

## **NYPWA All Commissioners' Meeting Summary**

Thursday, April 7, 2022

**Presiding: Eileen Tiberio, NYPWA President**

### **Key Themes**

- Welcome New Commissioners
- Showcasing Social Services at Summer Conference
- State Budget (April 1, 2022 – March 31, 2023)
- Universal Child Care
- Temporary Assistance Policy
- Medicaid Changes
- Adult Protective Services - MDTs
- Child Fatalities. & Public Scrutiny

### Welcome New Commissioners

- Joseph Seeber, St. Lawrence County DSS
- Amy Cunningham, Onondaga County DCFS

Note: David Hansell, former NYC ACS Commissioner, is now with Casey Family Programs.

### “Showcasing Social Services” Summer Conference, July 17-20 in Saratoga

- Mike McMahon (Montgomery) invites you to showcase your district and present!
- Phenomenal local DSS workshop proposals received. There is room for more.
- We want to include presenters from your district – how can you help?
- And, if you have suggestions for sponsors or vendors, please send to NYPWA

### State Budget Topics

*Refer to most recent NYPWA State Budget summary. New information is added as it becomes available.*

### “Universal Child Care” Discussion

As universal child care is enacted and extends further from FPL; what is the role of local DSS? What are the administrative challenges? Are technology changes needed? Are direct deposit IT changes on schedule for Dec. 2022? How administratively heavy will the expansion be? Will districts approve hours of care? Sliding fee scales based on income? Will eligibility be determined on phone interviews? Will there be on-line applications (e.g., via myBenefits; IES)? Child care plan may reflect multiple providers for one family to cover shifts. Transportation to and from child care is a challenge. How is the state projecting a spike in demand for subsidies?

Look at why system is not working. It is difficult to attract people to child care jobs. Market rate will be set at 80% but providers say they need 100% in order to stay in business and hire staff.

Counties blamed for not spending money. State says to do outreach, but we can't deliver the service in a child care desert. Disconnect between understanding of problem vs. solution. 24-hour service providers needed, 7 days a week. Policy is backward. Need providers, before advertising to parents.

Several counties have child care quality improvement projects, including Dutchess and Onondaga.

Universal pre-K enrolled the kids that supplemented the higher cost infants in child care centers.

Lack of wholistic thinking. Billions of dollars, but what will it look like? Who will be responsible?

Enacted budget: \$7 billion targeted over four years to expand access statewide—increasing child care placements for those at or below 200 percent of the state income standard, or 300 percent of the state income standard effective August 1, 2022, provided that recipients are at or below 85 percent of the state median income (ELFA, [Part L](#)). The budget also includes an increase in the market rate to the 80<sup>th</sup> percentile and \$670 million in reappropriated federal pandemic funds towards child care.

Foster Care MSAR Methodology (ELFA, [Part O](#)).

MSAR changes apply the full cost of the 2021 lawsuit [settlement](#) to local districts except for the 62% state share for adoption subsidies. The 2/3 of districts that are not currently at MSAR will take first fiscal hit. All districts will be affected by increases, including the new “extraordinary rate.”

### Medicaid Changes

Medicaid Eligibility for Seniors & Disabled Individuals [ELFA, Part [AAA](#)]: Increases eligibility limits for seniors and disabled individuals up to 138 percent of the Federal Poverty Level. DOH concerned about lower income clients not being able to afford the spend-down in order to access Medicaid. This change could create a new population on the fringe of being MA eligible.

Language to eliminate Medicaid resource test was **not** enacted.

Language to exclude burial funds as an allowable exemption was **not** enacted.

No changes to the local Medicaid Administration Cap.

The budget (HMH, [Part H](#)) updates the metric used to set the Medicaid Global Cap.

Home Care Minimum Wage Increase (ELFA, Part [XX](#)).

Medically Fragile Adults Added to Private Duty Nursing Coverage. The budget (HMH, [Part O](#)) adds coverage for medically fragile adults to promote continuity by increasing rates for adults.

Fiscal Intermediary (FI) Selection Criteria Altered [HMH, [Part PP](#)]. DOH will reverse its previous efforts to pare down the number of FIs across the state.

## Temporary Assistance Policy

Safety Net Assistance shares continue at 29/71 state/local. The rental allowance did not increase.

ELFA, [Part U](#)]: Requires SNA determinations within 30 days of receipt; eliminates 45-day waiting period for SNA; eliminates gross income test and poverty level test; establishes a fixed/standardized Earned Income Disregard; increases PA resource limits.

ELFA, [Part MM](#)]: Repeals [SSL § 106](#) mortgage repayment liens for public assistance beneficiaries.

There were a number of proposed changes that could lead to higher caseloads and lengths of stay on TA that were not included in the final state budget.

These budget proposals were **NOT** enacted in budget (may be introduced as stand-alone bills):

- Expand more conciliation process requirements to rest of state (currently applies to NYC).
- Offer a 12-month work exemption to TA households with an infant under the age of one.

Commissioners are focusing on employment: how do we address job advancement and higher wages for people on TA? If we want people to move out of poverty, they need a path that leads them to work opportunities where their positions and wages can grow and where they can find stable housing. Counties are focusing on employment contracts – need worthwhile jobs, not just janitorial work. People also need to develop soft skills.

## Supplemental Emergency Allotment SNAP Benefits

When the SNAP supplement ends, it will lead to calls and visits to local DSS. An informal email from the OTDA SNAP unit to a local DSS said that SNAP benefits will return to normal in **September** 2022. OTDA will be sending letters in July to inform clients of the change. There is no formal announcement yet. The current policy is noted on this link:

<https://otda.ny.gov/policy/gis/2022/22DC031-Attachment-1.pdf>

## Cross-systems Adults and Children with Complex Needs

One commissioner said there are 170 individuals in their homeless shelters that have OPWDD issues. Providers have opted out of serving them. These adults are very vulnerable. OPWDD's perspective is that there is a right to self-determination, but these adults are at constant risk.

Cross-systems kids data continues to be collected and analyzed by Eileen Tiberio. Aggression and violence are #1 issue and 2<sup>nd</sup> issue is run-aways – difficult to place with foster parents. Held conference call with Renee Rider, Council on Children and Families (CCF). She retires 4-13-22.

## Caseworker Recruitment and Retention

Many districts are experiencing high vacancies. There have always been applicants that turn down the job offer due to avoid weeks at the Training Center. Now that there are more jobs with schedule flexibility and remote options, it is worse. Some counties pay for single rooms and no longer require car pooling. Negative media publicity also makes caseworker jobs unattractive.

## Long Stayers (Foster Care) Discussion

Several counties had issues with long stayer reviews. Would like district to have some recourse if review says that child is incorrectly placed. What if we are ok with losing IV-E? Can expenses be claimed outside of IV-E? Districts are required to do QI whether or not child is IV-E eligible.

## Adult Protective Services (APS)

Multiple commissioners said that their counties or contract agencies operate an APS multi-disciplinary team including Rockland, Tompkins, Monroe, and Yates. Rockland and Tompkins are considering presenting on this topic at our conference. The OCFS review of APS is more substantial than in the past. If on 11 criteria you score 80%, you don't have to prepare a Program Improvement Plan (PIP.) Only 20 pages of NYCRR regulations, but review is closer to what children's services units have experienced.

## Child Fatalities & Public Scrutiny

- Commissioners shared their experiences, support, and resources.
- The hours of work are never-ending once the media blitz is underway.
- You will be grilled in detail – do your homework in knowing every aspect of the case.
- It is a commissioner's privilege to support caseworkers during a crisis and every day.
- The public wants to vilify workers when there is a fatality.
- Build skills in crisis communications.
- Child abuse awareness & prevention – bring positive stories to press. Video campaigns.

“Soft is Hardest: Leading for Learning in Child Protection Services Following a Fatality.” Available from NYPWA. Recommended by Thalia Wright (Monroe).

The NYPWA provides a Confidentiality Handbook (written by Mark Maves) and presentation materials on dealing with media. It was suggested that NYPWA offer a closed door group discussion on real life experiences so we can all learn from frank conversations.

Support Oswego County's recommendation that the state's caseworker training include medically fragile and kids with disabilities. Caseworkers do not have this expertise.

View local Commissioner's TV interview regarding fatality (contact NYPWA for link.)

People hate DSS if we remove child and hate DSS if we don't and something happens.

Death may be one or two years ago, but when trial begins everything blows up all over again. Staff Dealing with trauma a 2<sup>nd</sup> time. Lessons learned can be shared in a supportive way.

Poverty Reduction Advisory Council Law [A.1160-C/S.2755-C](#) – signed Dec. 2021

Establishes the child poverty reduction advisory council to reduce child poverty by 50% by January 2032—considering disproportionality, immigration status, securing financial stability (i.e., educational advancement & living wage), income stability, access equity, positive environmental conditions, and family health.