

NYPWA Commissioners' Meeting Summary
November 4, 2021

Tammy DeLorme, NYPWA President
Eileen Tiberio, First Vice President

Another Successful Hybrid Meeting of the Minds

Tammy DeLorme and Eileen Tiberio collaborated on hosting our hybrid November Commissioners' Meeting (with Webex option) at Longfellow's Inn (Saratoga). Those who came on Wednesday dined together and enjoyed lively breakfast conversations the next day.

Our December 9th meeting will be hybrid with an in-person option at Longfellows Inn and a Webex option.

Emerging Leaders Act Two at Winter Conference

We have lined up a group of training professionals to offer a second series of leadership sessions, starting with our Opening Address by Gary Gzik, on "Leading the Way Forward", with more workshops throughout the conference. Mike McMahon (Montgomery) and Ellen Wayne (Wayne) are pulling together a Commissioners Panel inspired by Leonard Townes' (Westchester) suggestion to address "Managing Today with an Eye on Tomorrow." Sarah Merrick (Onondaga), Sabrina Marzouka (Dutchess), and JoAnn Fratarcangelo (Schuyler) have stepped up to present. There is room for more panelists as well as interest in a second leadership session that would be led by other DSS administrators.

Commissioners' Meetings Hybrid Track at Winter Conference – January 27 + 28, 2022

Commissioners will have the option of attending in-person, or participating remotely on Zoom, on Thursday, Jan. 27 and Friday, Jan. 28 at Longfellows Hotel in Saratoga. Our usual array of meetings will be held Thursday afternoon and on Friday ending by 3 p.m. The registration fee of \$100 per person for the virtual workshops includes attendance at the commissioners' meetings. All workshops are virtual-only. It is only the commissioners' meetings that are hybrid. These meetings be enhanced with additional time for in depth conversations on local challenges and initiatives. Hotel fees (1 night) and meal costs are an additional cost.

Tis the Season: Annual NYPWA Meeting with DOB & Governor's Office Staff

On October 26th a team of commissioners, on our executive committee, joined NYPWA staff in an online meeting with representatives from the state Division of Budget (DOB) and the Governor's Office to discuss our priorities heading into the 2022-23 state budget season. We expressed our appreciation for our state agency partners and the new administration for supporting pandemic waivers and for Governor Hochul's leadership on helping streamline the

ERAP process. Commissioners spoke eloquently on the need for stable, low-cost housing in light of the upcoming ‘perfect storm’ related to decreased housing stock, increased costs and an eviction moratorium set to end in January. We made the following requests for the coming budget:

- Withdraw OTDA’s proposed motel-hotel rules, which would make it harder to help people; DOB was aware of this issue and interested in the impact they may have on local districts; NYPWA will be discussing the matter further with the Governor’s Office in mid-November—including the Governor’s newly appointed Deputy Secretary for Human Services and Mental Hygiene Jihoon Kim
- Consider that the state completely withdrew its funding for Safety Net Admin (it used to be 50%) and reduced the state share of benefits to 29%; all these new rules will come with a high cost on localities
- Focus on stable housing—reevaluate the inadequate shelter allowance rate and restore state share of Safety Net Assistance back to 50%.

In addition, we explained how counties are on the frontline of helping at-risk children and that effective preventive services, kids with complex needs and successful Family First implementation are all connected. On these issues, we made the following budget recommendations:

- Continue the commitment to open-ended funding and restore the state’s share to 65% (the current cw funding methodology sunsets next year). OCFS’ proposed new Family First Prevention Plan is ambitious and hinges on available funding.
- Support strategies that serve high needs kids by investing in new service models that reduce inappropriate long-term placements (i.e., stays in hospital Emergency Departments)—and provide appropriate wraparound services
- Need ‘outside-the-box’ thinking and collaborative solutions

DOB and the Governor’s Office noted it was early in the process and that they were hearing our input in advance of their decision-making. They were interested in the issues surrounding the proposed hotel/motel regulation and the cross-system kids issues and in having further discussions.

OSC Audit on Homeless Needs Assessment

The NYS Office of State Comptroller (OSC), Division of State Government Accountability, began conducting an audit of OTDA earlier in October. In its request, OSC noted that it *“is undertaking a statewide audit of homeless shelters in regard to the oversight of homeless needs assessments and Individual Living Plans, to determine if said activities are being completed timely and effectively in order to transition homeless individuals to more permanent housing. As part of our audit, we are reaching out to each county in the State to identify all shelters where the county places homeless individuals and families or homeless shelters operating in your county*

from January 1, 2018 through today. This would include certified and uncertified shelters, hotels/motels, private or volunteer operated shelters, emergency temporary warming shelters, shelters utilized by local law enforcement, and temporary housing/shelters for sex offenders.”

The OSC email had attached a spreadsheet for data entry and a questionnaire regarding county homeless services operations. They requested return of the information by November 8, 2021.

While OSC is auditing OTDA, their data collection targets local districts. Commissioners discussed how they are handling the request. The email from OSC was sent to directors of temporary assistance statewide and not to commissioners.

Cross-System Kids—Strategies and Next Steps

This year’s virtual Policy Forum (October 7) explored local initiatives to serve cross-systems kids with complex needs. Many of these cases involve children who have multiple behavioral, cognitive, or other medical/mental health needs that DSS alone cannot fully address. Every district struggles to meet the best interest of the child, but often children can find themselves spending an inordinate amount of time in long-term placements (i.e., hospital ERs) waiting for appropriate placements or services.

Here are ten strategies we discussed:

- 1) Track data on children with complex needs. Eileen Tiberio (Ontario) developed a spreadsheet to help gather data on these cases and to help build a statewide information resource. All are encouraged to track their cases using this spreadsheet or their own tool. For a copy of the spreadsheet contact the NYPWA staff.
- 2) Pursue regional approaches with strong clinical supports, emergency respite, and interventions for aggressive behaviors.
- 3) Consider alternatives: the [Oregon Model](#) (“developed as an alternative to institutional, residential, and group care placements for children and youth with severe emotional and behavioral disorders.”), System of Care initiatives, and professional foster care.
- 4) At our request, COFCCA has agreed to present a panel of providers to speak on programs to address high needs kids in a session at our conference.
- 5) Explore funding options and consider asking to re-purpose unused Raise the Age funds.
- 6) Identify and develop more intensive services to reach kids at an early age.
- 7) Improve collaboration between hospitals and DSS on intake assessments and discharge plans; offer information for hospitals on what DSS can do and what they cannot do in these cases and vice versa.
- 8) Recommend restoring preventive services to 65% state share and use funds to bolster services to families.
- 9) Identify areas where there are service deserts and plan a strategy for upfront money. What are the services that are needed that cannot be accessed? (e.g. MST-Family...etc.)

- 10) Consider [Therapeutic Crisis Intervention](#) (TCI) from Cornell University—which is designed to “help adults respond to aggressive behaviors in ways that empower children, recognizing that aggression maybe the result of past trauma.”

During the Policy Forum, staff from the Council on Children and Families were on-hand to learn and hear from counties on these difficult cases. They offered their assistance, although their effectiveness has been limited in how much help they can offer in bringing needed services to children in crisis. That said, if you wish to reach out to them, the Council’s Hard-to-Place/Hard-to-Serve Unit can be reached online at: <https://www.ccf.ny.gov/council-initiatives/hard-place-hard-serve-unit/>. Renee Rider is executive director of the Council.

Homelessness/ERAP Updates

We brainstormed strategies regarding a difficult case of a person with a developmental disability, mental health issues, and other problems, who is homeless and banned from motels.

Despite the streamlining and opening up of ERAP processes since Governor Hochul assumed office, counties continue to report issues with actual payments being received by landlords. ERAP data reports have also been delayed as of late.

Another phenomenon being reported is a recent spike in ‘backdoor’ evictions from landlords allowing properties to fall in disrepair and fail local code inspections—leading to tenants being left without housing. Lack of affordable, local low-cost housing options are causing problems—especially for families.

Fair Hearing Cases/Aid to Continue

Commissioners noted there is a growing backlog of pending fair hearing cases being treated as ‘aid to continue’ as the pandemic stretches on. Many of these cases are covered by Safety Net Assistance and they end up costing localities a significant amount of money, while OTDA appears reluctant to hold fair hearings while pandemic continues.

Discussion on Local Workforce Recruitment

- Waiting for some civil service exams to be given.
- Re-defining clerical role.
- In some counties, people are not signing up when civil service exams are offered.
- Lewis County successfully increased grade level to match probation staff and this has helped with retention of caseworkers.
- Dutchess County provides supplement that has helped with retention and kept staff from going to work for Probation department.
- Erie County just had a very successful job fair. DSS staff were there to talk about their experiences as examiners and as caseworkers.

- Early retirement options increased turnover temporarily.
- Some counties have found that staff they hired were not committed to this career long term and left after a few years.
- Some preventive services providers that contract with counties are short-staffed.

Medicaid

Kira Pospesel (Greene) updated Commissioners on the latest Medicaid news:

- [21 OHIP ADM-03](#) (Transition of Children Placed in Foster Care and NYS Public Health Law Article 29-I Health Facility Services into Medicaid Managed Care): a 15-page ADM that is a good resource for staff.
- Personal Care Services (PCS) & Consumer Directed Personal Assistance Program (CDPAP) regulatory changes (see [State Register](#))
 - Per a November 1st DOH letter ([click here](#)): certain amended **NYCRR 505.14** and **505.28** provisions (listed within the 1st section of the letter) will take effect November 8; the effective date of the rest of the regulatory changes are “pending for a later effective date (after November 8)”...those are the changes that affect local districts.
 - According to the letter: “The Department is developing a pre-recorded webinar with slides to provide further detail for the [remaining] provisions...The webinar will be posted to the MRT II website’s [‘Proposed and Final Regulations Implementing MRT II Recommendations’](#) page under the Long Term Care section on or about November 12, 2021.”
- The proposed \$1.8 trillion federal ‘Build Back Better’ reconciliation bill before Congress includes: funding for Medicaid; extends the COVID +6.2% eFMAP through September 30, 2022; would allow MA for inmates preceding their release; and would include a Medicaid Maintenance of Effort for states that would push out NYS MRT II implementation timelines. **This has only been proposed...and has not been passed by either house.**

Overheard comments commissioners made today during Emerging Leaders Track Discussion

“Any fool can read a directive. Leadership is more than that.”

“Tenure is not what makes someone a leader.”

“Leadership can be intimidating. The staff that will be our future leaders need to understand that often we are faced with making a decision when there are no good options.”

“I don’t want no freakin’ salad” (Later, interpreted as “When we jump to offer clients or staff what we think they want instead of listening to them first – maybe they don’t want salad. Maybe they want a turkey dinner.”)