

NYPWA Commissioners' Meeting Summary
June 10, 2021

Tammy DeLorme, NYPWA President

Today's Captivating Conversations

- BIG legislative changes ahead
- ERAP Tips on increasing response
- County budgets get underway
- Difficulties filling vacancies
- NYC ACS addresses complex needs
- Cross-System Kids Campaign data tool
- Family First Qualified Individual (QI)
- Conference leadership series
- Medicaid – what's happening & what's delayed

BIG Legislative Changes Ahead

Many bills passed that promote significant changes in child welfare and public assistance. They can impact the role of local districts and the people you serve. The bills are forwarded to the Governor in groups through the end of the calendar year. It may be months until executive action is taken on each bill. The NYPWA issued a legislative summary in this week's Quickie Report and a full compilation will be issued in July. An analysis of each important new law will be provided as bills are enacted. The Family Assessment Response mandate for child welfare did not pass. We expect a study to be pursued with the opportunity for input on the design.

NYS Emergency Rental Assistance Program Started June 1st [ERAP Portal](#)

21 TA/DC039 at <https://otda.ny.gov/policy/gis/2021/>

Status

- NYC – 45,000 applications submitted to portal as of June 9th.
- Tenants may not realize that they still owe past rent after eviction moratorium ends.
- Some landlords will *not* pursue ERAP; they just want the tenants out.
- If tenants already left, the landlords can't quality for the money.
- Applications are taking a long time to complete.
- Call center response started out slow, but it's better now.
- Outreach & marketing take time to have an impact.
- Commissioners need more advance notice for OTDA calls. NYPWA has made request.
- More data is needed. Dave Dlugolecki is the OTDA contact on data issues.
- Counties are manually reviewing which locations by zip codes are in their county.

Local DSS Words of Wisdom on Increasing ERAP Response

- NYC: Strong advocacy community does active outreach. Advertised on Access HRA website portal where people apply for public benefits. Sent a mass mailing (through vendor) to people on cash assistance and SNAP. NYC has a weekly call with all of their providers and legal advocates. NYC continues to have an aggressive campaign using social media, including twitter and Facebook, letting people know to go to the state portal to apply if they have rental arrears. NYC received 10,000 applications for utility arrears. Of the 45,000 applications; it was no surprise that prospectively 42,000 said they will need the 3 months. CBOs didn't have enough staff to fully handle the volume. Referred cash assistance clients who need jobs; they are being hired to work at CBOs.
- Onondaga (County-run ERAP) has received 5,000 applications reflecting about \$23 million of rental arrears owed (excluding utility costs submitted.) The county executive has at least a weekly press conference to promote these funds and to engage local media. Their Facebook marketing campaign has reached tenants. They have 60/40 tenants/landlords applying. The moratorium does not mean that you don't owe your rent. You still owe the rent, so it's a good idea to apply now, so that you don't have this debt on your record. This is clearing up some misconceptions. Difficulty getting W-9 forms from landlords has slowed the process down. Only one landlord declined so far, but more will decline based on not wanting to keep their tenants. Local media is looking at ESG. Other commissioners agreed that eviction moratorium affects their ability to use ESG funds.
- Monroe (county-run, ERAP) has also received about 5,000 applications and over 2,000 have been completely processed. They partnered with City of Rochester. They try to get on every media site. They did a YouTube video with a PowerPoint presentation that they constantly re-cycle back out. They are on Facebook, sitting at every community table they can, information for upcoming Juneteenth and other festivals, County Executive promoting. Bringing on additional CBOs to address bottlenecks. Looking to break-up process, perhaps using faith-based groups and community organizations for small initiatives that would not require the lengthier RFP process. Collaboration with court system, advocates and community-based partners is key. Agencies include refugees helping refugees; Spanish speaking entity, Urban League, Veteran's outreach group, agency that works with Domestic Violence clients and one group specifically for landlords. A lot of community agencies are losing staff to better jobs, and they are trying to hire new staff to meet the demand. Small community organizations do more "hand holding" to get applications fully completed. Had an average of 33 days to complete an application. Talked to eviction court judge to ask judge to send tenant and landlord to our table to see if they are eligible for ERAP before proceeding. Marketing went well and now we need more community agencies to handle applications.
- Erie worked with four different agencies and assigned them zip codes or areas - one worked with immigrant population on West-side, they did Outreach and case

management, and helped people upload their information. They met with agencies weekly. Worked with City of Buffalo – they opened up their five community centers for people to help with applications. One of the local municipalities agreed to provide list of who landlords planned to evict. Worked with legal advocates in housing court and they made sure they spoke to everyone to identify who owed rent and can apply for ERAP.

- Rural Counties are doing outreach. Everyone would value information that would enable them to determine who is getting help. Data sent to districts is limited. When will we find out how much good this program did for our counties? Once OTDA starts approving applications they said that there will be an added column of how many were approved and how much money authorized. Commissioners would like to be able to drill down to who was approved and how much they were given. LDSS staff are tracking applications by zip code and manually identifying which sites are actually in their county.

21 TA/DC039: “In order to avoid a duplication of benefits, information will be shared with districts regarding rental arrears assistance provided to eligible households. Additionally, these households will be provided with a notification regarding assistance received.”

Top Strategies to Promote ERAP

- Collaborate with anyone and everyone.
- Marketing campaigns on social media.
- County executives hold press conferences.
- Moratorium on evictions will not go on forever - urge tenants to be proactive - still owe rent and if you apply now, you can avoid this debt on your record.
- Coordinate with CBOs to help ease the workload and attempt to break down the process into smaller sections, such as assigning by neighborhood or zip codes.
- Lots of “Out of the Box” thinking.
- Engage a vast number of stakeholders including working with eviction court judges and advocates to have tenants be directed to DSS for assistance.
- Partnerships with cities and community centers is helpful.
- Assign one CBO to specifically work with the landlords; getting their W-9s and so on.
- CBOs lost staff to better paying jobs elsewhere; hire staff from TA/SN caseload.
- If a landlord chooses not to participate and accept payment, the judge can see this and may choose to urge cooperation with the process.

Emerging Leaders at the NYPWA Summer Conference (View brochure at www.nypwa.org)

Mike McMahon (Montgomery), our NYPWA Conference Liaison, introduced our new Leadership Series. This is a great way to develop your staff. Nothing is ‘business as usual’ anymore, and we must prepare our teams—and ourselves—to lead. We are seeing lots of burnout among senior staff. The fee structure is reasonable and enables commissioners to send more front-line workers and supervisors. Full complement of workshops featured. Many CLEs. All sessions will have a local DSS moderator – perhaps from your district!

Stay Informed on Medicaid – Here’s What’s Happening and What’s Delayed

Here’s what went into effect on May 17, 2021

Children’s Waiver Adaptive/Assistive Technology and E-Mod, V-Mod Authorization

[21ADM-01](#). Children’s Waiver Adaptive and Assistive Technology, Environmental Modifications, and Vehicle Modifications Authorization (PDF) [Attachment 1](#) (PDF) [Attachment 2](#) (PDF) [Attachment 3](#) (PDF) [Attachment 4](#) (PDF) [Attachment 5](#) (PDF) [Attachment 6](#) (PDF) [Attachment 7](#) (PDF) [Attachment 8](#) (PDF) [Attachment 9](#) (PDF). Note: Attachment 2 Guidelines for Authorizing Environmental Modification page 2 under Providers/Contractors of Environmental modifications: Providers of Emods must adhere to any State and local safety standards pursuant to Article 18 of the New York State uniform Fire Prevention and Building Code Act, as well as local building codes.

Here's what goes into effect on July 1, 2021

VFCA Foster Care Transition to Medicaid Managed Care, starts July 1, 2021

<https://ocfs.ny.gov/programs/managed-care/>

Implementation of Article 29-I on July 1: VFCAs will be licensed by DOH in consultation with the OCFS to provide limited health-related services.

Here's what is coming some day

Fiscal Intermediaries Contracts to be Added

[GIS 21 MA/04](#) - Implementation of Fiscal Intermediary (FI) Rate Structure Enacted SFY 2019-20 NYS Budget Requests for Offers from Fiscal Intermediaries (FIs) [HMH Art. VII. [Part LL](#)]: Directs DOH to add back a limited number of FIs within the CDPAP—relates to FI contracts that are located in the counties they serve, have experience serving individuals with developmental disabilities, and serve racial and ethnic minorities.

Postponed Again

30-Month Look-Back – Not Yet

The Department of Health (DOH) planned to implement a 30-month transfer of assets lookback period for coverage of community based long term care for Medicaid applications. No new start date set.

Independent Assessor (IA) Role – Start Date Pending

Upon implementation of the regulations, an Independent Assessor (IA) will be conducting all initial and reassessments for Community Based Long Term Care Services and Supports provided through LDSS, MMC or Managed Long Term Care (MLTC). No new start date set.

Pharmacy Carve-Out Delayed Until April 1, 2023

[GIS 21 MA/05](#) - Transition (Carve-Out) of the Pharmacy Benefit from Managed Care to Fee-for-Service (FFS) delayed per [GIS 21 MA/08](#) - Delay of Transition (Carve-Out) of the Pharmacy Benefit from Managed Care to Fee-for-Service (FFS) (PDF) until April 1, 2023

FMAP, County Budgets, and Workforce

Federal Medical Assistance Percentages (FMAP).

If there is one piece of current information you need to know on FMAP today, it's this:

It has been reported that eFMAP savings were accelerated to provide the full Covid eFMAP benefit by the end of the SFY, however on an annual basis, the shares for each local district remains virtually the same.

County Budgets Underway

Federal stimulus funds offer the opportunity to use non-recurring revenue for a one-time expense, such as, improvements in technology or infrastructure. Budget plans include projections for public assistance, which has experienced declining caseloads, and for SNAP caseloads, which have risen. There is a trend of having many factors impacting just below the surface that need to be incorporated into this budget process.

New legislation can lead to increased costs and some counties are anticipating additional expenses to support SCR reform and time spent reviewing records to ensure compliance.

Some counties have budget approval to back-fill positions; difficult to get new positions.

Workforce

Staffing is a huge hurdle. People are not taking civil service tests or applying for positions. Losing 1 caseworker can take 6 months from application to get a new person the ability to really begin to carry a caseload. During that process everyone else is overworked and having to deal with huge caseloads.

Many districts are having trouble filling positions. The issue of provisional appointments is problematic and fewer people will consider temporary positions. Giving applicants the best opportunities to become permanent is a priority. One way is to provide assistance is with Civil Service testing preparation.

A Cross-System Conversation to Identify New Approaches to Serving High Needs Youth

Commissioner David Hansell, NYC ACS and Julie Farber, Deputy Commissioner, NYC ACS presented on 'CANOPY', a collaborative approach for providing enhanced services and improved outcomes for NYC youth in foster care, including youth crossing over to and from the juvenile justice system. These youth may have complex trauma histories, severe behavioral issues, substance abuse disorders, poor family bonds, social challenges as well as permanency and placement challenges.

NYC ACS engaged OMH, OCFS, and the city's Department of Health and Mental Hygiene to address how to better serve kids in their system with serious mental health issues. Their goal is to have their partners in MH, DOH and OCFS 'at the table' with them in a more significant way to help these kids. These are the kids who agencies don't know how to serve and who need a tremendous amount of help, time, and resources. A typical foster care agency planner is not an expert in what resources exist for these cases. Specialized targeted services aren't on their radar and in-the-moment response is critical.

The partnership to provide support to ACS and Foster Care agencies includes an MOU between the 4 agency commissioners at OMH, OCFS, NYC ACS and DOHMH and has made the commitment and structure clear at every level. The goal is to adopt a system of care approach for children 14 and over with major needs and challenges; improve pathways to existing services and create new services; and create a structured way to work together across all agencies and levels. A Governance group reports to the 4 commissioners.

Canopy's 3 Sections involve: Single Referral process making it easier for Foster Care Agencies to reach us; Cross Agency Team (CAT); and Cultivated Resources.

They also have a technical support team to help agencies figure out when a referral should be made and to which program. Multiple links on the Google Drive detail all of the resources that will help case planners. Management and Supervisors will be aware of these resources to support the Cross Agency Team.

OPWDD may be added to the structure down the line, but they started with the mental health system as a first step. CANOPY is not a magic bullet, but there is now an increased commitment to collaborate on individual cases and figure out where the resources need to be. For additional information on NYC ACS's initiative contact julie.farber@acs.nyc.gov

Family First Implementation – What is Required of the QIs

The Qualified Individual (QI) is required to be a trained professional or licensed clinician with experience in the child welfare field and cannot be someone who has a direct role in case management or planning.

If you have a contract template or model contract, please consider emailing it to the NYPWA office to share with other commissioners.

Statute 409 part H [ELFA, [Part L](#) page 45] identifies what the QI assessment encompasses and the appropriateness of placement in a qualified residential treatment program. Local districts need a very fast turnaround since a 30-day timeline will be tough to meet. Judge must make a decision and it is the district that suffers the consequences if decision is late. The QI must talk to members of the family and permanency team. Consider putting everything you need in any contract going out for RFP.

Agencies/individuals can still be added as QIs. You are not restricted to current QI list. Some commissioners are exploring using county community services department for QI function.

Counties may find that it is useful to align their resources with other counties in their region to access QI. Unclear how many hours a QI assessment will take or what it will really cost.

Payment for QIs has raised questions and frustration. As a frame of reference for the cost structure for paying the QI providers, OCFS provided this link to Children and Family Treatment and Support Services (CFTSS) Collateral Contacts rates:

https://www.health.ny.gov/health_care/medicaid/redesign/behavioral_health/children/bh_kids_ffs_rates.htm

What about the federal waiver?

Under federal law, the QI may not be a person employed by OCFS or by a LDSS and cannot be connected to or affiliated with any placement setting in which foster children are placed. This requirement may be waived by the Secretary of DHHS upon request of a state certifying that training professional or licensed clinician can maintain objectivity in the assessment process. As of June 10th, NYS does not yet have an approved federal waiver.

Cross Systems Kids Data Tool

Our Cross Systems Kids Campaign is co-chaired by Tammy DeLorme and Thalia Wright (Monroe.) Our group will be meeting during the summer conference and there will be a multi-state agency workshop presentation.

Eileen Tiberio (Ontario) developed a spreadsheet to use going forward in order to identify how many of these kids are out there and to assess what services are needed. It is especially hard to represent the trauma of these kids. We can track this, but then we also need identifying information about the children and to have some detail of their history. Are they abused or neglected? There are so many variables to each case. Perhaps developing a case book about these kids will help to create a powerful narrative. Each kid's experience is so different; we need a way to represent it. We need to capture the stories and begin to assess what is needed.

The spreadsheet is viewed as very helpful by those that have tried it out. The work is just getting started: How do we share information; how do we create new models and a different approach to these problems? The conversation is ongoing.

See you at the Summer Conference on Screen and in-Person this Fall

Tammy DeLorme closed the meeting with a promise of in-person meetings this fall, and many commissioners posted smiling face emojis 😊 in response.

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