out then you would have to cut this
19 program the two percent or the \$2 million is a little
20 less than four percent.

21 SENATOR DIAZ: How many seniors would be
22 affected, would not be receiving those kind of services?

23 MR. BURGESS: We know how many people we
24 have on that program and there's different types of

1 services. Case management, we provide more services to
2 people on that. We have where there's direct service
3 provided to people.

4 We could be changing the way that we do it.
5 I mean it could be less hours of service that's provided
6 to people. It just depends on -- obviously, each county
7 or the city is going to try to minimize removing
8 somebody from the program, so they are going to be
9 looking at all of their options on any of these
10 proposals, whether it be the meals or this program, to
11 see if they can economize or do it other ways such as,
12 as I said, reducing the numbers.

13 SENATOR DIAZ: If we cut \$2 million to EISEP
14 then we might have some seniors that would never receive
15 services, and we have other seniors that might be hours
16 reduced and other seniors that we drop completely.

17 \$2 million, we do have \$2 million in cut to
18 senior citizens.

19 MR. BURGESS: There's about 70,000 people
20 who are served by this program, so, again, it's hard to
21 say take four percent of that and they are all cut.
22 That would probably not be the case.

23 I mean it would be, again, a last resort
24 that we would be looking at. Of course, this is the

1 beginning of the process of this discussion when we look
2 at the state budget and the federal budget for this
3 program, but worse case scenario, you have to -- if
4 counties had to cut people off and the city had to then
5 that would be the case, but we would certainly give
6 counties and the city every option that we could to make
7 the program still available.

8 SENATOR DIAZ: Let me just go on another
9 program. SNAP, what does SNAP do for seniors?

10 MR. BURGESS: Home delivered congregate
11 meals.

12 SENATOR DIAZ: I mean food. So, we cut \$2
13 million for that program.

14 MR. BURGESS: Again, this is a situation,
15 and I am not trying to be obtuse about it, but when a
16 county or the city has to look at what to do with this
17 situation, they take their federal money, their state
18 money and their local money that's been provided for a
19 food program. Eventually, \$6 million in the federal
20 stimulus money for the food program.

21 I mentioned in the beginning of my testimony
22 that some used the stimulus money to create these
23 emergency packages, so they didn't actually increase the
24 case load because they knew the stimulus money was going

1 to run out, so they created other things with that
2 money.

3 It's very hard to look at how many people
4 would actually lose food. And we would think, again, it
5 would be a last resort that anybody would lose food. At
6 this point, as I said, there's additional money and more
7 money has been proposed at the federal level.

8 SENATOR DIAZ: Without \$2 million cut,
9 right? Now we have 3100 senior citizens on the waiting
10 list. Without the \$2 million cut, right now we have
11 3100 senior citizens waiting to get in the program.

12 So, if we cut \$2 million, how many more
13 seniors would be added to the 3100 already waiting?

14 MR. BURGESS: How many are we adding?

15 SENATOR DIAZ: Right now without the \$2
16 million cut we have 3100 senior citizen in the State of
17 New York waiting to get in the program so they could get
18 something to eat.

19 So, if we cut \$2 million to that program,
20 how many more seniors would be added to the 3100?

21 MR. BURGESS: The number on the waiting
22 list? I mean, again, I don't have a particular answer
23 because we would hope that that would not be the case.
24 As I said, there's federal money there. We are not

1 anticipating that anybody is going to be cut at this
2 point from the program.

3 If you take -- you can do the math. We know
4 how many people are served and if you do the math and do
5 the proportions you can come up with the worst case
6 scenario, but I don't think that's what we are expecting
7 will happen here, and we are hoping there's additional
8 federal money that is continued, as the President has
9 proposed.

10 So, we don't have an estimate.

11 SENATOR DIAZ: We already have 3100 on the
12 waiting that cut \$2 million more we add.

13 MR. BURGESS: Right, but that's not to say
14 that every county would -- I will give you an example.

15 A county with some of the money, they might
16 be providing two meals. They might be providing an
17 evening meal. They might cut back on that. They might
18 cut back. They might not do some of the things.

19 We go through a situation all the time
20 because we get annual reports from every county, and
21 even without the stimulus money they were saying to us
22 things like, you know, it costs more money for our
23 vehicles to transport people. The cost of food has gone
24 up.

1 We are looking at senior centers where we
2 have a smaller number of people going to meal sites.
3 So, they have always been looking at how do we
4 economize, how do we make sure that we can still serve
5 the number of people we have despite the increases in
6 cost and despite the increases in need.

7 So, I think all of them try not to have to
8 face that situation. And I realize where you are going,
9 if we don't have enough money for this program will
10 there be a loss. We will certainly be looking at all
11 those things that can be done locally first, and it is
12 up to the localities how they provide these services,
13 and then they would look at whether there was an
14 increase in any kind of state or federal money.

15 SENATOR DIAZ: I don't want to take no more
16 time. I respect you. I really admire you. I love
17 working with you. You are the best.

18 What is my purpose in asking these
19 questions. You do a great job. The services,
20 cooperation that we are getting from your department. I
21 am asking you the question so my colleagues will know
22 that the Governor is supposed to cut \$5 million, \$5
23 million, five lousy million dollars for New York State
24 Department for the Aging to cut food from the seniors,

1 to cut services from the seniors, to cut transportation
2 from the seniors.

3 \$5 million to put the State of New York
4 senior citizens who suffer, for a lousy \$5 million. So
5 as the Chairman of the Aging Committee in the Senate I
6 ask the questions for my colleagues that we find when we
7 go back to negotiate and \$5 million to put senior
8 citizens of the state through this kind of suffering to
9 add more senior citizens to the waiting list to wait to
10 get something to eat. Shameful.

11 MR. BURGESS: It's been an historical
12 practice that legislative adds have not always been
13 included in the Governor's budget, and this is the
14 beginning of that discussion. Obviously, you will
15 negotiate with the Governor on that.

16 SENATOR DIAZ: Thank you.

17 ASSEMBLYMAN FARRELL: Thank you, Senator.
18 Assemblyman Aubry.

19 ASSEMBLYMAN AUBRY: One question.

20 ASSEMBLYMAN FARRELL: Jeff Aubry.

21 ASSEMBLYMAN AUBRY: What percentage of
22 funding of the statewide total spent on seniors do we as
23 a state provide?

24 MR. BURGESS: It's roughly 50/50, but what's

1 -- do you have an exact number -- about 120 million from
2 the federal, 100 million from the state and then the
3 locals put in what their share is or what they can.

4 ASSEMBLYMAN AUBRY: Is their share
5 approximately half of those, or a third, a third, a
6 third?

7 MR. BURGESS: No. Most of it is state and
8 federal. I mean the counties -- the locals don't put in
9 an equal amount to the state. So, 10 to 20 million.

10 ASSEMBLYMAN AUBRY: 200 million or so.

11 MR. BURGESS: Altogether it would add up to
12 about, yeah, about 240 or 50, quarter of a billion
13 dollars.

14 ASSEMBLYMAN AUBRY: Do you have any
15 regulatory control over what the locals do related to
16 the provision of senior services?

17 MR. BURGESS: Yes. We have the authority to
18 approve an annual plan which must be submitted by every
19 county and the City of New York. And I have those in
20 front of me waiting at this time of year to approve them
21 or to make changes to them.

22 ASSEMBLYMAN AUBRY: In the City of New York
23 there have been several attempts by a variety of
24 commissioners, because they have changed, to RFP out the

1 local senior centers, which has caused a great deal of
2 distress with the local communities who have
3 traditionally used these centers as places for wellness
4 for their communities.

5 Have you looked at that plan? Is that plan
6 still in effect? Is it proposed by the city?

7 MR. BURGESS: Previously, they had said they
8 were going to have an RFP for senior centers citywide.
9 That was withdrawn last year at some point. Has not
10 been reissued yet.

11 They will have to inform us if they plan to
12 do that. I have to say that the city is rethinking that
13 and has the charter senior center concept that sounds
14 kind of interesting to make some of the senior centers
15 enhanced that provide, you know, really kind of bring
16 them into a new era by providing preventive services as
17 well as other types of things.

18 So, they are thinking this through and the
19 new commissioner, we are working very cooperatively with
20 the new commissioner, and I am reminded that there are
21 contracts on those services now and when they expire
22 there will be the need to develop new contracts, but the
23 point is that they have not submitted to us yet a plan
24 for any changes and they put it off at least for the

1 moment although it could come back this year.

2 ASSEMBLYMAN AUBRY: Do you require any
3 legislative approval with regard to your control over
4 that proposal from the city or the counties?

5 MR. BURGESS: Our authority to approve those
6 plans is from the federal government, the administration
7 on aging, which is part of Health and Human Services.
8 We are supposed to be the overseers of the money and to
9 follow and make sure that they submit a plan indicating
10 what they do with the money and how they serve people,
11 and that we have the staff that reviews the plans for
12 each locality.

13 And we question -- I asked a year ago, I
14 implemented where if there were any major changes in the
15 services that would impact seniors, that there was a red
16 flag and we discussed it. Now, most of the time it's
17 not a big issue but we did not give -- just as an
18 example.

19 When many of the providers in the city
20 questioned what they were doing about a year or two ago
21 under the previous commissioner's reign, we only gave
22 them conditional approval of their plan pending
23 completion or monitoring and follow up with us as to how
24 they would proceed on a case management or home

1 delivered meals contracts at that time. So, that's the
2 kind of power and role we play.

3 ASSEMBLYMAN AUBRY: Let's say Wyoming
4 County, would you be in touch with the legislators from
5 Wyoming County if there was a proposal for Wyoming
6 County -- by Wyoming County to change the manner in
7 which those services were provided before you went ahead
8 and gave your approval?

9 MR. BURGESS: We asked, because the New York
10 City situation we started to see that other counties
11 were doing things like frozen meals, and we began to ask
12 questions about their need to do that.

13 Many times we would have counties who were
14 talking about reorganizing and putting the Department
15 for the Aging in with another local agency. We have to
16 review that too. We have the authority to designate
17 what those local agencies are going to be. Government
18 agencies, county and city, have the first right to be
19 this agency, but if they decide they didn't want to do
20 it we do have I think five non-profits rather than
21 counties that run the Office for the Aging.

22 I think it's five. Four, okay.

23 ASSEMBLYMAN AUBRY: So, we can anticipate,
24 if we were to hear of new plans to reorganize, that

1 there would be some conversation between the department
2 and the delegation representing those areas of the
3 state.

4 MR. BURGESS: Yes. There is a process that
5 we have set up particularly with New York regarding
6 having to have a consensus with providers. It's a much
7 more cooperative relationship.

8 I also remind you that every community has
9 to have a public hearing on their annual plan before
10 they submit it to us. So, there is some input and there
11 is a public process and people need to know that, as I
12 said, we review those plans and we have to approve them.

13 ASSEMBLYMAN AUBRY: So, maybe I'm not being
14 direct enough.

15 Would you have a conversation with Senator
16 Diaz, as Chair of the Senate Committee on Aging, about a
17 proposal to change the way services are delivered
18 anywhere in the state prior to your approval?

19 MR. BURGESS: Probably not, unless -- I mean
20 obviously in his area, the City of New York. Just
21 depends on what it was. I think --

22 ASSEMBLYMAN AUBRY: Senator Diaz doesn't
23 just represent the City of New York. In his capacity he
24 represents the entire state.

1 So, if Buffalo wanted to have a change,
2 would you have to go to talk to Senator Diaz and say,
3 this is what's being proposed, what is your input,
4 before you go out to both the municipality and to public
5 hearings. Do members of the legislature, which I do
6 believe you have to get, do they get that kind of notice
7 and are they involved in that discussion?

8 MR. BURGESS: Certainly in the case of the
9 City of New York, the pressure of the legislature, they
10 inquired of us, can you review this? Can you have a
11 role in this? And we did.

12 I say it was because it was brought up to
13 us. Technically, usually, I mean, some of these things
14 are fairly mundane if they are going to make a change.
15 There are changes that have to do with staffing or other
16 issues. If it is a major policy issue that would
17 require legislation or something, certainly we would.

18 ASSEMBLYMAN AUBRY: You leave me unclear as
19 to whether or not we would be involved at that level. I
20 am only trying to understand are we or are we not.
21 That's what I am trying to understand.

22 MR. BURGESS: Not as a -- anywhere in the
23 formal process or from the federal government, but you
24 have the right obviously to do that.

1 I mean bills were proposed regarding New
2 York City Department for the Aging's plan, and if the
3 legislature had enacted them we would have had to live
4 by them, but to answer your question, I mean, more
5 directly, certainly, if anything is a matter of public
6 concern -- and I am saying this because sometimes I said
7 it's mundane. Issues that get out in the newspaper we
8 are certainly going to want to talk to you people.

9 I am open to any of that. Certainly, if a
10 legislator comes to me, as sometimes happens, and they
11 say, my Office for the Aging is closing a meal site. We
12 get this. They are closing a site. Can they do that?
13 Should they do that? We certainly answered that request
14 and I get that from legislators.

15 ASSEMBLYMAN AUBRY: I am just asking whether
16 or not you would ever come to us. I understand that we
17 can complain to you. I understand that very well.
18 Would you come in a proactive way and say, listen, I
19 don't know if you know but your county wants to do away
20 with home delivered meals because they think they have
21 found a better --

22 MR. BURGESS: I am always willing to do
23 that. I think that we -- I guess we haven't done it
24 proactively. We would probably do that, you know,

1 sometimes in the upstate communities, I guess I am just
2 feeling that many times the legislators already know
3 because they are working closely with that department
4 and they know when there is a major change coming out
5 and they have either communicated with us or we've
6 talked to the county director and maybe they have talked
7 with their legislators.

8 But, I would give you another example. I am
9 glad you are raising this because we get these all of
10 the time. And one of them is if we feel that there is a
11 problem at the agency in terms of any kind of
12 malfeasance, we would certainly tell you that, you know.

13 ASSEMBLYMAN AUBRY: Thank you very much.

14 SENATOR KRUEGER: Senator Montgomery.

15 SENATOR MONTGOMERY: Good afternoon.

16 There's just one program that I would like
17 to ask you about, and that is in the NORC. We didn't
18 lose funding there.

19 MR. BURGESS: No. No change.

20 SENATOR MONTGOMERY: I have a very
21 substantial number of buildings, communities that are
22 NORC communities. And it seems that this program, if we
23 had access to it, if we could expand into more places,
24 it would be extremely helpful in providing just enough

1 assistance to people so that they can maintain their
2 independence and remain in their home.

3 It's an extremely important program, and I
4 just don't understand why it somehow never grows to any
5 degree. It seems that maybe it started out as some sort
6 of legislative item, and essentially has never really
7 been viewed necessarily as a significant part of your
8 agency.

9 And so I am just wondering how can we change
10 that. And I certainly would like to see much more of
11 that, because what often happens, in addition to just
12 small needs that people have that would be helpful, they
13 go into a nursing home or a hospital for a short period
14 of time, but that they lose their apartment. So,
15 there's just no one there to really look after some of
16 those kinds of things as well.

17 So, I guess my one question is: Why don't
18 we, why can't we make this a significant part of what we
19 do for people, the elderly, and also what does it
20 require for us to extend it and make it more universally
21 available to districts like mine, for instance, who have
22 a number of buildings, tall buildings, multiple
23 dwellings?

24 And also, do you have any indication of just

1 how it works, where it is and can we get that
2 information from you?

3 MR. BURGESS: That last question was about?

4 SENATOR MONTGOMERY: Do you have information
5 as to the effectiveness of this program and where it's
6 located and how it actually helps to reduce the need for
7 institutionalizing elderly people?

8 MR. BURGESS: On the last question, there
9 was -- the legislature did fund the NORCs health
10 indicator study that the United Hospital Fund did the
11 study. We can get you the results of that, which were
12 very positive, how NORCs can be helpful in improving the
13 health of people living there.

14 So, yes, that has been done, and we continue
15 to do more of that, but in answer to your general
16 question, I couldn't agree more with you and I think
17 that the whole direction of our agency, even though we
18 did not say this in the same way, NORCs gets \$4 million,
19 more than that between the two programs, the
20 neighborhood NORCs or the high rise or horizontal NORCs,
21 they are called. There's NORC support services.

22 We are moving toward this whole definition
23 that's even broader than NORCs called livable
24 communities, that I mentioned. One of the things that

1 we put in the budget was community empowerment. One of
2 the things that I felt was that we have NORCs in the
3 city, we have them in some of the larger cities upstate,
4 but we didn't have anything for aging in place in rural
5 communities.

6 We did put out the grant proposal called
7 community empowerment. We did fund 15 new projects, six
8 or seven of those in rural areas, the rest in larger
9 areas. That money is included again in the budget. A
10 NORC proposal could come through that grant. The
11 difference being that we don't define that it's just a
12 NORC that could be funded, but any project that's
13 related to aging -- we don't like to say in place
14 because someone may want to move into a different
15 setting, but in their community.

16 So, that money is available. The federal
17 government, under the Administration on Aging, has a
18 program called community innovations and aging in place.
19 They funded the City of New York this year for \$330,000
20 for a project on mental health needs in NORCs in
21 particular. I don't know if it's beyond the NORCs.

22 There are a few earmarks for NORCs in the
23 federal budget on Long Island I am aware. We are moving
24 in this direction because the older population wants to

1 move in this direction. I view the NORCs as a means of
2 self determination for older people to take
3 responsibility as they want to in their own communities
4 for their health and wellbeing.

5 People have started things like the Beacon
6 Hill Village in more affluent areas, saying, we are
7 going to chip in and do this as neighbors, and we are
8 going to make sure that we can afford home repair and
9 transportation and take care of ourselves because we
10 don't want to go with a nursing home.

11 We need to support that kind of an effort,
12 whether it's a NORC. I see the NORC as a forerunner and
13 we should do more of it, but there are many other
14 options that we are pursuing.

15 SENATOR MONTGOMERY: I thank you for that,
16 and I just, I want to make it very clear that what often
17 happens at the level where the services are actually
18 provided is that, because you have so many different
19 streams, so to speak, at your level, or at the federal
20 level, it's very difficult to actually access
21 successfully one or two or other of those programs.

22 So, if we could be assured that the concept
23 of the NORC could be expanded, however, within your
24 agency because you are now focusing on doing more of

1 that, I would certainly appreciate understanding just
2 where we are and what we need to do to make sure you are
3 able to be putting all of those resources together, make
4 this program work for us, because it would mean a huge
5 savings, I think, in helping people to avoid being
6 institutionalized and their lives could be enhanced
7 tremendously.

8 So, I look forward to hearing just what
9 report you have and how they are all going to work to
10 help us to implement and expand and help me to get it in
11 my district. I hate to be so selfish, but that's where
12 I am.

13 MR. BURGESS: We've gone so far as to create
14 a resource center in our office. On our website we are
15 now providing technical assistance about all of the
16 resources that are available to communities that are out
17 there for any kinds of projects, whether they are NORCs,
18 or aging in the community.

19 So, that's on our website. A section called
20 empowering communities. We provide that in terms of
21 other funding. I know that one great foundation just
22 gave Westchester County money -- not the county, but
23 they just funded in Westchester something called
24 Westchester Center for Aging in Place to provide

1 technical assistance to communities in Westchester who
2 want to do that.

3 So, I'm saying that we will steer any
4 neighborhood or community into how to move ahead to work
5 together as a local entity to help each other stay
6 living in that community.

7 SENATOR MONTGOMERY: That's great. Thank
8 you.

9 ASSEMBLYMAN FARRELL: Any questions?

10 SENATOR KRUEGER: Thank you very much for
11 your testimony this afternoon.

12 Our next testifier will be Gladys Carrion,
13 Commissioner, New York State Office of Children and
14 Family Services.

15 Your testimony is thin. Thank you very
16 much.

17 MS. CARRION: Good afternoon. Thank you,
18 Chairwoman Krueger and Chairman Farrell and
19 distinguished members of the legislature for providing
20 me with this opportunity today to speak to you about the
21 Office of Children and Family Services' budget for
22 2010-11 and its impact on programs and services we
23 provide.

24 I have provided a detailed testimony for

1 your review, and in the interest of time I'm going to
2 summarize several significant points.

3 In the face of \$8.2 billion deficit and long
4 term structural challenges that 2011 executive budget
5 contains some very difficult choices for OCFS in each
6 and every program area.

7 Under Governor Paterson's leadership, the
8 proposed executive budget recommends statutory mandate
9 proposals for providers, and local government structure
10 budget changes, and the maximization of federal funds.

11 Let me briefly high light critical policy
12 from the issues. As you all are likely aware, I have
13 been championing a juvenile justice reform agenda since
14 my arrival at OCFS to transform our system from a
15 correctional to a therapeutic model. The type of use in
16 our system has put serious mental health and other
17 treatment complexities, has increased dramatically in
18 the past few years, and greatly challenges the existing
19 facility treatment program.

20 The Governor's juvenile justice task force,
21 chaired by President Jeremy Travis of John Jay College,
22 reviewed our residential and community based system and
23 recommended a series of reforms be undertaken.

24 In addition, after spending time visiting,

1 reviewing records, interviewing staff and use and
2 monitoring four selected facilities, the United States
3 Department of Justice issued a findings letter in August
4 of 2009 which mandates the state to reform and enhance
5 services for youngsters at state operated residential
6 facilities.

7 The letter requires swift and urgent actions
8 by the agency with regard to protection from harm,
9 provision of mental health services, independent
10 investigations and safety issues.

11 Based on the recommendations of the task
12 force, as well as what we believe will be necessary to
13 address issues related to the Department of Justice
14 investigation, coupled with a profound recognition of
15 the need to improve our care and treatment, the 2010-11
16 executive budget includes a critical investment of an
17 additional \$18.2 million in the system to include 169
18 new permanent positions for the juvenile justice
19 division. This includes funds for 13 community reentry
20 positions.

21 The agency is developing a multi-year
22 strategic plan to undertake significant improvement
23 efforts by adding resources to phase in a new
24 comprehensive, strength based treatment model entitled,

1 very creatively, the New York model.

2 The plan also boasts critical direct care
3 staffing and provides for the retraining of existing
4 staff and supports changes in the operation of our
5 residential system. All of this, of course, is subject
6 to DOJ approval.

7 In addition, the executive budget,
8 consistent with the juvenile justice task force
9 recommendations, continues the right sizing of
10 residential facilities to reduce unneeded capacity by
11 eliminating 180 beds and 251 permanent positions, the
12 reduction of Lansing Residential Center from 50 to 25
13 beds, the combination of Ansville and Taber residential
14 facilities into one 25 bed program, and the reduction of
15 Tryon Boys program will save more than \$14 million when
16 fully annualized in the 2011-2012 budget.

17 The staff at these three facilities will
18 have one full year to be placed in other OCFS positions,
19 or other state agencies. OCFS will continue to make
20 every effort to place all impacted staff in alternative
21 jobs and minimize the potential for layoffs.

22 We have done this in the past and we are
23 committed to doing it again. Even with the reduction of
24 these beds, the state youth residential program will be

1 approximately 75 percent of capacity and still retain
2 the ability to expand, if necessary.

3 Now, on the child welfare side, the proposed
4 budget provides a number of extremely important and
5 large resource commitments in the area of child welfare
6 services. Child welfare services financing will
7 continue to provide open ended entitlement funding to
8 support preventive and child protective services at the
9 reimbursement rate of 63.7 state share, projected to
10 total \$701.9 million, an increase of \$77.16 million.

11 This is a critical investment in making
12 essential services available provided by our local
13 Social Services districts and private non-for-profit
14 organizations.

15 Of course, the block grant was recommended
16 to remain at the \$436 million as it was last year. An
17 important new initiative in the executive budget is the
18 inclusion of legislation for a new kinship guardianship
19 assistance program. The funding for this program will
20 be supported by the foster care block grant.

21 Consistent with recently enacted federal
22 legislation, our proposal will provide a new permanency
23 option for children who have been in foster care with a
24 relative guardian. National Resource has demonstrated

1 that the implementation of new kinship guardianship
2 program option can yield cost savings and promote long
3 term family stability in contrast to out of home
4 placement.

5 In design of this legislation, we have
6 consulted with national experts. I look forward to
7 having a more complete conversation and discussion of
8 this important new option with you and your staff during
9 this upcoming legislative review process.

10 The executive budget recommends \$72.49
11 million, an increase of more than \$41 million, to
12 provide Medicaid services for the neediest children in
13 foster care. The Bridges to Health Program, which we
14 call BtoH, improves the foster care system's capacity to
15 meet the children's mental health, developmental and
16 medical needs in order to keep more children in family
17 based care rather than in higher level costly
18 institutional programs.

19 For 2010-11, the program would continue
20 expansion to its full operating level of 3,305 slots.
21 With your concurrence and ongoing support, we've made
22 serious progress in reforming connections. As a former
23 user, I know first hand its impact upon the front line
24 case worker.

1 I'm pleased to report that the Commission's
2 transformation has made major steps forward in the past
3 year. We have utilized the previously enacted bond
4 funding to begin replacement of aging hardware
5 infrastructure, and our business and technical teams
6 have implemented changes and continue to work on and
7 devise important improvements geared to enhance the case
8 worker performance. In a sentence, we're making it
9 simpler.

10 Turning to child care. Total funding to
11 support child care subsidies in quality and activities
12 has been recommended at last year's level of \$901.2
13 million. State support reflects an increase of \$1.8
14 million to offset a similar decrease in federal support.

15 Significantly, the executive budget lines
16 out support for child care TANF at last year's level
17 rather than including funding in the flexible fund for
18 family services. Last year, New York State received an
19 ARRA funding allocation which added more than \$48
20 million in quality activities and subsidies in each of
21 the two federal fiscal years and permitted the state to
22 stabilize funding to local Social Service districts.

23 We are currently working with the Governor's
24 DC office to support President Obama's recent call for

1 another increase in federal childcare funds. The
2 President proposed an additional \$1.6 billion in child
3 care funds effective October 1, 2011.

4 As you may remember, there's an executive
5 order authorizing union representation of home based
6 childcare providers in New York State. After
7 discussions with union representatives from UFT and CSEA
8 to implement the provisions in the executive order, we
9 are pleased to announce that an agreement has been
10 reached with each of these two unions.

11 The budget includes specific appropriations
12 on legislative support to support these agreements. The
13 budget also includes extremely difficult choices
14 regarding elimination of federal TANF funding from
15 various services and programs. The reductions are
16 necessary due to the increased use of TANF funds to
17 support the growth of the temporary assistance caseload.

18 In addition, there are another series of
19 recommendations for elimination or reduction. These
20 decisions were difficult, but necessary, in order to
21 preserve funding for our most essential core
22 obligations.

23 2010-11 executive budget also provides
24 increases for detention, youth services and targeted

1 prevention programs. The governor's executive budget
2 also proposes a series of mandate relief and technology
3 initiatives that would develop, with the input of local
4 Social Services districts, and represent many initiatives
5 to operate government more efficiently and effectively.

6 Included in the Article VII proposals are to
7 permit county planning activities to be better
8 synchronized and streamlined. Reform the current
9 process of court ordered investigation that impacts on
10 how local Social Services are able to prioritize
11 investigatory efforts.

12 It automizes the use of electronic benefits
13 for adoption and foster care payments directly;
14 therefore, reducing monthly mailing out of checks. And
15 provides authorization for courts to allow the use of
16 electronic testimony of youth, witnesses and respondents
17 in certain Family Court proceedings assuming Family
18 Court agreement, thereby reducing traveling costs.

19 In closing, I appreciate the opportunity to
20 speak with you today. The times are difficult. I
21 welcome, however, the opportunity to work with you and
22 your staff to discuss the specifics of the proposed
23 budget and mandate relief actions.

24 Working together, despite tough fiscal

1 times, we can make improvements on behalf of all
2 children, families and vulnerable adults.

3 Thank you.

4 SENATOR KRUEGER: Thank you.

5 First up for questioning is Senator
6 Montgomery.

7 SENATOR MONTGOMERY: Good afternoon,
8 Commissioner. Thank you for your testimony.

9 I want to ask a few questions and then I
10 know my colleagues have other questions, but I will just
11 get them started. And as you know, this has been a very
12 big issue for many of us, so, we are all excited to be
13 hearing from you.

14 Beginning with the issue that you raised in
15 terms of juvenile justice reform, I know that we are in
16 the middle of trying to respond to the report of the
17 task force which is ultimately a result, well, maybe
18 it's not a result of but it's part of DOJ, Department of
19 Justice investigation results.

20 So, I know you have begun to deal with that.
21 I am just wondering where are you now in terms of any
22 accomplishments related to moving in a different
23 direction on juvenile justice and responding to the DOJ
24 report?

1 MS. CARRION: As you know, Senator, as we
2 have been working closely on this issue, we started now
3 over two years ago to start to work to reform the
4 juvenile justice system. Introduced the sanctuary model
5 which, last time when I testified, we discussed the
6 sanctuary model, and introduces a more therapeutic
7 framework and approach to working with the young people
8 in our facility, and provides skills for our staff to
9 deal with the trauma that young people have experienced
10 before coming into our system.

11 We have worked to upgrade our educational
12 programs. We have worked to try very hard to increase
13 our mental health supports, to training, increase our
14 training for our staff. We have developed partnerships
15 with the Department of Labor to introduce career
16 training vocational programs, including a weatherization
17 certification program.

18 So, we are really down the road to really
19 transforming the system. As we were doing that, you
20 know, the Department of Justice initiated an
21 investigation. We are in the midst of negotiating a
22 settlement, and we have not yet completed that process.

23 We are hopeful that we will be able to
24 complete that process without having to -- for the

1 Department of Justice to result in a lawsuit, or taking
2 the system into receivership, which is possible, but the
3 negotiations have been positive.

4 We have developed a mental health behavioral
5 treatment plan program, which we are calling the New
6 York model, which has been reviewed by the Department of
7 Justice, which is going to be responsive to the concerns
8 that they identified.

9 The budget gives us additional relief in
10 hiring additional people. Those dollars are focused on
11 the four facilities. We are doing a total policy review
12 to be able to make changes on a policy level and will be
13 introducing legislation that will support the
14 recommendations of the task force and respond to the
15 concerns raised by the Department of Justice.

16 This is a very large system. It will take
17 time to be able to make the necessary changes to move
18 our system to more a therapeutic youth development based
19 model that really encompasses not only those young
20 people but the truly dangerous and need to be
21 incarcerated because they pose a risk to themselves or
22 their community.

23 Our front door, to date, has been pretty
24 expansive and so we've reduced, with the cooperation of

1 Family Court judges, as you know, who have the primary
2 responsibility of sending children into our system and
3 the very good work of local counties who have been
4 working to develop strategies to reduce the number of
5 young people going in to detention and placement, and
6 have reduced the number of young people coming into our
7 system.

8 SENATOR MONTGOMERY: Thank you. Now, you
9 talk about the additional \$18.2 million for staff, and
10 you are trying to -- or the movement is from a
11 correctional model to a therapeutic model, as you define
12 it.

13 So my question is: Of the 169 additional
14 staff, what does the \$18.2 million do toward the
15 retraining of this -- I guess a portion of the 169
16 and/or staffing that you already have in the facilities.

17 And I believe you also anticipate a
18 reduction in staff based on some of the closings. Will
19 you be retraining any of those people so that they are
20 even part of 169 new people or can they now be
21 reintegrated into the system with training so that they
22 function at a different level?

23 MS. CARRION: The funding does provide for
24 staff training, and we will be training all of our

1 staff. We will be training all of our staff and
2 certainly we have already developed different training
3 programs in our academy that addresses the new approach,
4 how we work with young people, introduces the concepts
5 of adolescent involvement and brain research and the
6 best evidence practices to really try to give our staff
7 the tools that they need to work with the young people.

8 It's a work in progress, and we need to
9 continue to do more of that. We will be training our
10 focus for facilities. We anticipate that many of the
11 people that will be impacted by the closings or mergers
12 or consolidation of our system in this round will be
13 able to be absorbed in other facilities or in other
14 state agencies.

15 We are hopeful. We have done that in the
16 past. We did that last year. We did that the year
17 before.

18 SENATOR MONTGOMERY: Is there anything that
19 we will need to look out for in relationship to how you
20 are able to actually move people from being just
21 frontline employees to another level to become perhaps
22 certified, because part of the DOJ report said that we
23 do not provide support treatment, substance abuse
24 treatment or mental health services, or any of the other

1 needs of those youngsters.

2 Can we move people sort of career wise so
3 that they are higher in skills as well as having perhaps
4 something that they can take with them if they should
5 leave the agency?

6 MS. CARRION: We will provide as much
7 training as we can to our staff to really upgrade their
8 skills. The specialized skill set that is necessary to
9 be able to have them and to help skills, behavioral
10 clinical skills that one needs for the work, many of the
11 young people have serious mental health disorders.

12 We have partnered with the Office of Mental
13 Health to help us do this, review our plan to provide
14 and assist us with the training and the development of
15 our plan, and also to provide staffing.

16 We are partnering with the Office of
17 Substance Abuse, who currently certifies our agency for
18 substance abuse programs to upgrade the kinds of
19 services that we are providing assume an additional
20 responsibility. I always like to say that it's not only
21 my responsibility, but the responsibility of many other
22 state agencies to help with their expertise and
23 resources, because these children are all our children
24 and we see them and we see them and their families in

1 our very different systems.

2 So, we really are endeavoring to do that.

3 SENATOR MONTGOMERY: I support that fully.
4 I ask the Commissioners of OMH, OMR to make sure that
5 they are working with you, and so we will be supporting
6 you on that.

7 Lastly, the area that I want to go into is
8 we have -- the Governor has proposed drastic cuts, and
9 as you downsize the system, that is the facilities part
10 of your system, it occurs to me that we still are going
11 to have needs for young people in their communities.

12 Yet, the Governor has not provided in this
13 budget funding for young people in their communities in
14 terms of alternatives to detention. We have seen
15 reductions in after school programs. All of those
16 programs where we catch young people before they have to
17 come to you.

18 You are still responsible for them, but at
19 least they don't have to come to you so we have to spend
20 \$200,000 a person for them.

21 My question is: How do we expect -- how do
22 you expect for us to be able to make sure we have
23 adequate programming in those communities to keep those
24 young people from going into your facilities?

1 MS. CARRION: Senator, I agree with you on
2 the focus that is necessary to really enhance community
3 services and build capacity in local communities to
4 address the needs of children and families. We are
5 challenged this year in order to be able to do that with
6 the severe fiscal crisis that the state is undergoing.
7 I think this was a very difficult decision for the
8 Governor to make.

9 What we have been trying to do is really try
10 to align the resources that we do have to really ensure
11 that our systems are working, our programs that we are
12 funding are working with these populations. Really
13 meeting with all the stakeholders and the community
14 organizations, to really urge them and encourage them to
15 work with the young people that are court involved, that
16 are involved in juvenile justice, that are at risk of
17 coming into juvenile justice, and open their programs,
18 to use their existing funds to be able to address this
19 population.

20 I have worked, as you know, very hard to try
21 to get the philanthropic community, and I know that
22 that's not -- that will never replace government, but we
23 need to get them to invest more in serving the needs of
24 our most vulnerable young people in our communities that

1 are under resourced.

2 I am very hopeful that moving forward we
3 will be able, as the economy gets better and improves,
4 that we would be able to focus some of the resources at
5 the front end and into the communities.

6 Last year, the legislature gave us \$5
7 million for alternatives. We currently have an RFP out
8 and it's those kinds of programs that are really
9 important to be able to fund.

10 On my child welfare side we are doing a much
11 greater effort to really align those two systems, open
12 up those funding streams for preventive services. We
13 are working very closely with the counties to help them
14 to do that.

15 So, while we understand that there is a
16 great need, we have to balance it with the resources
17 that the state has currently.

18 SENATOR MONTGOMERY: Well, Commissioner, I
19 understand the difficulty, but I must tell you that I
20 was in shock when I saw that all of the TANF funding
21 that we had been able to add to your budget expressly
22 for, and especially for, the community based services
23 for young people in the area of jobs, and in the area of
24 after school, and many different other important support

1 programs we now see are zeroed out.

2 And it's really difficult for us to accept
3 the idea that your budget is the same as some other
4 budgets. I don't mean to demean any other part of our
5 budget, but certainly your young people, your children,
6 that's our future. That's the future of New York State,
7 so we cannot afford to abandon them because the adults
8 in this state have mismanaged in wherever and whatever
9 ways, but the young people should not pay for it.

10 As I said, we are anxious to work with you.
11 I am certainly comitted to helping in any way that we
12 can with turning around the juvenile justice system.
13 When I say turn it around, I mean I also want to go to
14 reform it from the front end as well as from the back
15 end.

16 So, I thank you. There are many, many other
17 questions. I know you have so many areas of interest to
18 me, but my colleagues, I would like to give some time
19 for others to ask questions.

20 Thank you, Commissioner.

21 MS. CARRION: Thank you for your continued
22 support.

23 SENATOR KRUEGER: Keith Wright, the Chair of
24 Children and Family Services.

1 ASSEMBLYMAN WRIGHT: In deference and in
2 representing the Chair of Children and Families in the
3 New York Assembly, William Scarborough, who is not with
4 us here this afternoon, I just want to say Senator
5 Montgomery actually asked all of our questions.

6 So, with that, thank you for your testimony.

7 SENATOR KRUEGER: Susan John raised her
8 hand.

9 ASSEMBLYWOMAN JOHN: Thank you, Senator
10 Krueger.

11 Commissioner, with regard to the OCFS
12 facilities, which you gave compelling testimony about,
13 and I thank you for that, which you also submitted in
14 your written testimony. One component of this has also
15 been the workplace injuries that have played a role
16 there.

17 And earlier today, the Governor's Office of
18 Employment Relations was describing some pilot programs
19 that were being implemented in some other agencies in an
20 effort to try to reduce injuries.

21 Has a pilot been initiated at OCFS
22 facilities?

23 MS. CARRION: Not yet. We will. As we
24 work, part of our training will be focused on reducing

1 the use of restraints, which is a primary cause for
2 injuries both to young people and staff. Way, way too
3 many restraints.

4 And as the Department of Justice found
5 inappropriate use of the restraints and excessive
6 violence in our facilities. So, that will be a primary
7 focus of the work that we will be engaging in as we move
8 forward.

9 ASSEMBLYWOMAN JOHN: Certainly, we are very
10 concerned about the safety of both the young people and
11 the individuals who work in those facilities and we will
12 look forward to hearing additional reports from the
13 department as that proceeds.

14 In the area of childcare, your testimony
15 identifies that the Governor did a carve out from the
16 flexible fund this year for childcare. We thank you and
17 the Governor for that because childcare is a priority,
18 as you know, to the Assembly.

19 I am concerned, however, that with the
20 market rate adjustment that various communities will be
21 providing, as we want them to in compliance with the
22 law, and with other changes that have happened from last
23 year, the fact being that more counties may have spent
24 all of the childcare money they were allocated. That in

1 fact, there is not really going to be an adequate amount
2 of childcare funding to meet all the families that
3 receive subsidies in the 2009-2010 fiscal year.

4 Can you comment on that?

5 MS. CARRION: You are absolutely right.

6 There is a structural deficit in childcare.

7 And what I think will save us this year is the
8 President's proposal to increase by \$1.6 billion an
9 allocation for childcare. That would mean about \$50
10 million for New York State.

11 I think that we -- I think that we are going
12 to have -- at some point reckon that reality that we
13 have and that there is that structural deficit moving
14 forward. In the past we have relied on one shot deals
15 to address that, and I think moving forward, as our
16 fiscal situation seems to worsen, we really need to take
17 a very close look at what is it that we can do long term
18 to really deal with that.

19 Especially as the temporary assistance rolls
20 continue, the counties are just going to see more and
21 more pressure and you're going to see that childcare
22 will be available for a number of mandated, and that
23 will reduce the number of slots. And so we really do
24 need to engage in a larger conversation as to what's a

1 possible solution.

2 In part, and I don't mean that as a mandate,
3 but as a state we have tried very hard to step up. The
4 federal government needs to really -- we need to look to
5 the federal government, we need to have some relief, and
6 we need to have additional funding. But for the ARRA
7 funding, our money has been declining from the feds for
8 a number of years. So, I think we have to make a great
9 concerted effort to go to the federal government and
10 really get our fair share.

11 ASSEMBLYWOMAN JOHN: I assure you that I
12 share that view and have talked to our Congressional
13 representatives and asked my friends in organized labor
14 to join us in pressuring Washington to try to adjust the
15 amount for childcare and also the amount in TANF in
16 general, because I fear that there's some risk from the
17 change in public assistance case load about the amount
18 of TANF money that may be available in general.

19 Just one more item, Commissioner. Is the
20 department actively working with the State Education
21 Department on any kind of wrap around programs for out
22 of school time for children, or is that an issue that
23 really stays only in the State Education Department?

24 MS. CARRION: We have the Advantage Program

1 and they have the 21st Century program, and our
2 department programs work collaboratively together to
3 leverage those dollars and I think my staff will say
4 that's a good relationship that we have.

5 We have a new commissioner. I think that --
6 I have met with the new commissioner because there are
7 quite a number of issues that we need to work
8 collaboratively together. We need to have a more
9 integrated, both in our early learning system in New
10 York, but also how we deal with out of school time as a
11 state to have a coordinated and coherent system.

12 We have -- in fact, Senator Montgomery has
13 brokered a meeting with the new commissioner to discuss
14 a number of the issues, not only juvenile justice. So,
15 I think I am hopeful that with a new commissioner and a
16 new senior staff that we will have more cooperation and
17 collaboration.

18 In the past, quite frankly, it has been very
19 difficult to collaborate with the Department of
20 Education. They have not been, my opinion, great
21 partners, and I have tried very hard to get them to
22 engage with us because we have really shared
23 responsibilities.

24 I am hopeful that the new commissioner --

1 and I think he has a different perspective on that.

2 ASSEMBLYWOMAN JOHN: I believe that my
3 colleagues who are here with me today share my view that
4 this collaboration could be a part of the prevention
5 program that we need to try to continue to reduce the
6 number of young people who get referred to either the
7 secured facilities or the residential facilities that
8 your department needs to operate, but we would all
9 rather see our children someplace else.

10 And particularly, the children in the 13- to
11 18-year-old age group, who we have spent a lot of
12 educational money on in recent years. So, I would urge
13 you to keep your olive branch out and to work with the
14 State Education Department and I would be happy to help
15 you in any way that I could to assist.

16 Thank you.

17 SENATOR KRUEGER: Thank you.

18 Senator Daniel Squadron, our Chair of Social
19 Services.

20 SENATOR SQUADRON: Thank you very much.

21 Good to be here.

22 So, just want to ask you three quick
23 questions. First is: Looking at the sort of different
24 TANF programs that are proposed to be zeroed out, I

1 think certainly you don't want to zero out any programs.

2 Take me through a little bit of the thinking
3 on which ones got zeroed out, really OCFS programs, and
4 why.

5 MS. CARRION: All of the programs that were
6 supported with TANF dollars were zeroed out.

7 SENATOR SQUADRON: Across the board?

8 MS. CARRION: Across the board.

9 SENATOR SQUADRON: Was that a decision from
10 OCFS not to use TANF surplus? From the OCFS position,
11 obviously you prefer to have some TANF dollars to fund
12 some of the programs that have been funded certainly
13 through this agency in the past.

14 MS. CARRION: I think that our focus, as we
15 looked at how we could deal with the challenges in the
16 budget, was really to preserve what our core function,
17 to support our core functions, child welfare financing.

18 These are very, very difficult choices and
19 really driven by the fact that we needed additional
20 money to support the increase in the case load, in the
21 TANF case load. And that's where the priority and
22 that's where the money went.

23 SENATOR SQUADRON: I know it's hard to
24 choose among children. I am sure you in these programs

1 feel that way. Which of the programs would you say most
2 concern you?

3 MS. CARRION: As you said, it's very
4 difficult. All of these programs are really critical
5 programs that support communities and their children and
6 families. You have a program like home visiting, that
7 is evidence based program that we have evaluations that
8 support it, which is really a critical preventive
9 program that we all value.

10 And so there has been a reduction there.
11 There hasn't been an elimination. After school programs
12 are critical. I'll put in a pitch for OTDA, the summer
13 youth programs are important. All of these programs are
14 important.

15 But, as the Governor has said, this is a
16 budget not of choice but of necessity and you have to
17 make some really difficult choices.

18 SENATOR SQUADRON: I am glad. Home visiting
19 programs are near and dear to my heart. The reduction
20 in home visiting, please take me through which of the
21 programs have been funded -- Healthy Family is the
22 lion's share -- have been funded in previous years.
23 Were they funded at a lesser level or will certain
24 programs no longer be funded?

1 MS. CARRION: We had a prior deficit
2 reduction peg that we had to meet, so that had an impact
3 on the home visiting programs. As we implemented that
4 what we did -- as you know, these are proposed cuts. We
5 will not implement yet until the budget is finalized,
6 but the way we have done it in the past is pass -- what
7 we did is look at our entire set of programs and look at
8 their performance.

9 And then we actually try to avoid across the
10 board cuts where possible because that just really
11 debilitates all of the programs, and we focus on those
12 programs that were poor performers, and so we eliminated
13 I think it was two programs. One program that was a
14 poor performer, and then we did some cuts on the other
15 programs. So we looked at performance when we
16 instituted those cuts.

17 The city's program is funded through our
18 COPS program, COPS, which is our community optional
19 child welfare funding stream, that is a separate funding
20 stream and that's where that program has been funded.

21 There would be some slight decrease in the
22 fact we think that every program that is currently
23 funded will be able to be funded with the current
24 allocation we have received. We think that, because

1 some counties made some -- when they weren't certain
2 that this money would be reauthorized, made some cuts
3 themselves and eliminated some programs that made up
4 some dollars.

5 So, we don't think that the City home
6 visiting program will be impacted by this small
7 reduction in our COPS funding.

8 SENATOR SQUADRON: The \$3 million cut or
9 nearly \$3 million will not affect the City's funds?

10 MS. CARRION: We don't think so.

11 SENATOR SQUADRON: And can you just take me
12 through -- can you describe a little bit what the impact
13 of the RP, visiting, what would be the impacts sort of
14 on the ground?

15 MS. CARRION: It's huge. \$6 million.

16 About 25 percent. So, we would have to take
17 a close look at these programs. We don't know. As I
18 told you in the past, we look at performance, but
19 25 percent is a large cut. We will have to eliminate
20 some programs across the State of New York and look at
21 those programs very carefully.

22 SENATOR SQUADRON: The deficit reduction, I
23 thought I heard you say you sort of did that on
24 performance based metric and you have actually already

1 eliminated one low performing program.

2 MS. CARRION: Yes. Brooklyn.

3 SENATOR SQUADRON: So you would be cutting
4 to the bone here.

5 MS. CARRION: Yes.

6 SENATOR SQUADRON: Thank you.

7 I also -- obviously some of these programs
8 are a mixture of funding and you are saying we will
9 continue. Neither after school nor summer youth
10 employment will be funded, right?

11 MS. CARRION: Summer youth employment is
12 funded under OTDA. Advantage After School, yes.

13 The Advantage After School Program will be
14 substantially reduced and we still have \$17 million in
15 that program. What we are thinking is once it is
16 finalized is we will eliminate -- there is a round. We
17 have a number of rounds in terms of funding, and there's
18 one that actually expires this year and we would not
19 issue an RFP. So, those programs that would be up for a
20 new competitive proposal process we would issue that
21 RFP.

22 SENATOR SQUADRON: How many programs is
23 that?

24 MS. CARRION: \$5 million worth. We still

1 have to make some cuts, but I could find out the number.
2 I don't know the exact number of what that -- how many
3 programs that was.

4 Janice, do you know? We will get back for
5 you.

6 SENATOR SQUADRON: Thank you very much.

7 Then just finally, you know, we have been
8 working together all year on this, obviously a large
9 part of the reason we were able to offset a lot of cuts
10 last year or prevent a lot of cuts was this TANF
11 emergency contingency fund, which the funding, the
12 ability to use it will expire the end of September.

13 How are you doing on getting those dollars
14 out the door? And what's the timeline to get them out
15 the door? Any of the ones that we see in the proposed
16 budget, sort of what's the plan to make sure that we
17 don't end up having that money not get out in time.

18 MS. CARRION: We are close to announcing the
19 grants. In fact, a list was on my desk for my review.
20 We are a little challenged in that we look at -- share
21 with you, we might need some legislation that better
22 defines what is a settlement house. We had a quite a
23 few agencies apply who really might or might not be
24 settlement houses. So, we want to make sure that we are

1 funding only settlement houses.

2 So, we will be issuing -- announcing the
3 grantees very shortly, very shortly in the next week or
4 so, and we are hopeful and committed to having those
5 contracts up and finalized in June.

6 SENATOR SQUADRON: Are there other agency
7 programs funded with those dollars that are not yet out
8 the door? I'm generally asking the status of things.
9 What's the status of getting that money out the door?

10 MS. CARRION: We are working really hard to
11 do that, to get all our dollars out. We want to make
12 sure that money that has been appropriated gets
13 released.

14 We have an RFP out that the -- for community
15 investment for \$4 million, and those proposals are due
16 in a couple of weeks. And we will work very hard to
17 finalize those decisions, as soon as we are able to get
18 those proposals in and read them, and we are committed
19 to getting all the money out by June.

20 SENATOR SQUADRON: I would assume that's
21 also true for any money that gets allocated in this
22 year's budget.

23 MS. CARRION: Absolutely.

24 SENATOR SQUADRON: Also has to get out the

1 door by June. Is the agency capable of getting that
2 done?

3 MS. CARRION: We think so.

4 SENATOR SQUADRON: Excellent. Thank you
5 very much. Appreciate it.

6 ASSEMBLYMAN FARRELL: Thank you.

7 Next, Assemblyman Hayes.

8 ASSEMBLYMAN HAYES: Thank you, Mr. Chairman.

9 Thank you, Commissioner, for your testimony.

10 And I want to go back to the question that was asked by
11 my colleague Assemblywoman John about childcare block
12 grant.

13 I am from Erie County. I believe you know
14 the situation in Erie County that is going on right now.
15 The Buffalo News did a story about it the end of January
16 in which the County Department of Social Services
17 changed the eligibility for childcare subsidies,
18 dropping the amount for eligibility for families from
19 200 percent of the federal poverty level to 125 percent.

20 As a result, the county was able to drop 700
21 families from the roll of eligibility for the childcare
22 services. They pointed out something very interesting
23 to me. That is, something that maybe we can't blame
24 them and the frustration that they are feeling at the

1 local level based on a lack of funding.

2 They pointed out to me that they have
3 actually done a calculation that said by changing that
4 ratio, changing that eligibility formula, that may cause
5 some of the people to have to go on to welfare rolls,
6 but of course they looked at and experience similarly
7 what happened in Monroe County, in which Monroe County
8 did exactly the same thing. They dropped the
9 eligibility 125 percent of the federal poverty level and
10 then checked and found that just 90 days later only 12
11 families -- dropped to 566. Only 12 families had signed
12 up for the welfare rolls.

13 Even if they had a dramatic increase for
14 people on the welfare rolls, of course for every \$25
15 that the county spends, in general, New York State
16 government would pick up \$75 of that expense.

17 So, there is a tremendous incentive that's
18 now been built into counties in protecting their
19 taxpayers to go ahead and to run this formula to
20 diminish the number of slots available for poor families
21 and if they find their way to welfare rolls, that they
22 have to quit their job to take care of their families
23 and their children.

24 Then they are really not losing money in

1 that department, they are actually gaining. I think
2 that's an unintended consequence of what the childcare
3 program is supposed to be, but I think it's certainly
4 understandable, given the pressure that taxpayers are
5 feeling at the local level, for many of these programs.

6 I think also they looked at the Medicaid
7 program and said, this will cause many people to also
8 have to sign up for Medicaid, but again, because of the
9 cap that's in place, the 3.5 percent cap on the
10 counties' growth of the Medicaid program, and they are
11 still going to save. They are still going to have to
12 expend less money of taxpayers -- tax support for these
13 programs.

14 What specifically are you looking at with
15 regard to Erie County doing this, Monroe County having
16 done this, in terms of coming up with a way to have a
17 more creative solution to get the money to the county
18 providers who need to provide those childcare services?

19 Are you and the Governor coming up with new
20 and more creative ways to address this? Because a
21 comment was made in the Buffalo News and in Erie County
22 by the Deputy Director of Social Services that these are
23 just two upstate counties that have done it. It will
24 only be a matter of time before the word gets out and

1 spreads to other counties that this an opportunity for
2 them to kind of level the playing field.

3 What are your thoughts?

4 MS. CARRION: I think it's unfortunate. I
5 agree with you it's poor public policy.

6 I think that we're challenged by the
7 situation in Erie County where we are doing a program
8 review. We were not happy with the fact that they
9 didn't consult with us and seek our technical assistance
10 and help in helping them or give us notice that they
11 were doing that in terms of lowering the eligibility
12 limits.

13 I think that, first and foremost, we needed
14 to show dollars. And my response to trying to get
15 additional dollars for federal government still stands,
16 and I think that's where we need to look, quite frankly.

17 We are doing a program review in Erie
18 County. We have some real concerns about the management
19 of the program there and whether or not they are
20 actually paying market rate, and there's some challenges
21 there that we want to look at.

22 We want to make sure that they are complying
23 with the regulations and they are not jeopardizing our
24 federal dollars and our ability to get federal dollars

1 because Erie County is not in compliance.

2 So, we are looking at the situation very
3 closely in doing our program review and we certainly
4 will share what we find with you. And work with you. I
5 don't think there is an easy solution. And once again,
6 I think we need to have a larger conversation about
7 childcare and how we fund it and what our priorities
8 are.

9 And we are limited in terms of our oversight
10 role. I have committed to exercising that oversight
11 role and working -- we have worked very collaboratively
12 with communities, counties across the state to try to
13 help them address shortfalls and help them design their
14 programs and look at what the priority populations are
15 and how they are administering the program and how there
16 could be some cost savings.

17 Some counties have availed themselves of
18 that and others haven't, to very unfortunate
19 consequences. It's easy to blame the state, but it's
20 not always the state agency that's at fault here.

21 I said this to Erie, we are not interested
22 in looking for fault. We are trying to make sure that
23 Erie County knows how to maximize its resources and it's
24 running a program that's going to benefit its residents.

1 So, we are committed to working with them.

2 ASSEMBLYMAN HAYES: I appreciate your
3 commitment to do that, and one of the things that they
4 point out, and I'm curious to know what the status is
5 officially, there was a regulation up until I think some
6 short time ago where it was a requirement in filing for
7 childcare subsidies through the Department of Social
8 Services that if you were a single parent you had to
9 sign that you had made an attempt to get child support
10 from the non-custodial parent.

11 That rule has been dropped; is that correct?

12 MS. CARRION: There was legislation passed
13 last session that actually did away with that
14 regulation, and it was something that I was actually
15 very supportive of, quite frankly. When we were doing
16 the research and we worked cooperatively with OTDA that
17 provision did not generate any significant revenues for
18 counties at all.

19 Counties have been using that, in part, I
20 think, for more of a fraud control. I had beefed up our
21 fraud control and training and oversight and helping
22 counties to assure that they are able to beat out fraud,
23 but it was not a revenue generator. And I think that
24 relying on that is a false -- really false premise to

1 raise that as somehow having -- contributing to the fact
2 that they have less revenue. It is not a revenue
3 generator for counties across the state.

4 ASSEMBLYMAN HAYES: Certainly not a revenue
5 generator for the counties, but certainly when it comes
6 to the child, the best interest of the child in terms of
7 availing families of support for children.

8 Was there a study done?

9 MS. CARRION: Yes. We actually looked at
10 child support to see did it generate the child support
11 and it didn't.

12 ASSEMBLYMAN HAYES: Why were you in favor of
13 it and not in favor of dropping it?

14 MS. CARRION: I was in favor of dropping it.
15 I was in favor of dropping that, absolutely.

16 I think many instances forcing usually a
17 single parent to go into court to get a contribution for
18 child support could jeopardize the safety of that family
19 even though we have an exception for domestic violence.

20 I think when you talk to counties, county by
21 county, they will tell you that this was a way to assure
22 that the father would be involved in the family. I
23 think that there are other ways that are more positive
24 to engage fathers in the life of a child.

1 Many of these parents had cooperative
2 agreements for child support already and when you have
3 the cooperative agreement you still force them to go
4 into court. Many of the courts are overburdened.

5 We didn't think it was good public policy to
6 require women to go into Family Court to compel a child
7 support order before they could get a subsidy for
8 childcare. We are penalizing a child.

9 ASSEMBLYMAN HAYES: Isn't there a whole --
10 there is a whole layer of laws in this state that have
11 been set up over the years requiring the payment of
12 child support, including the suspension of professional
13 license for non-compliance and non-payment, driver's
14 license suspensions.

15 I mean there's all kinds of layers but --

16 MS. CARRION: We encourage it. We actually
17 encourage to go into court. We developed brochures and
18 we feel that it's better to use education to educate the
19 women primarily. It's women. To educate them and to do
20 it in a positive way that doesn't put their families at
21 risk and it's not coercive.

22 That was really our approach to it. But in
23 terms of it being revenue generating for families,
24 that's not been our experience when we looked at the

1 numbers.

2 ASSEMBLYMAN HAYES: Do you have some data?
3 I would be very interested in looking at that. It's an
4 area of interest of mine.

5 MS. CARRION: Absolutely.

6 ASSEMBLYMAN HAYES: Certainly I appreciate
7 your efforts to work with Erie County in moving forward
8 because I think it is a very frustrating situation both
9 for counties, certainly for the families who have been
10 dropped from the rolls, and now without childcare
11 assistance.

12 And I don't think that's the way the system
13 was designed to work. It should work better because of
14 the amounts of money that are being spent on it.

15 So, I welcome your help and leadership in
16 that area. Thank you.

17 ASSEMBLYMAN FARRELL: Assemblyman Butler.

18 ASSEMBLYMAN BUTLER: Thank you very much.

19 Good afternoon, Commissioner, welcome.

20 Thank you for your comments.

21 Let me say at the outset when I look at your
22 budget proposals I see my region of the state budget
23 costs my community 170 jobs in order to create 169
24 elsewhere. That's not a cost saving. That's a cost

1 shifting.

2 I have to say I think with your plans for
3 the realignment, the brunt of this is falling on Tryon
4 and Johnstown, and not only dollars and cents, I have
5 concerns about the whole issue and the whole plan you
6 are putting forth.

7 I want to begin with a couple of questions.
8 And Senator Montgomery raised the issue about the 170
9 employees for Tryon that could potentially lose their
10 jobs. Do they have an opportunity, do they have the
11 basic skills as JDAs to try and apply for one of these
12 169 conditional jobs?

13 MS. CARRION: From my point of view, yes,
14 because this is based on seniority. It's not based on
15 skill set. So, it's based on the Civil Service rules
16 and we will do the hiring based on seniority. So, they
17 have the opportunity to be part of the pool, absolutely.

18 ASSEMBLYMAN BUTLER: Can you explain a
19 little bit how that entire process will go? And
20 ultimately I'm very curious about where these 169 jobs
21 will be physically located at the end of the process.

22 MS. CARRION: Well, actually, it will be in
23 the facilities -- the vast majority of them will be in
24 the three facilities that will remain. We will be

1 closing Tryon. This money is limited to implement a
2 remediation plan that we will develop with the
3 Department of Justice.

4 So, it will be -- it shows you the need for
5 additional resources that is limited to the facilities
6 that are under scrutiny by the Department of Justice.
7 Tryon, we have a 12-month notice provision that allows
8 us to 12 months that gives the unions notice as required
9 under the statute. That will give us the opportunity to
10 be able to work with the staff and work through the
11 Civil Service rules and the notice provision and
12 seniority and all of those steps that are required to be
13 taken. You post the jobs that are available. All of
14 those things happen.

15 63 percent -- 63 of the jobs, of 169 jobs,
16 will be for Tryon Girls. Tryon Girls will continue to
17 operate on that campus.

18 ASSEMBLYMAN BUTLER: So, it will be 63
19 additional jobs for Tryon Girls.

20 MS. CARRION: 63 additional jobs at Tryon
21 Girls.

22 ASSEMBLYMAN BUTLER: In your financial
23 calculations, I know at Tryon they are in the midst of
24 an infrastructure project, about an \$8 and a half

1 million project. That will essentially be, I presume, a
2 loss of revenue. Is that calculated in your budgetary
3 calculations when we talk about cost savings?

4 MS. CARRION: We are keeping the campus
5 open. The campus is not being closed. We are going to
6 have Tryon Girls there and there might be a potential
7 for the other use for other part of the campus.

8 Assemblyman Butler, this is, as you know,
9 this is not about keeping facilities open. This is
10 about trying to create a system that works better for
11 young people.

12 ASSEMBLYMAN BUTLER: I certainly understand
13 that, Commissioner.

14 There was a magazine article a couple weeks
15 ago in New York Magazine that I wanted to touch on
16 because some of the issues that it raised I felt were
17 very pertinent to what we are going to be discussing
18 here today.

19 And I remember one section of it talked
20 about the mental health person that came to visit the
21 campus only came once every two weeks. The question
22 that raised in my mind is why did it take an
23 investigation by the office of the Justice Department to
24 make us realize that these children need mental health

1 services, they need drug rehab.

2 Why wasn't this done before is my question.

3 MS. CARRION: I have been trying to do it.
4 I have been trying to do it from the day I became
5 commissioner. You know, we have been working really
6 hard. The first year that I became commissioner in the
7 budget process we were able to add over 187 positions,
8 and I think 34 of them were for mental health supports.

9 The challenge -- so, there was a
10 recognition. The Department of Justice didn't tell me
11 anything I didn't know.

12 ASSEMBLYMAN BUTLER: Were any of those at
13 Tryon where --

14 MS. CARRION: Absolutely. We have a
15 specialized unit in Tryon for mental health. The
16 challenge we have is keeping these positions filled.
17 The turnover is really very high.

18 ASSEMBLYMAN BUTLER: Any speculation on why
19 that is, why the turnover is so high?

20 MS. CARRION: It's a very difficult job. We
21 all recognize that it's a very difficult job.

22 ASSEMBLYMAN BUTLER: As late as August of
23 '08 OCSF was quoted in one of the local newspapers as
24 saying there were no plans to close Tryon. I guess I

1 just have to ask if you feel this community was dealt
2 with fairly, because what appeared to me was that almost
3 simultaneously you were formulating this plan that would
4 ultimately close the Tryon facility.

5 You told us that the number of residents in
6 Tryon was being drawn down so that there could be
7 retraining of the staff there for this new therapeutic
8 model, sanctuary model that you are talking about. And
9 now you justify the closure by saying the census is low,
10 the population is low.

11 I just wondered if that is, again, dealing
12 fairly with the community. I think you are playing with
13 the numbers there and I don't think it was done
14 properly.

15 MS. CARRION: In all candor, Assemblyman
16 Butler, my priorities are not the local communities
17 where my facilities are sited. It is the children in
18 those facilities. Tryon has been a problem for many,
19 many years before I got here. We have spoken about
20 this.

21 ASSEMBLYMAN BUTLER: Yes, we have.

22 MS. CARRION: Tryon staff last year were
23 complaining that they felt unsafe, the number of
24 restraints and the number of restraints continue to be

1 much, much high, that those number of restraints were
2 out of control and this is before the Department of
3 Justice came in. Third party, I had nothing to do with
4 that investigation.

5 What we did was we closed it down and did
6 six weeks of training, and we worked -- we provided a
7 training program that staff was involved in developing
8 themselves. Quite frankly, the training didn't take.
9 You know, we continue to have high number of restraints,
10 continue to have excessive violence there, both.

11 ASSEMBLYMAN BUTLER: Even with the lower
12 inmate census?

13 MS. CARRION: Even with the lower census.
14 Even with the lower census. We only have 37 children
15 now, 37 boys in Tryon. We have a staff of close to 150
16 at Tryon. Great staffing ratio and we continue to have
17 the problems that we have.

18 You know, I think in -- just tell you in a
19 shortcut. I need to cut my losses, and I need to
20 protect the children that I have responsibility with,
21 and I need to protect the staff that we employ.

22 Quite frankly, and I said this many a time,
23 I will not continue to export children from New York
24 City to send them upstate. I'm not doing that. They

1 need to be closer to home. They need -- we need to be
2 able to provide for them -- services for them and their
3 families.

4 And I don't believe, and I think the
5 research and the national trend supports my programmatic
6 focus and philosophy. If the children were coming from
7 that community I would keep that facility open. That's
8 not the case.

9 I am not incarcerating children from Fulton
10 County. They are from New York City. I'm not going to
11 send children from New York City up there. Plus, I have
12 excess capacity. It costs \$210,000 annually to house a
13 child there.

14 I don't think that's wise public policy. By
15 the way, my outcomes are terrible. I need to do
16 something different.

17 I share, I understand these are economic
18 engines in local communities.

19 ASSEMBLYMAN BUTLER: That aside, I
20 understand that's not your prime concern, but my concern
21 is that we are rushing into this program very quickly
22 without, I don't think, an adequate review of what you
23 are proposing.

24 This is a radical change in the way the

1 system has been operating. There's no doubt in my mind,
2 and I don't think in anybody's mind, that there are some
3 serious problems in the juvenile justice system. I just
4 think it's a little bit unfair that somehow the Tryon
5 facility has become the lightning rod for many of these
6 criticisms.

7 And that this New York Magazine I'm talking
8 about, and I presume that it was done with your
9 concurrence or your department's concurrence, I think it
10 was a terrible -- it slandered the whole community and
11 slandered the workers that were there. It was a
12 terrible piece of journalism. Nowhere in that article,
13 Commissioner, did I see anybody defending the men and
14 women who you admit do a very difficult job each and
15 every day.

16 It was all about the deficiencies there and
17 the problems. That can wear on your staff, too.

18 MS. CARRION: I agree. Well, let me share
19 with you I have closed 14 facilities so I think I am not
20 picking on anybody. I'm picking on everybody.

21 I have given access to the media to all of
22 our facilities. I am committed to transparency and
23 having an open system and believe in sunlight and
24 sunshine and we have been doing that in the past. Those

1 facilities were closed.

2 I don't control the media. We tried very
3 hard to give her as much information to balance that.
4 She went there, made her own observations, and wrote the
5 article. I don't control the press and there's always a
6 risk when you allow them to come in, but I think the
7 pluses of having an open system outweigh the risks.

8 I understand, I think that there are some
9 good employees there and unfortunately when things like
10 this happen everybody gets broad brushed stroke and
11 everybody gets stigmatized. That certainly is not our
12 intent. That system, that facility is not working and
13 has not worked for a number of years.

14 ASSEMBLYMAN BUTLER: I don't know,
15 Commissioner, if you had the opportunity to talk to any
16 of the staff there. There's certainly some questions
17 about how the training, whether there was a true
18 commitment to retraining the staff there.

19 I will say I was struck that this article,
20 this damning article came out almost simultaneously with
21 the budget announcement and the letter going to these
22 employees. It was a tremendous coincidence that all of
23 these things all happened at once and I see that quite
24 possibly as a justification for what you are planning in

1 this closure.

2 But that's policy. But I guess my true
3 question, my true complaint, my true concern is: These
4 decisions on staffing and policy, all of those things,
5 are made at a higher level. We have seen Toyota and the
6 problems they have.

7 You don't see the executives from Toyota
8 coming out and saying we know we have got a problem but
9 the guy that puts the fenders on the back, it's his
10 fault, not ours. They take the blame. They tried to
11 come up with a plan to change it.

12 I just think that the systematic criticism
13 of the Tryon facility and the staff there has been
14 unfair and undue and really take some real exception to
15 it and I think they are being used to justify this
16 program.

17 And I would just say one final thing, and
18 I'll back away and I wondered if you would address
19 yourself to this. Danny Donohue from the CSEA was
20 reacting to this article in the New York Magazine as
21 well, wrote a letter to the publisher and said in the
22 letter that Commissioner Carrion has shown complete
23 disregard for the safety of her staff. She refuses to
24 listen to the concerns of the CSEA community members,

1 law enforcement officials, and youth facility staff.
2 This kind of leadership is undermining OCFS by putting
3 staff, client and communities at risk.

4 Do you have any reaction to that?

5 MS. CARRION: Absolutely none.

6 ASSEMBLYMAN BUTLER: Thank you very much.

7 SENATOR KRUEGER: Thank you.

8 I would just pose two questions quickly.

9 One, I think that your responsibilities your
10 department have are probably the toughest in the state
11 working with child welfare, with children who may not
12 have their families, are in very severe trouble and I
13 just want to go on record as saying, I think you have
14 been doing a wonderful job of trying to improve a very,
15 very difficult system. It's not working yet, I think we
16 might all agree, I think you would agree, but it did
17 need significant change.

18 And I just, again, want to go on record as
19 saying, thank you for continuing to push to change that
20 system, to try to reunite children with their families
21 or keep them with or near their families when you can.

22 And to echo something you just said, which I
23 heard the prison commissioner say the other day. He
24 pointed out -- that is the DOCs Commissioner -- he was

1 not in the economic development business, and I would
2 agree that child welfare is not in the economic
3 development business.

4 We need to do better in economic development
5 in the state but I guess I'm not sure that that's your
6 job description.

7 Just two quick questions, and if you want to
8 get back to me because I know my colleagues are all
9 going to glare at me to open up new territory.

10 You have a proposal for a new kind of
11 guardianship assistance program. I am familiar with
12 kinship foster care, which we have had successfully in
13 New York City for a long time.

14 What are we proposing in the state budget?

15 MS. CARRION: It actually is a subsidized
16 guardianship.

17 SENATOR KRUEGER: We have what funding
18 stream?

19 MS. CARRION: Foster care block grant, and
20 federal dollars.

21 SENATOR KRUEGER: We would be drawing in
22 additional federal dollars?

23 MS. CARRION: Yes.

24 SENATOR KRUEGER: And hopefully being able

1 to keep children with some family members.

2 MS. CARRION: Yes.

3 SENATOR KRUEGER: In their communities.

4 How many children are currently in kinship
5 foster care models throughout the state?

6 MS. CARRION: About 5,000.

7 SENATOR KRUEGER: What other new federal
8 money might we be hoping to see to move into child
9 welfare in the next year?

10 MS. CARRION: As part of the ARRA monies,
11 the stimulus money, the President did increase the Title
12 40 reimbursement by 6.2 percent. We think that that is
13 going to be renewed again. That could be about \$50-,
14 \$60 million additional dollars for New York State. And
15 so we are hopeful that that will come to pass.

16 SENATOR KRUEGER: Again, the time is late so
17 I am going to hold the rest of my questions.

18 And no other Assembly questions?

19 Thank you very much for testifying today.

20 And our next testifier is the Office of
21 Temporary and Disability Assistance, I believe today
22 represented by Elizabeth Berlin, Executive Deputy
23 Commissioner.

24 Good afternoon.

1 MS. BERLIN: Good afternoon, Chairman
2 Farrell, Chairwoman Krueger, Chairman Wright, Chairman
3 Squadron, and members of the joint fiscal committee.

4 Thank you for this opportunity to appear
5 before you and testify on the Office of Temporary and
6 Disability Assistance Executive Budget.

7 I plan to briefly mention some ways in which
8 OTDA has been able to respond to the challenges facing
9 our state's most vulnerable residents, and then I will
10 discuss the most significant elements of OTDA's
11 executive budget.

12 Our written testimony, of course, provides a
13 level of detail that I will allow you to read at your
14 leisure.

15 As we are all well aware, both our nation
16 and New York State are facing an ongoing, devastating
17 economic downturn that has left many families dealing
18 with job losses or reductions in hours and wages.

19 Mirroring national trends, the number of New
20 Yorkers turning to assistance to meet the basic needs of
21 their families has been gradually increasing. OTDA has
22 continued its vigilance to ensure that the State's
23 safety net remains strong for our most vulnerable
24 citizens.

1 The economic crisis has driven many New
2 Yorkers to seek assistance in putting food on the table
3 for their families. Indeed, New York's program has
4 experienced unprecedented growth in demand with
5 participation increasing 23 percent in the last year.

6 We have been well positioned to meet this
7 challenge thanks to a number of initiatives that were
8 put in place prior to the recession, including an
9 on-line screening tool, and other efforts targeted
10 towards working families.

11 Currently, 15 upstate districts have
12 implemented an on-line Food Stamp application and we
13 anticipate it will be available in all districts,
14 including New York City, by the end of the year.

15 We know that New York's success in meeting
16 these needs could not have been possible without the
17 unwavering efforts of the local social services
18 districts.

19 Their commitment to make sure that certain
20 -- that vulnerable New Yorkers have access to and
21 receive these essential benefits is borne out by the
22 fact that New York was recognized by USDA as a
23 top-ranking large state for processing timeliness,
24 demonstrating an enhanced program access and customer

1 service.

2 This ranking is a particularly impressive
3 accomplishment during this surge in program
4 participation. Also of importance, the growth of the
5 food stamp program has injected significant federal
6 funds into New York's economy with total benefits
7 increasing by almost \$127 million over the past year.

8 Given that this money is spent quickly and
9 locally, this influx of funds represents a sizable boost
10 for family nutrition, public health, jobs and general
11 economic stability.

12 New York's Child Support Program served more
13 than one million children and collected a record \$1.7
14 billion in 2009. The record collections provide vital
15 income support for struggling families.

16 This month, OTDA is implementing the second
17 phase of the increased child support passthrough and
18 disregard for public assistance families with two or
19 more children. This increase will provide an additional
20 \$7 million each year in monthly support payments to an
21 estimated 6,500 public assistance recipients.

22 In these difficult economic times, providing
23 custodial parents with greater support payments is more
24 important than ever.

1 I would like to mention one more area in
2 which OTDA has become particularly active in recent
3 weeks. Our Bureau of Refugee and Immigrant Assistance
4 has undertaken a variety of activities in the aftermath
5 of the tragic earthquake in Haiti.

6 BRIA's Immigration Community Outreach unit
7 has been working with the Haitian community to provide
8 information, referrals, linkage to legal assistance, and
9 translation services.

10 Additionally, in conjunction with the New
11 York State Emergency Management Office, and other state
12 and city agencies, we have opened a walk-in center in
13 Brooklyn to provide support for persons who have family
14 members in Haiti or are interested in applying for
15 temporary protected status.

16 This tragedy is one that has affected us all
17 and we are utilizing our agency's expertise to be of
18 assistance in any way possible.

19 The executive budget makes significant
20 spending reductions in order to eliminate an \$8.2
21 billion deficit and institutes key reforms to put New
22 York on the road to fiscal recovery. OTDA has not been
23 spared from these reductions, however, our budget
24 proposal is structured to support our core agency

1 mission, to protect New York's most vulnerable citizens.

2 The federal TANF block grant provides New
3 York with \$2.4 billion each year to help provide
4 assistance to low income families in the form of monthly
5 benefits, emergency assistance, employment services and
6 a range of other work supports.

7 Over the past two years, OTDA has been
8 successful in accessing additional TANF funds. In fact,
9 we are poised to draw down the maximum amount available
10 to New York State in TANF contingency funds and TANF
11 emergency contingency funds that the federal government
12 is making available during this time of economic crisis.

13 These additional funds, received over a two
14 year period, represent 50 percent of our TANF block
15 grant or \$1.2 billion.

16 These new funds allow us to support vital
17 programs that would otherwise have been left unfunded.
18 Additionally, a large portion of these funds have been
19 directed to support the state's caseload increases which
20 we have seen over the past year, one of the very reasons
21 we were able to access these funds in the first place.

22 Unfortunately, a number of very difficult
23 decisions had to be made surrounding programs that were
24 TANF funded in the past, and I assure you those were not

1 easy decisions for any of us.

2 Recommendations for strategic investments
3 were made in the context for many competing needs, as
4 well as the limitations governing the available TANF
5 funds.

6 In making these decisions, our goals are to
7 access the maximum federal funds available to ensure we
8 are able to spend the funds within the current federal
9 deadline of September 30, 2010, and to address the needs
10 of low income families throughout the state. Therefore,
11 our recommended TANF allocations represent investments
12 in initiatives that allow us to meet these goals.

13 There are a number of critical TANF
14 initiatives that we were able to preserve in the
15 executive budget. The flexible funds for family
16 services was fully funded at the current year's level of
17 \$964.6 million, and the TANF portion of childcare is
18 recommended as a separate appropriation from FFFS fund
19 and is funded at the current year's level of \$393
20 million.

21 These funds are critical to ensure that
22 social services districts are able to deliver benefits
23 and services in a timely manner, provide employment
24 services, screen for domestic violence, and administer a

1 range of other core services.

2 Districts also have the authority to use
3 these funds for eligible child welfare related services,
4 and it should be noted that a significant percentage of
5 the FFFS funds have been programmed in the current year
6 to meet those needs.

7 Our goal in fully funding the FFFS is to
8 provide local districts with the maximum resources
9 available to meet their varied needs in mandatory
10 services.

11 The executive budget also recommends a \$41.5
12 million local family support program in which each
13 social services district will be eligible to increase
14 investments in subsidized employment or to provide new
15 short-term non-recurrent benefits to TANF eligible
16 households, further bolstering the strained safety net
17 by helping low income households make ends meet.

18 We also recommend a significant TANF
19 investment, totalling about \$18 million, in a variety of
20 subsidized job, transitional job, green jobs and the
21 healthcare jobs programs.

22 This continued spending on subsidized jobs
23 makes New York eligible for a federal match and allows
24 for a sensible investment in subsidized jobs programs in

1 localities throughout the state.

2 Subsidized placements are an important tool
3 and often provide for a job and the ability to develop
4 skills, opportunities that would not otherwise be
5 available during this time of high unemployment.

6 The budget also recommends an investment in
7 the investment care services program, which has been a
8 particularly successful program in restoring benefits
9 and reengaging an estimated 40 percent of those served
10 in work preparation services and/or health services if
11 needed.

12 Finally, \$10 million in TANF funds are
13 recommended for a family emergency food supplement to be
14 provided for regional food banks across the state. The
15 steady increase in clients helped by food pantries, soup
16 kitchens, senior centers and other nutrition-related
17 service venues has stretched available resources to the
18 limit.

19 This investment in regional food banks will
20 expand the capacity of emergency food providers to meet
21 the needs of low income families. This support would
22 qualify for federal stimulus money and be provided on a
23 one time basis and are TANF eligible.

24 Last year, Governor Paterson included in his

1 executive budget the first increase in the public
2 assistance grant in nearly two decades, to aid
3 struggling individuals and families during this
4 unprecedented economic downturn. The Governor continues
5 his commitment to this initiative, albeit at a slower
6 pace.

7 Rather than a 10 percent increase, as
8 enacted last year, a 5 percent increase is recommended
9 to take effect in July, with subsequent five percent
10 increases being implemented each of the next three
11 years, resulting in a \$100 per month increase for a
12 typical family of three when fully implemented.

13 This extended implementation period, while a
14 very painful choice for both the Governor and OTDA, is
15 an unavoidable one. In addition, the Governor has
16 recognized the burden on our local government partners
17 and has maintained the State's commitment to pay for the
18 local share of the public assistance grant increase
19 through March 31, 2014.

20 The executive budget recommends reimbursing
21 the costs of care for the adult children population
22 based on the current public assistance eligibility rules
23 used in the family shelter system.

24 This proposal would authorize reimbursement

1 for adult shelter residents who have been determined
2 eligible for public assistance, making the claiming for
3 adult shelters in New York City consistent with the
4 system that currently exists in family shelters and
5 throughout the rest of New York State.

6 The executive budget includes a proposal
7 that authorizes New York State to assume responsibility
8 for administering our Supplemental Security Income State
9 Supplementation Program. The SSI program provides
10 monthly case benefits to people with limited income and
11 resources who are elderly, blind or disabled.

12 The Social Security Administration currently
13 administers New York's program and charges us an
14 administration fee. The administrative costs to New
15 York are estimated to be \$84 million for the upcoming
16 year.

17 Currently, 36 states administer either all
18 or a portion of their SSI state supplement, leaving New
19 York remaining as only one of seven states that have not
20 moved to administer its own program. While assuming
21 administration of this program will require to show up
22 front expenditures for implementation, eligibility
23 determination, systems development, fair hearings, and
24 program integrity, it is estimated that after the state

1 begins making payment by April 1, 2014, savings of over
2 \$60 million annually will be achieved.

3 This proposal represents a critical reform
4 that will both improve program integrity and result in
5 long term fiscal savings for the state.

6 I would like to address just briefly the
7 issue of OTDA's reliance on temporary staff. OTDA has
8 relatively modest use of temporary clerical and
9 secretarial support staff, totalling approximately 50
10 individuals, which we use to supplement our own state
11 workforce, especially in our federally funded disability
12 determinations area.

13 As we convert to a paperless case
14 processing, as directed by the Social Security
15 Administration, we expect to reduce our reliance on
16 contract clerical staff.

17 Staff we have hired from temporary service
18 agencies generally address short term needs, and provide
19 us efficiencies due to flexibility in hours worked.
20 However, we will continue to assess our utilization of
21 these contract staff. Additionally, the executive
22 budget clearly reports utilization of consultants by
23 each agency, and OTDA is expecting to spend
24 approximately \$38 million in state fiscal year 2010-11

1 for short term and special skills that are not readily
2 available in the state workforce.

3 I want to assure you that OTDA remains
4 committed to making sure that we do everything we can
5 with the limited resources available to serve and
6 protect New York's most vulnerable residents.

7 Although we are able to accomplish many
8 things working together at the state level, as the
9 economic stimulus funding demonstrates, the federal
10 government is, and will remain, critical to maintaining
11 a strong safety net for New York's neediest families.

12 OTDA continues to work our federal partners,
13 as well as our Congressional delegation, to address the
14 many funding and policy issues that impact our program
15 operations.

16 I look forward to working with you over the
17 next several months during the budget process and
18 throughout the legislative session, and prepared to
19 entertain your questions.

20 SENATOR KRUEGER: Thank you very much.

21 I think our first question will go to
22 Senator Dan Squadron, Chair of the Social Services
23 Committee.

24 SENATOR SQUADRON: Thank you very much.

1 Thank you for being here today.

2 Got of couple kind of different areas we
3 want to get into here and I thank you for your
4 presentation. As I know I have been saying throughout
5 these hearings, this is a tough, tough year and there's
6 a lot of decisions have to be made and are going to made
7 that no one is going to be happy about.

8 I think we all understand that. So I guess
9 the question here is, questions really are in two parts.
10 One is are we making the right choices because we have
11 to make some.

12 And then second is are we doing anything in
13 a way that is most collaborative and transparent. I
14 think on both there is a lot that I hope to learn today.
15 Certainly, I know it is very important for the Governor
16 and a great accomplishment on last year's budget to get
17 public assistance grant increase after all these years
18 and have it phased in very quickly. We were able to use
19 federal dollars to, in fact, speed that up during the
20 budget negotiations, which was great.

21 Obviously, seeing that increase delayed in
22 this year's budget proposal or slowed down is
23 disturbing, as I'm sure it is for the Governor, as I'm
24 sure it is for all of OTDA.

1 On the grant increase, ten percent increase
2 this year to five percent?

3 MS. BERLIN: Correct.

4 SENATOR SQUADRON: What is the savings in?

5 MS. BERLIN: 22 million.

6 SENATOR SQUADRON: What is the total state
7 care public assistance?

8 MS. BERLIN: Associated with the 22 million?

9 SENATOR SQUADRON: No. Public assistance.

10 MR. NORMILE: Normally be about \$11 million
11 but then applying the TANF credits.

12 MS. BERLIN: Around a billion.

13 SENATOR SQUADRON: Is that billion dollars
14 plus the tax?

15 MR. NORMILE: Billion dollars regular state
16 share under the normal match rates.

17 SENATOR SQUADRON: Can you explain -- \$22
18 million savings seems like not a great deal of savings
19 for a significant increase in cost and delay on a
20 signature accomplishment.

21 MS. BERLIN: I think, Senator, as I
22 mentioned earlier in my testimony, and certainly as you
23 acknowledged, given this fiscal environment we were
24 faced with several difficult decisions. The fact that

1 we were able to maintain the grant increase, albeit,
2 again, at a lower ramp up or implementation schedule,
3 does speak to the priority that we see in making sure
4 that that investment is ultimately achieved.

5 SENATOR SQUADRON: Of course, the grant
6 increase, the money element of that, most TANF money, I
7 guess the emergency TANF money is eligible, would be
8 eligible to apply that to the public assistance grants,
9 right?

10 MS. BERLIN: Yes.

11 SENATOR SQUADRON: What is the total amount,
12 total amount of TANF contingency and emergency
13 contingency together is 1.2 billion?

14 MS. BERLIN: Correct. States are eligible
15 to receive up to 50 percent of the block grant, so for
16 New York that would be \$1.2 million.

17 SENATOR SQUADRON: How much of that is
18 unspent?

19 MS. BERLIN: We have -- we project spending
20 all of that and we have \$498 million in TANF contingency
21 funds and 723 million associated with TANF emergency
22 contingency funds.

23 SENATOR SQUADRON: I think that -- I wanted
24 to open with that because I think it's an important one.

1 I know it's an important one to the Governor and I do
2 understand the cost benefit that goes into all of this.

3 I guess I have a lot of trouble
4 understanding, in talking about such a large amount of
5 money that we are dealing with here, reducing that grant
6 increase, a modest savings relative to some of the other
7 cuts that we are seeing across the board. It just seems
8 to be surprising to me, one that get at the thinking
9 that underlies that choice.

10 It may not be anything else other than it's
11 a tough year and this seemed to make sense. It just
12 seems inconsistent with what I know to be true about the
13 governor's priorities.

14 MS. BERLIN: And I think, certainly,
15 Senator, that's a fair observation and you are correct
16 in stating that the Governor is extremely committed to
17 finding ways to support New York's most vulnerable
18 individuals. He is the Governor who introduced the
19 grant increase and we are happy to be presenting a
20 mechanism that will fulfill the commitment that was
21 offered.

22 I think what you would see throughout our
23 budget is that it is full of very, very difficult
24 decisions and many programs that we feel are critical in

1 some situations, programs that we think are of great
2 value, are actually being presented with a significantly
3 reduced funding or no funding at all.

4 So, we had to work very hard to take what
5 dollars are available to New York State and use them in
6 a way that maintains our core services and advances
7 initiatives that we think our consistent with the
8 priorities that we have.

9 And I guess the final component that I have
10 to acknowledge is that many of these program investments
11 would also need to meet the eligibility criteria
12 associated with the emergency contingency fund.

13 Not true in the grant increase situation,
14 but I think speaking to --

15 SENATOR SQUADRON: And we have to either
16 find other programs that are eligible, I mean there is
17 some flexibility that the state was funding this anyway
18 or would be funding without the emergency contingency
19 some TDCF eligible programs, right?

20 And so it's not just about finding which new
21 programs to fund that are eligible under emergency
22 contingency, but finding in the total pot what's
23 eligible for emergency. Obviously you can always shift
24 something that is a general funding expense, for

1 example, if eligible for emergency contingency it's
2 absolutely appropriate to consider how to keep those
3 programs funded in this very tough year.

4 MS. BERLIN: I think that's exactly what we
5 did do is look at programs in our TANF program
6 complement that met the ECF funding criteria so we could
7 continue to support the advancement of those programs.

8 SENATOR SQUADRON: Going back a little bit.
9 You talked about a little bit in the '09-'10 budget the
10 TANF used for public assistance about how much?

11 MS. BERLIN: In the '09-'10 budget.

12 SENATOR SQUADRON: In this past year, the
13 fiscal year.

14 MS. BERLIN: We will have to get back to you
15 on that detail.

16 SENATOR SQUADRON: I have it here as around
17 \$550 million, is that about right, give or take?

18 MR. NORMILE: In the range 500, 600 million.

19 SENATOR SQUADRON: And the estimate, as I
20 have it here, for '10-'11 is about 1.2 from the same
21 pot; is that about right?

22 MR. NORMILE: That is correct.

23 SENATOR SQUADRON: That's a significant
24 increase. Did the case load increase this year?

1 MS. BERLIN: We are projecting a
2 5.2 percent.

3 SENATOR SQUADRON: Plus the grant,
4 obviously, even under the Governor's proposal, will
5 decrease five percent. That's another increase.

6 MS. BERLIN: Yes.

7 SENATOR SQUADRON: I think sort of goes to.

8 MR. NORMILE: I think we need to explain
9 that the TANF that's being used for public assistance is
10 actually money that we are earning under the stimulus
11 rules as increasing spending in non-recurrent
12 assistance, including state tax credits.

13 That money either has been earned or will be
14 earned by the state this spring and issued the next
15 round of tax credits. So, the money that's already
16 available to us will be used to offset the public
17 assistance grant. That's why TANF share is going up so
18 much.

19 SENATOR SQUADRON: So, just take one step at
20 a time. We were at 550 or 600 this year, compared to
21 five and a half or so grant increase five percent in
22 this proposal. So that gets you up to 650 maybe. And
23 so that's the difference between 650 and 1.2 is the tax
24 credit increment?

1 MR. NORMILE: It's emergency contingency
2 money that's being earned by the state as non-recurrent
3 assistance. So, we are applying for that money under
4 the stimulus. That money is used as a reduction to the
5 state share of public assistance.

6 SENATOR SQUADRON: So we are seeing the TANF
7 here -- just to see if I understand it. The TANF share
8 of public assistance is increasing I guess an extra \$500
9 million. In the case of math you just did, in addition
10 to the case load, in addition to the grant increase to
11 offset any increase in the state share.

12 MR. NORMILE: It's being used as a one time
13 savings during state '10-'11 taking advantage of the
14 stimulus money to reduce state share assistance in the
15 out years.

16 TANF will revert back to normal, \$500, 600
17 million share. Probably best to have the staff work to
18 explain the numbers in greater detail to walk it through
19 for you.

20 SENATOR SQUADRON: Just broadly here, in the
21 hundreds of millions of dollars. This is broad enough
22 to talk about here.

23 Is it accurate -- am I misunderstanding you?
24 It sounds to me like you are saying the state share is

1 being decreased about \$500 million and being replaced
2 with, as we all know, one time ECF money.

3 MR. NORMILE: We said earlier that the
4 normal state share for all assistance, including safety
5 net non-federal programs, would normally be a billion.
6 Drop down to another \$300 million after we take
7 advantage.

8 So, we are using earned TANF stimulus money
9 to reduce state against all assistance costs, not just
10 family assistance.

11 SENATOR SQUADRON: So, \$700 million of state
12 money is being replaced with one time non-recurring TANF
13 emergency money.

14 MR. NORMILE: That is correct.

15 SENATOR SQUADRON: So, close to a billion
16 dollars in the overall financial plan, close to a
17 billion dollars in savings, three quarters of a billion
18 dollars is coming out of this replacement.

19 So, in fiscal '11-'12, assuming we all get
20 there, in fiscal '11-'12 there will be a \$700 million
21 hole.

22 MR. NORMILE: Potentially. Depends on what
23 comes out of TANF.

24 MS. BERLIN: We do know, Senator Squadron,

1 that the President's budget does include a 2.5 billion
2 in ECF funds, as well as 1.6 billion over three years of
3 TCF funding. I think what would be important for us is
4 not only to see the federal government replenish that
5 amount, but also to hit basically restart button.

6 Since New York is in a position to draw down
7 the 50 percent that we are eligible for, it would be
8 important for us that they would allow states to
9 basically access up to 50 percent again.

10 SENATOR KRUEGER: Can I ask a technical
11 clarification question?

12 So, the 750 million that Senator Squadron
13 just was adding up, did I hear you, does that include
14 the earned income tax credit money that we are also
15 using TANF contingency instead of general fund money
16 for? Is that included in that or is that above and
17 beyond that?

18 I may not be right. It might not be 250,
19 but 200 something.

20 MR. NORMILE: The non-recurring credits are
21 stimulus related. In '11-'12 there would still be base
22 TANF that would finance the FTC.

23 The non-recurring credits in '10-'11 are TCF
24 and ECF stimulus and special TANF money. That will

1 expire in '10-'11. The base \$2.4 million TANF grant
2 that would be available to access the ITC type of
3 credits in '11-'12.

4 SENATOR KRUEGER: \$261 million of the ARRA
5 emergency contingency is being used for EITC this year
6 is what I'm told. No. That's not correct?

7 MR. NORMILE: That \$261 million is a credit
8 that we are earning for the state and unrelated to our
9 public assistance costs.

10 SENATOR KRUEGER: So, we are not drawing any
11 of this one time money in for that.

12 MR. NORMILE: It's unrelated to the EITC.
13 It is a one time credit to our appropriation.

14 SENATOR KRUEGER: Would it have been
15 available to OTDA for programs if not being used for
16 EITC? Is that a funding stream that was going into
17 central human services?

18 MR. NORMILE: We are earning it and taking
19 advantage of it. It's a one time credit. If the state
20 didn't have the desperate fiscal situation that money
21 could have been reinvested elsewhere.

22 SENATOR KRUEGER: But it's also one time?

23 MR. NORMILE: 261 is one time.

24 SENATOR KRUEGER: Thank you for allowing me

1 to jump in there.

2 SENATOR SQUADRON: Just to be very clear for
3 those of us who weren't with us. One time credit, you
4 mean one time infusion of federal dollars, right? When
5 you refer to one time credit you are talking about the
6 dollars coming through the ECF?

7 MS. BERLIN: Yes.

8 SENATOR SQUADRON: Thanks. I am continuing
9 to have a little trouble understanding where -- I'd be
10 more than happy to look it up while some of my
11 colleagues question -- where it is that we see the
12 shift, the \$700 million shift in general fund dollars,
13 out of public assistance to be replaced with the one
14 time credit on public assistance.

15 So, I don't know if that's something that's
16 in the governor's proposal. We would love to really
17 understand where that comes from. Frankly, we are
18 having a little trouble understanding why it is that the
19 TANF share goes to the public assistance, public
20 assistance goes from \$549 million last year to 1.1 and
21 change, almost 1.2 this year.

22 And I am not entirely sure -- focus on my
23 colleagues for more clarity on my questions -- I am not
24 entirely sure what the answer is even based on the

1 conversation we just had.

2 Like I said, we are not talking about \$22
3 million. We are talking about \$100 million.

4 MR. NORMILE: On your copy, the lines on
5 public assistance on page 285 identifies \$360 million.
6 That is the net state cost of assistance.

7 There is a separate line for SSI, which
8 typically wasn't the case in the past. So that number
9 360 million is net of all the credits that we have been
10 talking about.

11 SENATOR SQUADRON: Right. And last year
12 that amount was how much? SSI aside, so last year SSI,
13 how much was that amount?

14 MR. NORMILE: I don't remember the number
15 offhand but...

16 SENATOR SQUADRON: Presumably \$700 million
17 greater, right, on SSI. So presumably was \$700 million
18 plus the amount of SSI last year.

19 MS. BERLIN: We can certainly get that
20 information to you, Senator.

21 SENATOR SQUADRON: \$336 million on page 285
22 that you just referenced, last year that amount plus SSI
23 would have been that amount plus SSI plus 700 in last
24 year's budget, right?

1 MS. BERLIN: Senator, I don't think it's
2 quite as high as 700 because we have had the case of the
3 increase over the past year. We've had the grant
4 increase.

5 SENATOR SQUADRON: Fine. Okay. Thank you
6 very much. I guess we will compare that year to year
7 and we will clarify. Thank you very much for giving me
8 the clarification.

9 I just want to talk briefly about this
10 shelter proposal. Also, this seems complicated. Now,
11 the idea here is that, as I understand it, is to align
12 the family shelter system with...

13 MS. BERLIN: Align the single shelter system
14 with the family shelter system?

15 SENATOR SQUADRON: Right. What is the net
16 effect of that?

17 MS. BERLIN: What is the net effect of the
18 \$35 million savings?

19 SENATOR SQUADRON: \$35 million savings. The
20 savings come from less reimbursements to--

21 MS. BERLIN: Just to be clear, the change
22 would have an impact on New York City. The rest of
23 state localities already are governed, already operate
24 this way.

1 SENATOR SQUADRON: The effect on New York
2 City would come from the fact that?

3 MS. BERLIN: Would come from the combination
4 of certainly recognizing that individuals would be --
5 their shelter would be supported based on their
6 eligibility determination. Those individuals that have
7 income, the income would be budgeted as consistent with
8 current regs.

9 SENATOR SQUADRON: Just in regular language,
10 that would be currently a fund reimbursed singles and
11 shelter in New York City.

12 MS. BERLIN: Currently we have a cap amount
13 that we provide financial reimbursement to the City for
14 the single relations. So, when the city hits that cap
15 our funding will stop.

16 SENATOR SQUADRON: And New York City, the
17 idea, presuming under court order.

18 MS. BERLIN: That is right.

19 SENATOR SQUADRON: It's never been the case
20 in New York that there has been a contribution, there
21 has never -- four or five weeks aside -- it's never been
22 the case that there have been contributions required in
23 those shelters, right?

24 MS. BERLIN: For New York City specifically.

1 Again, districts outside of New York City for those
2 individuals that have income due take budgeting into
3 consideration when making those decisions.

4 SENATOR SQUADRON: But not New York City.

5 MS. BERLIN: Not in New York City.

6 SENATOR SQUADRON: Is the proposal for New
7 York City to do that?

8 MS. BERLIN: The proposal certainly would
9 contain the expectation that New York City would be
10 moving in a direction to come into compliance to current
11 state law, yes.

12 So, again, Senator, just so I am clear, it's
13 not a contribution. I just noted the word that you are
14 saying, contribution. Obviously, this was for
15 individuals who had income, that income would be
16 budgeted. We recognize that there is certainly a
17 significant number of individuals who do not currently
18 have income.

19 SENATOR SQUADRON: So, it's fair to say that
20 the state proposal is this cut would explicitly be
21 offset by homeless singles?

22 MS. BERLIN: Again, for those individuals
23 that have income it would budget.

24 SENATOR SQUADRON: I'm not saying the \$36

1 million New York City would take that hit or New York
2 City wouldn't take that hit, but you have homeless
3 singles paying rent.

4 MS. BERLIN: Homeless singles paying rent,
5 you have individuals who are currently homeless who have
6 income, portion of that income would be budgeted towards
7 their sheltered homes.

8 SENATOR SQUADRON: That would offset -- the
9 idea would be, as I say, it would be for New York City
10 to implement this program?

11 MS. BERLIN: In a budget.

12 SENATOR SQUADRON: I think, as you know,
13 that's a fairly controversial policy decision to make on
14 a budget cut.

15 Again, I understand we are in a world of
16 budget cuts, but the idea that this is the way of not
17 just allow New York City, which I know has been done,
18 but encourage New York City to know what it's been doing
19 over the last year, to effectively charge back. This is
20 actually a budget proposal that would vastly encourage
21 them to do so.

22 MS. BERLIN: Certainly we would expect New
23 York City to come in compliance with what currently is
24 our criteria as to rest of the state. It is currently

1 law that income would be budgeted.

2 Again, it's not, I don't think, rises to the
3 extent of what would be necessarily as if they were in a
4 rental situation. We also recognize that individuals
5 are working towards finding a permanent rental
6 situation.

7 Again, those individuals will have to have
8 some of their income going to support during those
9 months they leave the shelter system. So, it really is
10 consistent not only with state statute but, again, is
11 really I think meeting the expectations and hopes that
12 these individuals will be moving into more permanent
13 situation and will have to organize their resources in
14 order that would support or go to a permanent residence.

15 SENATOR SQUADRON: It is inconsistent with
16 what the practice has been in New York City.

17 MS. BERLIN: It is my understanding that New
18 York City is not currently in compliance with state law.

19 SENATOR SQUADRON: Again, it has not been.
20 Other than four weeks last year, that's never happened
21 in New York City.

22 MS. BERLIN: I think that's an accurate
23 statement.

24 SENATOR SQUADRON: The explicit goal of this

1 cut is to have it offset by, as you see it, New York
2 City complying with the law.

3 MS. BERLIN: I think it's a bit broader than
4 that. We certainly recognize that that is a component
5 in the funding mechanism. Again, by reimbursing based
6 upon individual's eligibility and removing the cap, the
7 funding stream referred to the city would be a more
8 permanent funding stream, and it would not be a capped
9 amount, that once the city hits that the state no longer
10 requires reimbursement. If individuals are eligible,
11 the state's costs associated with that eligibility will
12 be passed on.

13 SENATOR SQUADRON: Just moving on briefly,
14 talking about TANF emergency contingency and combination
15 of contingency and emergency contingency, sort of in
16 total rate we have got 1.2 billion in federal
17 government, that's federal cap?

18 MS. BERLIN: That is correct.

19 SENATOR SQUADRON: Between the proposed
20 budget and the '09-'10 budget we are going to get there.

21 MS. BERLIN: That is correct.

22 SENATOR SQUADRON: Just so you know, and I
23 think it's very important here, obviously we talked
24 about this earlier. These dollars need to get out the

1 door before the end of September, but it's also very
2 important they go through the budget process.

3 There was \$140 million of underwriting back
4 to school allowance. In the early fall, in fact Senator
5 Montgomery and I had sent a letter urging that to happen
6 at some point and we didn't hear about that happening.
7 We support that. We think that's good policy, but
8 that's 142 million out of 1.2 billion.

9 Additionally, a variety of Senators here
10 sent letters about the job programs that we enacted last
11 year through the fall and whether we had fully funded
12 through the contingency fund or the emergency
13 contingency money.

14 And I guess the question that I am asking
15 is: What's the role of the budget process in the
16 legislature in spending down this \$1.2 billion?

17 MS. BERLIN: I think, Senator, as you
18 mentioned, certainly, you have been I think very vocal
19 in sharing things that you feel are priorities. And the
20 use of the TCF funds and the emergency contingency funds
21 I think were successful last year in coming out with the
22 '09-'10 budget which reflects some of the areas that you
23 felt were critical and would concur.

24 In the subsidized jobs employment program,

1 the one time opportunity for back to school payment that
2 occurred over the summer I think is, again, consistent
3 with uses of the dollars that both the Governor and the
4 federal legislature would benefit vulnerable New
5 Yorkers.

6 At this point, we have taken into
7 consideration the opportunities that New York has to
8 access and utilize the remaining unallocated funds and
9 are putting them forward in the executive budget for the
10 legislature's consideration and deliberation.

11 SENATOR SQUADRON: Thank you very much.

12 With that, I have got a couple more to go
13 but I'm going to yield to my colleagues on the Assembly
14 side and hopefully circle back at the end.

15 Thank you very much. I appreciate it.

16 SENATOR KRUEGER: Earlier today Senator
17 Keith Wright, the Chair of Social Services, pointed out
18 that after Velmanette Montgomery's questions he had
19 nothing left to ask. So, we're going to make sure that
20 the Social Services Chair of the Assembly and my
21 Manhattan counter Chair has some really good hard
22 questions to ask.

23 ASSEMBLYMAN WRIGHT: I am such a shrinking
24 violet I probably won't have many questions to ask, but

1 I will be very brief.

2 Commissioner, good to see you. I want to
3 tell you you are doing an excellent job. I know you
4 were thrust into the position rather quickly and I can
5 definitely say I appreciate your leadership.

6 Couple of questions, quick questions.

7 \$70 million in the jobs program was cut down
8 to \$18 million. And that's a hard question, you didn't
9 want to hear that one, did you? Especially when jobs
10 are needed so desperately here in the State of New York,
11 why has the agency chosen to cut the jobs program from
12 \$70 million down to \$18 million?

13 MS. BERLIN: Well, Chairman, you asked the
14 right question. You asked the difficult question. And
15 it's I think reflective of the fiscal times. It's
16 certainly not a decision that we made because we don't
17 see value in those programs.

18 We think the investment in the jobs program
19 if the funding was available to New York State would be
20 one that we would be sitting here recommending its
21 continuation and providing you the necessary data that
22 would speak to its support.

23 And I know, Chairman, I sat I think just a
24 couple months ago probably talking about just that, the

1 value that those programs provide to some of the most
2 vulnerable individuals. What we do face, however, is a
3 fiscal situation that does not allow us to afford that
4 same type of financial commitment.

5 We have had to look at what funding we had
6 available and really found ourselves in the situation
7 where we were looking at distributing limited TANF
8 contingency funds and TANF emergency contingency funds.

9 Unfortunately, TCF funds come with several
10 criteria that really had us almost taking off of really
11 our blackboard several of the programs that we think are
12 tremendous value, such as the summer youth employment
13 program, such as career pathways.

14 ASSEMBLYMAN WRIGHT: Explain what career
15 pathways is.

16 MS. BERLIN: Career pathways is a program
17 that's intended to engage and provide educational
18 training skills to individuals. It's a program that we
19 have seen tremendous success in and are hopeful that we
20 will be able to, although it is funded -- it is
21 recommended with no funding, we are currently looking.

22 ASSEMBLYMAN WRIGHT: I didn't hear that.
23 Say that again.

24 MS. BERLIN: Although it is currently

1 recommended in the executive budget with no funding we
2 are looking at ways that we be able to continue that
3 program.

4 ASSEMBLYMAN WRIGHT: That was a program that
5 we started out in the Assembly specifically for the most
6 part in order to help the underemployed population of
7 black and brown men for the most part. And it has
8 expanded of course.

9 It's a tremendously successful program, so,
10 I would like to see if we could get that going again,
11 especially that's a program that's near and dear to my
12 heart.

13 (Applause.)

14 Very quickly -- and I thank you for that
15 applause in the back there.

16 The Fiscal Policy Institute has calculated
17 New York State needs about 150,000 jobs for five years
18 in order to regain our prerecession unemployment rate of
19 5.5. Could you talk a little bit -- and it's in the
20 same line -- could you talk a little bit about what OTDA
21 is and how they are planning to create some more jobs.

22 This is in line with the other questions.

23 MS. BERLIN: Again, one of the things that
24 we have recommended is the full funding of the flexible

1 fund, the close to \$1 billion that does go to local
2 districts within that funding are allocation districts
3 used to support employment programs. We have continued
4 investments in programs such as intensive fee services,
5 which is designed to engage individuals who are
6 currently not participating in employment related
7 activities.

8 That is similar to the Career Pathways
9 program that started here in the legislature, that we
10 have seen tremendous value in and certainly I think in
11 this environment we want to make sure that we don't have
12 individuals who become disenfranchised with the
13 opportunities that we have. So, we continue funding in
14 that.

15 We are also continuing, or we are
16 recommending continuing funding in several areas, such
17 as transitional jobs program, subsidies programs,
18 healthcare jobs, green jobs. And we are intending to
19 use those funds to make sure that individuals develop
20 the skills that are most marketable in today's
21 environment.

22 We are having active conversations with our
23 colleagues in DOL as well as DHCR, to see where funding
24 opportunities may exist to align stimulus opportunities

1 where jobs could be created with those individuals who
2 are currently receiving public assistance.

3 ASSEMBLYMAN WRIGHT: One last question
4 before a comment. One thing that I'm really upset about
5 in terms of the budget proposals is the elimination of
6 \$35 million for summer jobs for youth. I just think
7 that's horrible.

8 I mean we can either invest now or not
9 invest and all hell will break loose, especially in our
10 cities, our urban centers throughout the State of New
11 York. And believe me, coming from the Harlem community,
12 when you don't have young people working during the
13 summer it is a recipe for disaster in so many ways.

14 So, how can we help get that back? And we
15 would love to help you.

16 MS. BERLIN: I appreciate the offer for
17 assistance. And I can't disagree with any of your
18 comments.

19 Summer youth employment program has been
20 extremely successful. We served over 20,000 children,
21 young adults last year. It is a program that if not for
22 the fiscal times it would certainly be reflected in the
23 executive budget's proposal.

24 We are engaged again in conversations with

1 DOL in the hopes that there might be additional funds
2 that we will be coming from the federal government into
3 their system. I don't know that that is going to
4 materialize, but we are certainly actively looking at
5 other areas to infuse funds into the summer youth
6 employment program.

7 ASSEMBLYMAN WRIGHT: Commissioner, I just
8 wanted to say I want to thank you for your leadership
9 and I think you've done a wonderful job, especially
10 working with me and the Social Services committee.

11 One of the things I would really love to see
12 during your tenure in this agency is to -- I guess I see
13 all these folks sitting in the back and I know how
14 capable they are. They are wonderful. They are great.
15 They are free thinkers and creative thinkers.

16 And I would love to see -- I would love to
17 see a better representation of the folks that you serve
18 throughout the State of New York as well --

19 (Applause.)

20 -- during your tenure. And I would love to
21 work with you on that as well. Thank you so much.

22 I am finished, Madam Chair.

23 SENATOR MONTGOMERY: Commissioner, first of
24 all, very quickly, I am going to ask for my questions to

1 be answered in writing at a later date. But, first of
2 all, I just want to thank you for coming down to look at
3 a couple of the shelters in my district, and I am sure
4 they are reflective of what those look like citywide. I
5 look forward to working with you to see whatever we have
6 to do for the people who have to live there. But couple
7 of questions I wanted to ask you.

8 The area of kinship guardianship is now
9 receiving some specific focus and additional resources
10 and what have you. I am very happy about that.

11 But it appears that what we are looking at
12 is the kinship, guardianship program that is what I call
13 the formal program. That is, you have to have been in
14 foster care, children have to have been in foster care
15 in order for the subsidized kinship guardianship to be
16 eligible for that.

17 However, the largest percent of kinship
18 guardianship is informal care, where a grandparent or an
19 aunt or whatever just accepts the responsibility of a
20 child that is not theirs when their parents can't take
21 care of them.

22 So my question to you is, and I understand
23 that there is a program that may be yours, that where if
24 there is a child in a kinship guardianship arrangement

1 there is a way of financing just the child.

2 MS. BERLIN: Within the TANF program there
3 is a child only, and the eligibility would follow the
4 children, follow the case load, would represent what you
5 are talking about, Senator Montgomery, those situations
6 where the caregiver is a grandparent, an aunt. It would
7 also be a situation where the parent is on SSI or due to
8 their immigration status as well.

9 SENATOR MONTGOMERY: That grant apparently
10 does not have to go through the system and be
11 fingerprinted and all whatever.

12 MS. BERLIN: I certainly can provide you
13 very specifically with what would or would not be
14 expected.

15 SENATOR MONTGOMERY: Could you give me
16 information on that, because we have much more on that.
17 And no matter what happens, we are trying to save money
18 with foster care, that is the most efficient way to deal
19 with children out of their families and it's the most
20 common way for many, many families.

21 MS. BERLIN: Yes. And also what we can do,
22 Senator, is maybe provide you some of the conversations
23 that we have been having with OCFS on this topic as
24 well, in a general sense of where we thought we could

1 work collectively.

2 SENATOR MONTGOMERY: Both the formal and
3 informal, that would be very exciting.

4 I'm looking at the chart here. As I said,
5 you can write to me. I don't want to put you on the
6 spot or any of that. I am looking at these charts that
7 you have given us. Very helpful. I thank you. I am
8 pretty shocked to see what a huge piece of the pie goes
9 to the food program.

10 Are those food pantries and other food type
11 programs, is that?

12 MS. BERLIN: The food stamp program, so that
13 would represent the benefits.

14 SENATOR MONTGOMERY: Not food pantries.

15 MS. BERLIN: This just represents the
16 benefits, not the pantry.

17 SENATOR MONTGOMERY: Just the food stamp
18 program.

19 MS. BERLIN: Correct.

20 SENATOR MONTGOMERY: Huge part is federal.

21 MS. BERLIN: It is all federal.

22 SENATOR MONTGOMERY: Thank you. Now, the
23 other one I wanted to ask you about is the chart that
24 talks about the one -- that one that talks about

1 housing. Housing, non-PA contracts and HHAP. And it's
2 point one percent, your HHAP program.

3 MS. BERLIN: Yes. We have a \$30 million
4 program, the homeless housing and assistance program,
5 which is a capital program.

6 SENATOR MONTGOMERY: So, that's the percent
7 that it represents of all the things that you do, is
8 that what that means? Am I reading that correctly?

9 It's absolutely the smallest part of your
10 pie. It's a sliver graphically speaking.

11 So let me just ask you what I want to get
12 to. That, it seems to me, is such a major piece of what
13 keeps people in shelters, prevents them from being able
14 to get consistent work, and on and on and on.

15 So my question is -- this is just as much
16 for us as it is for you -- I do want to say that we need
17 to do much more, it seems to me, with that. I would
18 like to see that part of your pie chart made a little
19 bit bigger.

20 I guess perhaps we can talk about, together,
21 we haven't increased the 30 million for what, 30 years?
22 How long has it been since you had that same amount in
23 your budget for housing, for the homeless housing?

24 MS. BERLIN: The 30 million -- let me get

1 you the specifics. We did experience an increase in the
2 '09-'10 budget I believe. Let me get you the specifics.

3 SENATOR MONTGOMERY: Can we get sort of a
4 little pie chart on where we are, what you have been
5 able to do, and you are indicating.

6 It would really be very exciting to see the
7 difference in what it costs us for this homeless shelter
8 housing for families, versus what we have to pay for a
9 homeless family, versus what it costs us to do a unit of
10 housing that would be permanent housing for people.

11 MS. BERLIN: Absolutely. The point one
12 represents \$100 million. So, we can break that \$100
13 million out. I'll do a pie chart to reflect the \$30
14 million you talked about as well as supportive services
15 that are imbedded.

16 SENATOR MONTGOMERY: That would be very
17 helpful because I think that would help us to make
18 better decisions, we hope, in terms of how we place our
19 emphasis for people that you serve. Thank you.

20 ASSEMBLYMAN FARRELL: Assembly.

21 ASSEMBLYWOMAN JOHN: Commissioner, thank you
22 for your testimony today and thank you for your patience
23 to wait to appear before the committee.

24 As part of your testimony you make reference

1 to the fact that the department will be assuming the
2 administration of the SSI payments in part to achieve
3 some additional funds that would be available for the
4 state rather than paying the federal government to do
5 it; is that correct?

6 MS. BERLIN: Correct.

7 ASSEMBLYWOMAN JOHN: Can you tell me if you
8 are going to contract that out to a private service to
9 perform that, or are you intending to do that with
10 workers that will be state workers and workers employed
11 at OTDA?

12 MS. BERLIN: At this point in time we have
13 not made that final determination. I think we are
14 interested in looking at both models to see what would
15 make the most sense.

16 Certainly, we recognize that there are
17 probably system components that might be developed that
18 might be more specialized, might be short term in
19 nature.

20 But as far as the actual staffing needs to
21 support the processing of the work itself is something
22 that we had not made a decision on.

23 ASSEMBLYWOMAN JOHN: Well, I will just
24 cautiously remind you that the legislature and the

1 governor did recently agree to a modification of state
2 law with regard to IT contracting specifically, which I
3 assume would be a component to the resources that you
4 are describing the need to develop.

5 And I read in your testimony your concern
6 that the volume of outside contractors at the agency
7 that's been using has been misstated by others. So I
8 would suggest that you do all that you can to make sure
9 that you are not using outside contractors, and that you
10 find a way, either within the existing work force at the
11 agency, or perhaps working with some of the IT work
12 force at other agencies, to make that happen. The
13 Office of State Comptroller perhaps.

14 The other item that I was curious about is
15 that while there are many grim things in this budget,
16 some of which my colleague Assemblyman Wright referred
17 to, many things have been eliminated. We are very
18 disappointed about the summer jobs program being
19 eliminated.

20 Department of Labor testified earlier today
21 that they are, while they are pursuing source of federal
22 money I did not sense much optimism in their testimony.
23 So, this is a very grim matter. And there are a number
24 of other items, of course, that have been eliminated as

1 well, totalling nearly \$2 million, but there is an
2 appropriation for new effort by the department.

3 The local family support fund, which is in
4 this context of the other items that are being
5 eliminated, a rather significant appropriation of \$41.5
6 million. Why was this choice made this year to
7 undertake this new program, given all of the other items
8 that had to have been eliminated?

9 MS. BERLIN: I thank you for your question
10 and I agree it certainly stands out when you look at the
11 recommendations put forward in our budget.

12 The \$41 and a half million is being
13 supported with the use of emergency contingency funds.
14 With the emergency contingency funds, as you probably
15 heard by now, there comes all sorts of strings attached,
16 including the definition by which it can be used, as
17 well as the current time frame by which the funds must
18 be spent.

19 ASSEMBLYWOMAN JOHN: I guess I would
20 challenge that a little bit because, as I recall last
21 year there was significant emergency contingency funds
22 that were deployed in the budget as well.

23 MS. BERLIN: That is correct, but the one
24 thing I want to make sure we don't confuse is that we

1 had access to what we had been using historically, the
2 TANF contingency fund, which was available through the
3 federal government and the block grant was triggered by
4 either increasing food stamp caseload or unemployment.

5 The emergency contingency funds are actually
6 stimulus funding which are set to exhaust in September
7 of 2010.

8 ASSEMBLYWOMAN JOHN: So, there were never
9 any allocated to us in last fiscal year. I thought some
10 were allocated last fiscal year.

11 MS. BERLIN: \$20 million was what was
12 included in the enacted budget.

13 ASSEMBLYWOMAN JOHN: The \$20 million that
14 was included in that budget obviously wasn't spent for
15 this program.

16 MS. BERLIN: No. That was used, as Senator
17 Squadron had talked about, some of the negotiations that
18 had occurred to support some of the program areas.

19 Again, I think what we faced when looking at
20 the executive budget this year is really, given the time
21 frame of September 30, 2010, and what would be a
22 realistic opportunity.

23 ASSEMBLYWOMAN JOHN: Was there programatic
24 language that accompanied that \$41 and a half million

1 appropriation?

2 MS. BERLIN: Certainly. Would be happy to
3 provide it.

4 ASSEMBLYWOMAN JOHN: Are you seeking some
5 new legislative authorization for how this money is
6 going to be spent?

7 What's not clear to me, Commissioner, is why
8 the department believes it can spend the money in the
9 way that you are proposing to spend the money. And
10 maybe I missed the Article VII language that would
11 provide the specific authorization with regard to this,
12 and some parts of the budget included what I would refer
13 to as Article VII language, within appropriation
14 language, and the legislature doesn't feel very happy
15 about that, but I didn't see that with regard to this
16 either.

17 So, I am just confused but I know you are
18 going to enlighten me.

19 MS. BERLIN: No. I apologize if I am making
20 this more confusing.

21 You are correct. It is not in Article VII
22 language. We have structured the \$41.5 million to be
23 available to local social services districts because we
24 believe they have the infrastructure in place that would

1 allow the funds to be spent for either a one shot
2 opportunity, which is again available under the
3 criteria, or for subsidized job employment, which would
4 allow us to avoid the need to go out for procurement
5 process to allocate those funds.

6 ASSEMBLYWOMAN JOHN: Because the social
7 services districts are creatures of the state the
8 department can choose to distribute the money to them
9 without more careful direction?

10 MS. BERLIN: We have not distributed the
11 funds to them.

12 ASSEMBLYWOMAN JOHN: So, you were intending
13 to have a negotiation with us during the process about
14 this?

15 MS. BERLIN: Actually, the conversation that
16 we had with some staff members of the legislature was
17 certainly the proposal that we have advanced, the fact
18 that there is a September 30th deadline by which the
19 funds must be spent.

20 And certainly it would be our hope that we
21 would be able to move forward. And if there was general
22 agreement that that would be the most appropriate use of
23 funds that we would go forward to make sure that the
24 state takes advantage of those.

1 ASSEMBLYWOMAN JOHN: So, your concern is the
2 timeliness issue, that unless you act quickly the state
3 will not be able to spend the money in time. Therefore,
4 the state would lose the money.

5 MS. BERLIN: Certainly the timeliness issue
6 would be a concern from being able to spend dollars in a
7 manner that would be able to go out and assist the
8 vulnerable.

9 ASSEMBLYWOMAN JOHN: The lawyer in me would
10 say that your argument, there is an emergency situation
11 here that requires the department to act.

12 MS. BERLIN: We have not yet acted. There
13 have been conversations that have been going on with
14 staff about the proposal that was advanced. I think at
15 this point in time we were interested in hearing from
16 the legislature if there was agreement as to the use of
17 the funds and the fact that it would be deemed a
18 priority.

19 If that was seen as something that the
20 legislative body felt would be agreeable, we are
21 prepared to move aggressively to make sure that those
22 funds go out.

23 ASSEMBLYWOMAN JOHN: The \$41.5 million would
24 not be split across 56 counties and the City of New York

1 in a formula fashion.

2 MS. BERLIN: I think at this point in time,
3 again, given the time frame, we would be looking to have
4 the district submit plans to us. We are very aware
5 certainly that New York City is interested and has
6 advanced opportunities that they think they could
7 maximize given the relationships they have in place with
8 non-for-profit community and providers they work with.

9 As the clock continues to tick, what other
10 districts will find themselves in a position to maximize
11 the opportunity I think is unclear to us, so we would
12 ask to submit plans.

13 ASSEMBLYWOMAN JOHN: To permit the monies to
14 be used in essence, for example, in the City of New
15 York, which is going to lose some I believe 27,000 jobs
16 for youth because the summer jobs program is not
17 available, under the terms of the strict limitations of
18 the federal rules that constrain the department, would
19 that be a use that the city could put it to?

20 MS. BERLIN: We could not use the 41 million
21 to replace the summer youth employment program. If we
22 could have, we would have certainly considered that
23 option.

24 ASSEMBLYWOMAN JOHN: They can't use it for

1 employment of same individuals even if it's not called
2 that.

3 MS. BERLIN: ECF funds, my understanding and
4 certainly would want to get back, if it met the
5 criteria.

6 ASSEMBLYWOMAN JOHN: Because you describe it
7 in the testimony you submitted as being an employment
8 program, an employment program, being used for
9 employment with matching fund requirement from the local
10 government, unless I'm misreading this.

11 MS. BERLIN: A subsidized employment
12 program, I think the guidance we have gotten from the
13 federal government when we asked that question is that
14 it would have to be a program which is run on an annual
15 basis. It could not be used in the same manner as the
16 construct of the summer youth employment.

17 ASSEMBLYWOMAN JOHN: Thank you,
18 Commissioner.

19 Thank you, Mr. Chairman.

20 ASSEMBLYMAN AUBRY: Summer jobs is not an
21 annual program.

22 MS. BERLIN: It's an annual program that is
23 seasonal. It does not run year round.

24 ASSEMBLYMAN AUBRY: But you could create --

1 there was a time, I'm old enough to remember, when
2 summer jobs converted into after school jobs and that
3 become an annual program.

4 MS. BERLIN: I am not aware that our --

5 ASSEMBLYMAN AUBRY: You are not old enough.

6 MS. BERLIN: I'm just being reminded that a
7 complicating factor is that the base funding of \$35
8 million is no longer in the executive budget. So, ECF
9 funds would also have to be used in a manner that is
10 above and beyond the \$35 million.

11 ASSEMBLYMAN AUBRY: If you created a summer
12 job program that reverted in an after school jobs
13 program for specified youth, it wouldn't be summer jobs
14 as you now have. It would be an enhanced program
15 specifically designed to manage a certain population.

16 MS. BERLIN: We certainly can seek that
17 clarification from the federal government. I think the
18 federal government would find that New York City no
19 longer maintained the 35 million commitment to a summer
20 youth program.

21 ASSEMBLYWOMAN JOHN: But the City of New
22 York has always maintained commitment to that program.

23 MS. BERLIN: If there's an opportunity to
24 use New York City's funding we can make sure we go back

1 and investigate the question that's being posed.

2 ASSEMBLYMAN AUBRY: I just hope that, given
3 all this, you understand the importance of that
4 particular program, especially in the City of New York.

5 I think the Assemblyman who is Chair of that
6 committee communicated that to you. It is more than
7 just support. It is paramount and maybe even save a lot
8 money in the City of New York if that program is
9 continued and expanded. We will waste a lot of money in
10 other governmental ways if it doesn't exist.

11 So, to stretch the federal government's
12 definitions in applications seems to be smaller compared
13 to what we will have to do if we are not able to restore
14 that type of program in our city.

15 MS. BERLIN: We are certainly happy to go
16 back and look at it.

17 SENATOR MONTGOMERY: If I could just add to
18 that the issue that Assembly members are raising that,
19 when you are looking to make allocations in the city for
20 programming, we would like to be able to sit down with
21 you to see how that is just -- how you are using that
22 and who you are dealing with in the city.

23 The city is now -- two things about it.
24 They are reorganizing so that juvenile justice issues

1 are going to be combined with children and families in
2 the same agency. But the other issue is that we have
3 not always had a very successful relationship between
4 community-based organizations and the administration.

5 So, in many instances it's helpful if we can
6 have an opportunity to work with you as it relates to
7 how those programs get to the districts to the places
8 where they are most needed in the city.

9 And I would also say that Buffalo, I can't
10 speak for Buffalo specifically. I know that they would
11 be very interested in this conversation as well.

12 MS. BERLIN: Thank you, Senator.

13 SENATOR SQUADRON: Follow up as well with
14 the Assembly members.

15 We had at the beginning of my ability to ask
16 you some questions a little bit of a conversation on the
17 1.2 billion for TANF dollars for public assistance.
18 That number sounded like it was difficult to explain
19 certainly, couple of different possible explanations,
20 but if that number is off by one percent then you are
21 talking about having an enormous amount of money that
22 would be hurting public assistance.

23 In fact, maybe the money to increase public
24 assistance grant off summer youth employment, talking

1 one percent of the 1.2 billion. I know that those
2 numbers and the projections sometimes are off by that
3 much.

4 I know, actually, if I understand part of
5 the 1.2 billion, 129 million to pay for having been off
6 in the previous years. So, I think that's a big old pot
7 of money, significantly bigger than last year. And I
8 think it's very important to understand exactly where
9 those hundreds of millions of dollars are going because,
10 as my Assembly colleagues pointed out so effectively,
11 there are incredibly important programs that are
12 underfunded. Summer youth employment being top of that
13 list, support housing certainly, and home visiting nurse
14 family partnership are all underfunded in this budget.

15 I know that's not a choice anyone wants to
16 make, but I think we have really got to understand where
17 the big pots of money are going so that we are assured
18 of funding for the programs.

19 Assemblymember John, you bring up that \$41.5
20 million. As you know, I absolutely share your urgency
21 and sense of not quite emergency in the real sense,
22 Assemblymember, the importance of getting the money out
23 the door.

24 There are, as you know, there's some

1 spending authority that was actually budgeted in the
2 past by the legislature last year for some of these jobs
3 programs that hasn't been fully realized. Could get out
4 the door tomorrow in the allocated budget process, green
5 jobs, etc.

6 Have you considered doing that as part of
7 the continuation of getting the ECF money out the door?
8 Could be up to 64 million budgeted and allocated jobs
9 money.

10 MS. BERLIN: I think in that situation we
11 looked at the opportunity to infuse ECF dollars into
12 those programs to further expand it.

13 SENATOR SQUADRON: The traditional jobs,
14 green jobs, healthcare jobs, don't have any additional
15 capacity?

16 MS. BERLIN: We feel very confident right
17 now the funding is at a point in time where, again,
18 given the time frames associated with these issues to
19 spend ECF funds, we would run into some capacity issues.

20 SENATOR SQUADRON: Already?

21 MS. BERLIN: I have to get back to you on
22 those.

23 SENATOR SQUADRON: My understanding is, at
24 least for some of those programs, there is a feeling

1 that there would be an opportunity to do more if there
2 were more dollars flowing right now.

3 And certainly, being able to have dollars
4 flow within the budget process within the regular
5 process of legislative approval that our constitution
6 lays out would be preferable, I think we could agree.

7 Certainly, making sure that those dollars
8 you get on, go on to the ground as quickly as possible
9 and into the communities.

10 And just a final question just to follow up
11 on what Assemblymember Wright was asking. There are
12 certainly some decisions here that are proposed to fund
13 certain jobs programs as opposed to others.

14 Assemblymember Wright talked about Career
15 Pathways.

16 MS. BERLIN: A lot of that really was if the
17 program was eligible for ECF funding.

18 SENATOR SQUADRON: For example, green jobs,
19 healthcare jobs, those are all eligible for ECF funding?

20 MS. BERLIN: The programs you are asking
21 about were programs that we were not able to sustain
22 funding for. We did take into consideration if those
23 programs were eligible for the emergency contingency
24 funding.

1 SENATOR SQUADRON: Even within those three
2 transitional jobs there's an increase in green jobs and
3 a slight decrease in healthcare.

4 MS. BERLIN: I think, again, the amount
5 that's reflected there is I think indicative of the
6 amount of funding that was available to the agency to
7 infuse into program areas, as well as those programs
8 that actually have the capacity to spend the ECF funds
9 by September.

10 SENATOR SQUADRON: So, transitional jobs
11 really seem to be the program that had the most capacity
12 to spend the money by September, to the extent it was
13 double, and some of the other programs were seen as not
14 having the capacity.

15 MS. BERLIN: That's right. The transitional
16 jobs program is actually a higher amount than the \$5
17 million reflected. As you recall, it actually was a \$25
18 million program. Because the \$5 million was reflected
19 it brought down the \$20 million that was mentioned
20 earlier in ECF funds. So, the amount that is
21 recommended would be at a lesser amount than is
22 currently there but would allow us to continue to
23 maintain components of the program.

24 I was reminded, again, the \$41 million can

1 be used to support and subsidize job programs as well.

2 SENATOR SQUADRON: The local fund looks more
3 like summer jobs, looks more like a flex fund but with a
4 different set of rules under the ESF versus flex fund,
5 contingency fund as opposed to actually sort of helping
6 to direct the money through the budget process at the
7 state level. That's sort of the difference.

8 So all these programs would certainly be
9 eligible, as my understanding, would be eligible under
10 this local family support. They are not actually being
11 funded under it, but it's one of many eligible programs.

12 And so the question as to why we are funding
13 the certain level is not entirely regulated to the
14 question of what would be eligible under the family
15 support. I guess all of them would be eligible under
16 the flex fund, as I understand it. Doesn't mean we are
17 funding them. It means there is a pot of money under
18 which they are eligible.

19 MS. BERLIN: TANF dollars certainly has a
20 lot more flexibility than what we have with the
21 emergency.

22 SENATOR SQUADRON: To conclude, I think that
23 that process is very important. And also being clear
24 with each other about what we are funding. Certainly

1 people could disagree about whether you want to create a
2 large fund and have different localities use it, if you
3 want to direct a certain program that you think is of
4 great value, but similarly, spending DCF money, there is
5 certainly money to get out the door for the budget
6 process that I would encourage have happen.

7 This idea of local family support is a new
8 and different idea. It's not one that's required to get
9 the money out the door. It's money that is required to
10 get out the door in this specific way.

11 And so I do think that really trying to get
12 clarity on what the rules are, consistent clarity, is
13 just very important as we go through the budget process.

14 I really appreciate you being here today so
15 late.

16 MS. BERLIN: Certainly, Senator, we are
17 happy to talk with you further about the funding
18 proposals and constructs as it relates to TCF, DCF and
19 TANF.

20 SENATOR KRUEGER: That is a perfect segue
21 into a little decision that we have been working to make
22 up here. It is now quarter to six. Technically, for
23 those of you who have been following, we are still on
24 the third agency.

1 So, what the Senate and Assembly agreed upon
2 is that we are going to have an additional follow up
3 hearing on human services scheduled promptly for the
4 23rd of February, where we will take testimony from
5 people who were not able to stay today, people who will
6 not be able to find any rush to testify before later
7 this evening.

8 We will in fact put on hold the possibility
9 of inviting OTDA back because we had questions that we
10 don't think that we can get to.

11 There are at least three testifiers who we
12 have agreed to make sure to allow them to testify.
13 Also, for those of you basically who we were saying we
14 don't think we could take your testimony tonight, we are
15 asking you to submit the written testimony. If you have
16 it now, our staffs are very interested in factoring in
17 what you are recommending as we move forward with our
18 budget evaluation process.

19 We do not want to put that on hold for seven
20 or eight days until we can complete this hearing. So,
21 we would urge everybody to submit the testimony and it
22 will be available and up on line. We will announce
23 hopefully in a few minutes the exact date, time and
24 location for what I believe will be a February 23rd

1 follow up hearing to complete this.

2 And we know that some of you traveled a long
3 way and, unfortunately, maybe it's not unfortunate,
4 there is enough interest in human services and social
5 services in the State of New York by the legislature and
6 by you to warrant more time than we can give it today
7 with snowy conditions outside.

8 So, I am going to excuse OTDA for now but
9 let you know that you may also be invited back on the
10 morning I believe of the 23rd.

11 So, thank you very much.

12 SENATOR MONTGOMERY: I would like to just
13 welcome -- there is a baby here but I can't see him. I
14 just wanted to make sure we acknowledge them
15 appropriately because this is what this is all about.
16 It's all about them.

17 SENATOR KRUEGER: Now we also have Michael
18 Garrity.

19 MR. GARRITY: Thank you, Madam Chair; thank
20 you, Senators and members of the Assembly, for allowing
21 me to speak briefly on behalf of some members of Tryon.
22 I know you had a chance to hear from our commissioner
23 prior to this.

24 I have devoted 26 years of my life to Tryon

1 Boys facility and youth we serve and have served since
2 the early '60s. Over the last few years, we at Tryon
3 and those at all the OCFS facilities across the state
4 have endured riots, assaults. Residents have stabbed
5 us, stab injuries at an alarming rate and unsafe working
6 conditions and this must stop.

7 We at Tryon feel that we are being singled
8 out unfairly because we spoke out about conditions and
9 reached out to local and state politicians for some
10 help. At the same time, we came to work. We did our
11 jobs to the best of our capabilities even under the
12 adverse conditions, through injury and even the threat
13 of personal injury by some of the residents.

14 Senators, members of the Assembly, I take it
15 personally when I read the inaccurate and orchestrated
16 barrage of negative press that we have been forced to
17 put up with. We are a proud group of people who take
18 our jobs seriously and we all try to do the very best
19 for the youth placed in our trust, regardless of race,
20 background, and all the challenges of changing behaviors
21 that have been deeply routed in our youth often since
22 birth.

23 We are not opposed to the change of the
24 therapeutic treatment model from the corrections model.

1 In fact, we have done this for years with our youth,
2 just without the fancy names and diagnosis. All staff
3 at Tryon care about our youth, regardless of what is
4 printed in the magazines and papers lately trying to
5 portray the public -- paint a picture of the public of
6 us.

7 We feel that we do a necessary job changing
8 the lives of all the youths of New York placed within
9 our care. Recently, in light of the Department of
10 Justice report, OCFS is developing new treatment
11 programs and behavior modifications systems that once
12 were successfully run at Tryon Boys. It was through our
13 labor management meetings we submitted to OCFS
14 management for their consideration possible replacements
15 for our current outdated systems that were not tailored
16 to the needs and capabilities of our current youth
17 population.

18 Having said this, I am requesting that the
19 closure of Tryon Boys be reconsidered to give us a
20 chance to flourish again and not fall victim to personal
21 agendas and the filtering of money downstate.

22 Thank you.

23 SENATOR KRUEGER: Thank you.

24 Questions? Senator Montgomery.

1 SENATOR MONTGOMERY: Quick comment. I
2 appreciate the fact that you have come to testify
3 personally, and I want to assure you that we certainly,
4 as you have expressed in your testimony, we have the
5 same interest, and that is to see the system move from
6 this correctional model to a therapeutic model, as the
7 Commissioner said.

8 However, we understand, and I am
9 specifically committed to the fact that we must work
10 with the employees because, without your participation
11 in the process, we know that it can't happen.

12 And so I am very committed to working.
13 We've had many, many conversations about this with
14 members of the union and members of the OCFS staff just
15 to make sure that we are working in tandem.

16 So, we are definitely committed to what you
17 are saying and look forward to continuing to talk to
18 you, communicate and work together as we seek to make
19 this, because we have to do it, because Department of
20 Justice is requiring that we make changes based on their
21 prescription for things that we have to do differently.

22 So, we are working with you and I appreciate
23 you coming to bring that personally.

24 MR. GARRITY: Thank you, Senator. Thank

1 you, all. Good night.

2 SENATOR KRUEGER: Thank you very much for
3 testifying.

4 Our next testifiers are from Catholic
5 Charities.

6 We have scheduled a follow up hearing to
7 take place Tuesday, February 23rd, starting at 9:30 in
8 the morning in this hearing room. So, there will be a
9 formal announcement that goes out.

10 And so many people already have left, please
11 make sure we have your testimony. And we will in fact
12 be doing follow up contact, and the assumption is we
13 will be continuing in the original order on schedule as
14 of that morning. So, thank you.

15 Good evening.

16 MS. BENSON: Good evening. Thank for the
17 opportunity to come down here today. I appreciate it.
18 My name is Renee Benson, I'm the Executive Director for
19 Catholic Charities Caregiver Support Services, we're
20 located about a mile from the building. We serve
21 Albany, Schenectady and Rensselaer Counties for kinship
22 share services.

23 Our agency started 23 years ago, actually,
24 providing services for people who were trying to take

1 care of frail, elderly people at home. What we started
2 finding out about ten years into the program is that
3 seniors were calling us looking for help to take care of
4 their grandchildren. There was no program here, no
5 program at all what we could use to refer them to.

6 When we realized there was quite a number of
7 calls coming in for services, we started our own
8 program. This program helps families when a parent is
9 not available to raise their child or children and
10 another relative takes over the child raising
11 responsibilities.

12 Often this is grandparent raising
13 grandchildren. This program offers profound outcomes
14 for keeping children out of foster care. This is the
15 informal kinship care that you were talking about,
16 Senator Montgomery.

17 These children and families teeter on the
18 edge. Typically a single older adult on a fixed income
19 is sacrificing their previous retirement expectations
20 and parting with their peer relationships to take on
21 child raising. They encounter lots of issues.

22 Some of them are more typical issues, like
23 dealing with the school system and reaching health
24 concerns, but some are more challenging. These are

1 issues like navigating the Family Court system, like
2 dealing with special education systems, mental health
3 systems, and all manner of complications that these
4 families get zero assistance compared to the formal
5 foster care families.

6 These families do not have a cushion and
7 they risk spiraling into physical, mental and financial
8 disarray. Our programs steps in to help these families
9 meet their basic needs and we assist with stabilizing
10 their homes and relationships and we help these families
11 stay together in a healthy manner.

12 Currently, in New York State there are 21
13 such programs in 30 counties. These programs understand
14 the unique challenges faced by kinship families and work
15 to improve the children, the school, the family and peer
16 relationships, as well as their legal status and access
17 to state and federal assistance.

18 Kinship programs promote permanency and
19 wellbeing for children to be with their extended
20 families. This program also reduces costs to taxpayers
21 by decreasing out of home placements and maintaining a
22 family bond for children. Research supports that youth
23 in kinship have better outcomes than using foster care.

24 The Governor's proposed budget uses general

1 funds to partially fund the Office of Children and
2 Family's kinship program and keep the statewide kinship
3 navigator. The kinship navigator is basically almost
4 full funding. The kinship programs, 21 programs, are
5 being reduced by about ten percent.

6 So, the Governor also recognized the
7 importance of the kinship care by implementing federal
8 kinship guardianship program. We do applaud that
9 effort.

10 However, there was \$2 million of TANF
11 funding which is no longer targeted to kinship family
12 programs. This means that the entire 21 direct service
13 programs have only a \$677,500 cut, plus a cut of almost
14 \$2 million from last year's funding. It's likely that
15 without this funding that some of these programs are
16 going to be closed.

17 Our agencies are currently operating at
18 maximum capacity. Taking cuts is almost impossible to
19 be able to sustain the level of demand. As the agency
20 representative I can tell you with confidence the demand
21 for kinship care support services has been increasing.
22 Our agency struggles to keep up with the demand. The
23 economic climate now only increases the difficulty for
24 these families.

1 If these programs closed or there are
2 reduced services, it's even predictable that a number of
3 children will end up in foster care, reducing the
4 chances for positive outcomes for youth, and costing the
5 state more money in foster care.

6 We need your support in helping these
7 families stay together and to stay the state funding.
8 We believe that wherever possible children with family
9 should not be in foster care, and to help strengthen
10 this argument I have with me two wonderful grandmothers
11 who would like to give you a couple of words as well.

12 The first one is going to be Iris Williams.

13 MS. IRIS WILLIAMS: Good evening, Senators
14 and Assemblymen. My name is Iris Williams. As the
15 young lady here stated, I am one of the grandmothers
16 involved in the kinship care program as a preventive
17 measure for my grandchildren going into foster care as
18 their mother was not able to raise and take care of
19 them.

20 I started out with four grandchildren who
21 are now teenagers, and was absolutely a nervous wreck
22 because, like she stated, I was looking for help and I
23 was looking for assistance through our government
24 agencies, through our county agencies, even through our

1 legislators, and no one had an answer for me, and I
2 thought that I was going to lose it.

3 In my search, in my endeavor to find help
4 for myself and my grandchildren, I stumbled upon kinship
5 care. They interviewed me, they took a look at my case
6 and immediately, immediately my family was becoming
7 whole again. And I felt the sense of purpose. My
8 grandchildren began to feel a sense of purpose and that
9 someone cared, saw them and noticed them and wanted them
10 to walk in the right direction, and were willing to
11 help.

12 Those four are now teenagers and being
13 teenagers, that is what they are doing. Since last
14 summer, I also acquired five more grandchildren that you
15 see before you now, and kinship care again has stepped
16 up to the plate and helped me to hope together and
17 maintain through counseling, through respite, through
18 many different services. My grandchildren go to camp
19 every summer. To get out of the system, they go to
20 different trips and vacations to show them that there
21 are different ways and an alternative lifestyle to
22 living in the intercity, that they would be subject to
23 if they were in group homes or orphanages or even some
24 foster homes that they would probably run away from.

1 I am here as just one representative to say
2 we need your support. And we are humbly asking you to
3 help us with the budget so that this program can stay in
4 place, because there are many, many, many, many
5 grandmothers just as myself throughout New York State
6 and the county, and we need all the help that we can
7 get. It's a tough job. Thank you for listening.

8 MS. BENSON: We also have Mary Williams.
9 Same last name, not related.

10 MS. MARY WILLIAMS: Senators,
11 Assemblymembers, my name is Mary Williams. I have been
12 with kinship care for ten years, a decade. My
13 granddaughter Oneida has been in my custody for ten
14 years and at that time I was receiving no program and
15 income.

16 The reason why I'm speaking to -- bear with
17 me. The reason why I am speaking today is to ask you to
18 help our funding, help keep our funding, and help keep
19 our children with our families and out of foster care
20 system. And also fund programs that have support groups
21 so we know we are not alone.

22 I really wrote these two things down because
23 I know I have a tendency of forgetting and I like to be
24 right on point with everything. I don't go asking for

1 help until I need it. I usually do things by myself.
2 But when it came to Oneida, I needed help with my family
3 health and mental issues.

4 I hope you have taken my experience and
5 shared emotions to heart. It all came from my heart. I
6 thank you.

7 SENATOR KRUEGER: Any questions? Senator
8 Montgomery.

9 SENATOR MONTGOMERY: I just want to thank
10 you for giving your testimony and giving us a view of
11 what it is we are talking about when we say kinship
12 care. And I fully understand because in my culture we
13 always have had, as they say Modea, who everybody falls
14 back on.

15 And we know how important it is and we want
16 to be able to help you to make sure that those children,
17 even though you know you now have the responsibility, we
18 want to make sure you have some assistance so that they
19 don't fall through the cracks just because mom and dad
20 aren't around.

21 Thank you for coming.

22 ASSEMBLYMAN AUBRY: Maybe introduce your
23 children.

24 MS. IRIS WILLIAMS: I will do that. We

1 start with the oldest son I have here somewhere, Kasada.
2 This is Sori, she is ten years old. This is Michael,
3 Michael is 9 years old. Gwinny, this is my clone and an
4 artist to boot. This is Wendy, she is seven years old.
5 And last but not least -- no, Shahira. This is Shahira,
6 she is three. And this is Shere. She just turned a
7 year old on the 21st.

8 (Applause)

9 This is why I do what I do, because it is
10 about family. And these children and many other
11 children in our society, in our counties, in our cities,
12 are our tomorrow, and what we put in them now is what we
13 are going to get out of them tomorrow and we put good
14 things in them.

15 Thank you.

16 SENATOR KRUEGER: Thank you very much.

17 Then we have Community Voices Heard from
18 East Harlem.

19 MS. KATZ: Good afternoon, ladies and
20 gentlemen. My name is Krintin Katz. I'm a leader of
21 Community Voices Heard, a membership organization made
22 up of low income families fighting to get to an
23 employment policy that affects our lives.

24 We are a statewide organization with

1 chapters in the New York City, Yonkers, and the
2 mid-Hudson Valley, Newburgh and Poughkeepsie area. I'm
3 here today from Poughkeepsie and I would like to talk
4 about job cuts in my area and how it affects my
5 community.

6 First of all, it's very hard for anyone to
7 find a good paying job. I believe I should have to work
8 to get service for the help that I need in society. Why
9 is it we can't get to choose the type of job and job
10 training of our choice? Why must clients have to work
11 at food service if it's not their field of interest?

12 That is why we believe the transition jobs
13 are important because people get experience, training
14 and paycheck. Please put the money back into for
15 transition jobs.

16 MS. BEALE: My name is Brenda Beale. I am
17 also a leader at Community Voices Heard. I would like
18 to give you a little background on transition jobs and
19 emergency contingency fund.

20 I want to focus for a minute on the
21 challenges that are faced by welfare recipients across
22 the state and particularly in New York City. Welfare
23 recipients have long faced a recession, and we are now
24 in the midst of depression. Those of us who are not

1 currently working but are receiving cash assistance to
2 make ends meet during hard times are then forced to work
3 for our benefit checks and workfare program and we
4 consider that as slave labor.

5 It's mandated work where we don't get a
6 paycheck. We aren't eligible for the earned income tax
7 credit and we can't put our experience on our resumes to
8 help us get a paid unemployment.

9 In place of workfare, CVH has fought for
10 years for the creation of transitional jobs program.
11 Programs that create temporary paying positions, coupled
12 with training for welfare recipients to gain real work
13 experience, stabilize their finances, acquire some new
14 skills and prepare for the work force, and have recent
15 experience to put on their resumes. Something like that
16 is important to all of us.

17 In 2001, we got New York City to create a
18 transitional jobs program, and it serves about 3,500
19 people a year, but as of last year 14,000,000 people
20 were still being sent to unpaid workfare each month.
21 Last year, we saw an opportunity at the state level and
22 we took it.

23 And after a lot of court work we were able
24 to win the creation of a statewide transitional jobs

1 program. The state put in \$5 million, and because of
2 the existence of the federal emergency TANF contingency
3 fund welfare we were then able to draw down an
4 additional \$20 million in a four to one match with the
5 federal stimulus money for expanding for the match, for
6 the federal stimulus money for expanding the programs to
7 25 million and serve 2,500 people. Still, it's not
8 enough.

9 The Governor is proposing cuts to
10 transitional jobs, green jobs, healthcare jobs, Career
11 Pathways. Career Pathways was my baby which I fought
12 for with Keith Wright. And the program is a good
13 program. It's working. And I can testify to that.

14 The nurse family partnership, all of these
15 programs could be paid for with contingency fund money.
16 We need more transitional jobs programs, not less. This
17 is not the area to be cutting to save money.

18 New York State is eligible for \$1.2 billion
19 of emergency contingency fund because of the increase in
20 welfare case load. That money is to help us. Please do
21 not use it to plug other holes in the budget. We came
22 up to Albany in this snow storm because the situation is
23 so bad and these transitional jobs programs are so
24 important. Please put the money back in the budget to

1 fund the jobs programs. Thank you.

2 MS. MANNING: Hello. My name is Loretta
3 Manning. At this time I will read a statement that I
4 previously prepared.

5 Good afternoon, Senators and Assemblymembers
6 of the Social Services and the Financial Committee. My
7 name is Loretta Manning, and I am a member, leader and
8 board member of Community Voices Heard. I live in
9 Newburgh, New York, in Orange County, and I am
10 representing the mid-Hudson Chapter of CVH.

11 Some of you I have met in small group
12 settings and some of you I have not. It's good to see
13 you again, and some of my new friends to be as well.

14 I was here last year in February with
15 Community Voices Heard to talk about the same issue I'm
16 here to talk about today. I'm here today to talk about
17 the Governor's proposed cut to Social Services and how
18 it would hurt me, my family and my community. It is not
19 the time to cut welfare programs. More and more people
20 are out of work and more people are turning to social
21 services.

22 I understand the state needs to balance the
23 budget, but taking away food and shelter from the
24 poorest families is not the way to do it. More and more

1 people, even more who are -- that have jobs are relying
2 on social services just to feed their families.

3 Last year, the Governor finally raised the
4 welfare grant after 17 years, but now he proposed to cut
5 that back. Cutting the grant increase back will hurt
6 families that rely on public assistance just to survive
7 and to have a roof over their head. The grant is barely
8 enough to take care of a family of four fed.

9 I should know. I'm a public service
10 recipient with six kids. I have worked in the past and
11 I hope to work again one day. Before now, I have relied
12 on my public assistance check, which is barely enough to
13 pay bills, to buy toiletries, as well as do laundry.

14 It's degrading for me and my children that I
15 can't even give my child an extra ten dollars to go out
16 and have social events with his friends. It's demeaning
17 the way you are treated by people at Social Services.

18 I get \$214 every week in cash assistance.
19 That's to raise six kids. I would like to invite the
20 Governor to try to raise six kids on that. I would like
21 to invite anybody to try to do that. Cutting this grant
22 means to me more of an economic crisis.

23 There are more and more people coming into
24 Social Services for help. There is not enough to go

1 around. This is going to make more people in the
2 shelters and more people in the street, and I have been
3 there for both of those situations. By making these
4 cuts, you are cutting programs people need to survive.
5 These are programs that will help people have a chance
6 to get out of poverty.

7 Sometimes they need that help to start out
8 on their own. The transitional jobs program is not just
9 for people on Social Services. It's for people who do
10 not have that job experience, for their life to begin.

11 The economy is already bad so that people
12 already know that they won't be getting a job because
13 they already have strikes against them. This is sad to
14 us because we helped win the money for transitional jobs
15 last year. We worked so hard to get the program
16 created.

17 This was the first time the communities
18 outside of New York City even got the chance to have
19 programs like this. The program started small. Orange
20 County only got \$214,000, but we were so grateful to get
21 even a few jobs for people. We haven't even been able
22 to hear the success stories and now they want to cut the
23 money back.

24 Through the federal stimulus, the state is

1 eligible for match money to fund transitional jobs yet
2 in the budget you cannot find it. We are worried that
3 they are going to try to use it for something else.
4 Some things that doesn't benefit welfare recipients.

5 It's not the fault of low income residents
6 that the state is in now financial situation. It's not
7 fair to try to balance the budget on the backs of the
8 New York's poorest residents. The Governor's budget is
9 only going to make the poor poorer.

10 Because of our economic status, the poor
11 living conditions from being we are already messed up,
12 don't make us continue in this cycle. Do something
13 different for a change. Make it easier for us to get
14 ahead. Don't keep us down. All of us want a home with
15 heat and hot water.

16 I know I have a wish, as everyone else in
17 the world do, to be comfortable, secure and respected
18 whether I have a job or not. People ask me why do I
19 fight so hard to keep jobs and keep welfare and keep the
20 money there.

21 I can only do so much for my children and my
22 home, but I want to make sure that the community that
23 they live in will be able to help them when they leave
24 out of my home.

1 So in conclusion, I ask you that we keep
2 transitional jobs and we also keep the increase because
3 that increase is what is going to help us survive. It's
4 supposed to go up just to drop down. Please don't let
5 us still be in the same predicament that we are in now.
6 We just want a chance to head up, to help ourselves.

7 SENATOR KRUEGER: Senator Velmanette
8 Montgomery.

9 SENATOR MONTGOMERY: Obviously, we certainly
10 agree with you and we will be fighting very much, the
11 two of us, my colleague and I, to make sure we don't
12 lose what we gained hopefully.

13 I want to just also say that I see that now
14 you have become so sophisticated in this process you are
15 now lobbying us directly, and that's really great. So,
16 you can move to the next level as well. So, this is a
17 good sign and an opportunity that I think I don't want
18 you to lose sight of.

19 We have introduced legislation which
20 promotes a concept that we have thought to be important
21 for many, many years, but finally since we have, you
22 know, since I am the Chair of the committee the
23 legislation is moving and we have all, in our house,
24 co-sponsored this bill.

1 It will allow people like yourselves and
2 many others, we hope and anticipate, to be able to
3 attend college and that would be then you would be
4 fulfilling your work requirements in order to be
5 receiving assistance. It's a priority for us in our
6 house. It's a priority for the Chair of the committee,
7 the Social Services committee in the Assembly.

8 And I don't know the number. Do we have a
9 number of our bill? 2233. Now that you are in the
10 business so you know how to reach us. We need you to
11 call and get the number of the bill so that -- and
12 hopefully you guys have a statewide network, don't you?

13 So, we could really use some help on that
14 bill. If that's something that you think you can
15 support, if it's important for your members, we would
16 like to hear from you.

17 I am from Brooklyn. Senator Squadron is
18 from -- he has part of Brooklyn, parts of Manhattan.
19 And Senator Krueger has Manhattan. We could use some
20 support from our members down there, as well as the
21 member that represents you and all over the state.

22 We would like to see that legislation passed
23 because it's just for people like yourselves because, no
24 matter what we do, this public assistance is going to

1 come to an end. And we would like for you to be able to
2 move not from public assistance to poverty jobs, but
3 from public assistance to living wage jobs.

4 That's what we are fighting for and we
5 really hope to be able to do that as a piece of the
6 issue that you are raising. The transitional jobs is
7 only one thing but this is another piece to that,
8 hopefully putting you in the pipeline to moving out of
9 this whole situation.

10 So, thank you for coming and we look forward
11 to working with you.

12 SENATOR KRUEGER: Assembly, any questions?

13 MR. WEAVER: Good evening. My name is
14 Michael Weaver. I am a member of Community Voices Heard
15 and I'm in the back to work and work force --

16 SENATOR KRUEGER: I'm sorry. We can't do
17 six people. I'm sorry. So, Mr. Weaver, if you perhaps
18 could just in one paragraph summarize.

19 MR. WEAVER: Good evening, Senators. I'm
20 Michael Weaver from Community Voices Heard. I'm
21 53-years-old. I'm currently unemployed since October of
22 2008. I'm unable to find a steady job due to the
23 downturn in the economy, and I want to work.

24 We just learned in New York City HRA is

1 requiring 60 days compliance for someone to be offered a
2 transitional job. Being that the way that these
3 requirements are put forth, it is like the doors are
4 closed to one's face because of our -- failure to comply
5 meaning that if the HRA employee does not answer a call
6 in the computer it would assume that the client does not
7 comply. Automatically, therefore, putting the client in
8 the hole, which gives HRA the excuse not to offer
9 transitional jobs. We direly need your help in stopping
10 this practice.

11 SENATOR KRUEGER: Thank you. And could you
12 also do just a paragraph. I know I feel very bad but my
13 colleagues, I need to get --

14 MS. MCCLURE: Everyone is tired. We are all
15 ready to go home. We have a train to catch back down
16 into the snowmobile.

17 I just want to say that we have been talking
18 tonight about millions and billions of dollars. Let me
19 just bring this down a little bit to the individual.

20 My name is Melissa McClure, by the way, and
21 I live in Manhattan. I am here with Community Voices
22 Heard.

23 These cuts in the budget for cash assistance
24 will now be an additional maybe \$7.50 every month.

1 That's it. \$7.50. Has anyone gone to a movie lately
2 that costs \$7.50? I haven't. And that's got to pay --
3 help pay for \$800 rent stabilized apartment, it's got to
4 help pay for transportation, by the way \$2.25 now for
5 one subway ride, telephone, utilities, laundry, toilet
6 paper. We are talking necessities here. That's what
7 \$7.50 is going to have to cover.

8 Community Voices Heard strongly urges you to
9 fully fund all of the subsidized job programs and
10 reinstate the cash assistance increase. We desperately
11 need it.

12 Ladies and gentlemen, thank you for your
13 time. The money is here for you to help. We need your
14 help. Thank you.

15 SENATOR KRUEGER: Thank you very much, and I
16 appreciate you coming and waiting all this time. Again,
17 apologize to all.

18 Our last testifier is from Rochester,
19 Germaine Knapp from Sojourner House.

20 MS. KNAPP: Thanks for staying. I came in
21 last night and it was blizzardy and I have been here
22 since this morning but you've all been here longer.

23 I am the President of Sojourner House and we
24 have been serving homeless families for over 28 years.

1 I'm here to talk about the SHIFTA funds that come out of
2 OTDA. For less than \$6 a day we can serve our families
3 and move them on to results that are part of the -- just
4 the one page testimony that I gave to you.

5 If we weren't there to provide this service
6 our medically ill, chemically addicted, victims of
7 domestic violence and so forth, would not have the
8 services and be able to move forward and achieve their
9 vision.

10 It's \$5 million for the entire state. It
11 means everything to families that we serve. And I am
12 asking you to care and help build a stronger New York by
13 keeping these dollars for SHIFTA. No more.

14 SENATOR KRUEGER: Assemblywoman John.

15 ASSEMBLYWOMAN JOHN: You have been very
16 patient, and thank you for traveling from western New
17 York to testify here today.

18 And I can assure you that all of my
19 colleagues here on the panel are very concerned about
20 the cut to the supportive housing program and we will do
21 what we can to try to help programs like yours.

22 Thank you for the work that you do in
23 Rochester.

24 MS. KNAPP: Thank you.

1 SENATOR KRUEGER: Thank you.

2 This closes part one of now a two part Human
3 Services budget hearing. Again, we will be back
4 Tuesday, February 23rd, in this room starting at 9:30 in
5 the morning.

6 Again, the legislature's apologies for not
7 being able to go through all this in one day. Again, we
8 urge you leave testimony, if you have it today. That
9 doesn't mean you aren't more than welcome to come
10 testify before us, but the sooner the staff gets the
11 information that you want us to know, I think the more
12 of a fair hearing we will be able to give your advocacy.

13 Thank you, my colleagues, for sticking it
14 out. And everyone drive very, very carefully if you are
15 driving tonight.

16 (Hearing adjourned.)

17

18

19

20

21

22

23

24