New York State
Office of
Children & Family
Services

Preliminary Report to the Governor and Legislature on the Implementation of the Child Welfare Financing (CWF) Initiative

August 2005

State of New York

George E. Pataki
Governor

INTRODUCTION

In June 2002, Governor Pataki signed Child Welfare Financing (CWF) legislation (Chapters 53 and 83 of the Laws of 2002), which reformed State funding for a broad range of child welfare services. This report summarizes the activities, experiences and observations related to implementation of the provisions of the statute by the New York State Office of Children and Family Services (OCFS) and the 58 local social services districts it supervises in delivering child welfare services.

The statute directs OCFS to: "submit a preliminary report to the governor and the legislature on or before the thirty-first of December, two thousand four providing preliminary data and information on the implementation of this section, and shall submit a final report by the fifteenth of August, two thousand five assessing the implementation of and the outcome resulting from the family services financing provisions established by this section through the thirtieth of June two thousand five."

This report describes key provisions of the statute, methods for collecting information included in this preliminary assessment, the implementation activities of OCFS and some of the reactions to and changes resulting from the new structure of child welfare finance. Later this year, a second report will include a more quantitative assessment of the impacts of CWF on the delivery of services to children and their families. The double digit rate of decrease in the State's foster care population (from 37,100 in 2002 to 29,700 in 2004) offers an indication of successes since enactment of the law.

BACKGROUND

Redirecting Child Welfare Funding

Prior to the enactment of CWF, a Family and Children's Services Block Grant limited state reimbursement to social services districts for foster care, preventive and adoption services to the annual amounts allocated to the districts. Districts received 65 percent State reimbursement for child protective services costs, outside the Block Grant. As a result of this funding arrangement, districts generally limited their investments in preventive services based on Block Grant funds not expended on foster care. Despite reductions in the foster care caseload, with increasing foster care costs and level annual funding of the Block Grant, investments in preventive services gradually decreased.

This approach to funding proved antithetical to the program direction of OCFS. Since the creation of OCFS in 1998, the agency has championed a new role for the State that challenges and encourages service providers to take the initiative by preventing, rather than reacting to, family upheavals by intervening early with activities designed to reduce the need for removal of a child, youth or adult from the household (Operational Framework**,** May 2002, p.3). The focus on prevention is reflected in the OCFS Service Continuum, which depicts the importance of families and communities in service delivery. "Indeed, even when such broad-based supports fail to prevent problems, early intervention should be available to individuals in the context of their families and families in the context of their communities" (Operational Framework**,** May 2002, p.3).

The design of CWF addressed the commitment of the State to create a system with a better balance of prevention, protection and permanency. OCFS Commissioner John A. Johnson emphasized the importance of aligning funding with the State's commitment to services that are developmentally appropriate, family-centered, community-based, locally responsive and evidence and outcome-based.

Three key components comprise the CWF legislation: uncapped services reimbursement, a foster care block grant, and quality enhancement funding. These three components, each with separate appropriations, provide a fiscal structure designed to accomplish the program goals of maintaining children in permanent homes by limiting State funding for services by only a local willingness to match those funds. On the other hand, to minimize foster care as a modality for meeting children's needs, State funds for out-of-home placements are block granted.

Uncapped Services Reimbursement

The cornerstone of CWF is its uncapped State reimbursement for an array of services provided to vulnerable families. In addition to the services traditionally recognized as preventing foster care, CWF includes both aftercare and independent living services as eligible for this reimbursement since these services facilitate safe discharge of children from foster care.

Social services districts may receive 65 percent state reimbursement, net of federal funding, for spending on the following services:

- Preventive Services;
- Child Protective Services;
- Adoption Administration and Services;
- Aftercare Services; and
- Independent Living.

The local share for preventive services and independent living services may be met in part with private donated funds. In the past, this funding arrangement has encouraged community involvement in investing in services designed to maintain children and youth safely in their families and communities.

Preventive services regulations include a mandate for three years of post-adoption services for former foster children. Then, following the three years, eligibility for post-adoption services are folded into preventive services eligibility criteria. For the first time, uncapped funding for aftercare and independent living were explicitly available.

Foster Care Block Grant

At the same time the Office proposed uncapped funding for services, it proposed a block grant for out-of-home services. This approach is intended to reduce unnecessary days in foster care and, when placement is unavoidable, to encourage keeping foster children in their own communities rather than in distant and more expensive institutions. Just as the uncapped services fund was designed to facilitate investments in the services to support children in their communities, the foster care block grant provides a financial incentive for limiting placements of children.

The foster care block grant includes 100% state funding, net of federal funding, for:

- Care and maintenance, including clothing and special payments,
- supervision and administrative costs,
- tuition, including tuition for foster children placed in residential treatment facilities;
- supervision of foster children in federally funded job corps programs, and

- care, maintenance, supervision and tuition of adjudicated juvenile delinquents or persons in need of supervision placed in residential programs operated by authorized agencies and in out-of-state residential programs.

OCFS made several commitments to the social services districts in allocating State foster care funds. Distribution among the districts would not rely exclusively on recent historical spending patterns, but on a combination of variables. Several commissioners noted the inequity of using historical spending to allocate funding because the high spenders receive unearned rewards. To address this concern, OCFS agreed to look at a combination of demographic, programmatic and fiscal data to develop alternative methods for allocating funding for the Foster Care Block Grant.

The CWF statute further provides that those districts that spend less than their allocation under the block grant may keep the difference in funding for reinvestment in preventive services and aftercare in the next State Fiscal Year.

Quality Enhancement Funding

The CWF statute provided a vehicle for financing ongoing improvements in the child welfare system by creating a separate, capped fund for quality enhancements. The authorizing legislation called upon OCFS to "conduct activities to increase the availability and quality of children and family services programs which may include, but not be limited to, staff recruitment, retention and training activities, research projects to test innovative models for service delivery which may include areas such as health, mental health and substance abuse services."

The Quality Enhancement Fund assigns OCFS responsibility to define gaps or emerging areas for investment of funds. The outcomes generated by these investments are intended to inform future investments of local districts. Thus, for example, if a model of service demonstrated itself to be cost effective in producing defined outcomes, local districts might elect to replicate or maintain programs beyond termination of Quality Enhancement Funding, using Uncapped Services Reimbursement, their allocation under the Foster Care Block Grant, or some other funding available to districts.

Related Changes in Practice and Policy

The implementation of CWF coincided with several other changes in federal and state policies and practices that have had substantial impacts on the financing and delivery of child welfare services. While this and subsequent assessments will not address the specific impacts of these changes, they merit mention here because they directly affected the implementation of CWF by the State and local districts. A key outcome resulting from practice changes is the 40 percent reduction in the number of New York's children living in foster care over the last five years (from 50,000 to 31,000 between 1999 and 2004).

Enactment of the Personal Responsibility and Work Opportunities Reconciliation Act of 1996

The enactment of the federal Personal Responsibility and Work Opportunities Reconciliation Act (PRWORA) moved public assistance funding from the uncapped Aid to Families with Dependent Children funding stream to a block granted Temporary Assistance for Needy Families (TANF) Fund. With the block granted welfare funds, states had incentives to assist the welfare caseload to achieve financial independence through work force participation and child support and to invest welfare savings in a wide range of services for poor and low-income families.

Three substantial changes for the child welfare system have derived from PRWORA. First, New York, like many other states, invested TANF in child welfare services. Districts received separate TANF allocations to help defray foster care for certain families and in-home services spending (e.g., preventive, protective and reunification services). Second, under federal statute, states can transfer up to 30 percent of their entire TANF Block Grant to child care and Title XX combined. Third, the use of TANF funding resulted in a need, for the first time, for districts to establish the income eligibility and immigration status of applicants for services to enable a decision about whether to charge the services costs to TANF or another funding stream. As a result, child welfare staff required both program and financial training on the collection and use of this information.

Adoption and Safe Families Act and Federal Child and Family Services Review

In the late 1990's and early 2000's, implementation of the federal Adoption and Safe Families Act refocused the child welfare system on achieving permanence, safety and well-being for children. The U.S. Department of Health and Human Services underscored the importance of the Act by issuing regulations that, among other things, provided for in-depth, on-site monitoring of states using comprehensive protocols and statewide performance in a federal Child and Family Services Review.

Like most states, New York was required to submit a Performance Improvement Plan (PIP) in 2002, following its initial review in 2001. The process of developing a PIP provided a vehicle for engaging a wide group of providers, consumer advocates, administrators and others in considering alternative strategies for improving child welfare outcomes and performance. The enactment of CWF coincided with developing strategies for change and became the financial basis for change.

Growing Proportion of Adolescents and Their Families Receiving Child Welfare Services

Adolescents represent an increasing portion of the State's foster care population. In 1999, there were almost 15,500 adolescents in foster care, comprising 31 percent of the total foster care population of 50,000. At the end of 2004, while the number of adolescents in foster care had decreased to 14,000, they made up 44 percent of a total foster care population of about 31,000.

This increase in adolescent placements affects districts' ability to curtail foster care spending because adolescents routinely cost substantially more to maintain in foster care. Over three-quarters of youth 14 years of age and over are placed in group settings (i.e., institutions, group residences and group homes) at per diem rates that exceed the foster boarding home placements of their younger cohorts.

Effective July 1, 2002, New York increased the maximum age of Persons in Need of Supervision (PINS) from 16 to 18 years of age. Concern about the increased number of youth requiring services with this increase in age limit led to delay of the initial effective date (November 1, 2001), in part, to help support counties in meeting the projected increased costs associated with serving older youth. A specific appropriation of $4.6 million of federal funding in the SFY 2002-2003 budget for the purposes of providing preventive and other supportive services to PINS, ages sixteen and seventeen addressed some of the districts' concerns about increased costs. In addition, as 02-OCFS LCM-12 noted: "With the advent of the child welfare financing provisions in this year's State budget, social services districts can receive uncapped 65% State matching funds, net of any Federal funding, for home-based services, including services for PINS."

The State augmented its funding with a systematic approach to technical assistance by the Vera Institute of Justice, an internationally recognized consulting organization specializing in innovative practices designed to create alternatives to juvenile justice placements. Vera initiated a program of on-site technical assistance to, at a minimum, local social services and probation departments to create programs and practices designed to intervene with services to youth as alternatives to prematurely petitioning the court or to placing youth in detention. This technical assistance has fostered collaborative projects in participating counties that have succeeded in reducing court involvement and placements in those counties.

CWF STUDY METHODOLOGY

The CWF study was a process assessment that relied on interviews with state and local officials and review of information available on each of the three components of CWF. OCFS contracted with Empire Health Advisors to conduct much of the process assessment of CWF.

Interviews

Twenty-nine (29) interviews provided information and perceptions about the implementation and impacts of CWF. Approximately half of the interviews included only one interviewee; the remainder involved two or more interviewees. This included 19 interviews with OCFS staff who were involved with the design, implementation and/or monitoring of CWF. Eight interviews were conducted with Commissioners and their staff in eight local social services districts. The Commissioners represented a range of metropolitan, large and small urban and rural districts. The executive directors of two key organizations, the Schuyler Center For Analysis and Advocacy and the Council of Family and Child Caring Agencies were also interviewed. These associations were selected because they are two of the primary associations representing children, families and providers. Attachment I contains a list of the persons interviewed.

A structured interview tool guided the interviews. Three separate topic guides (Attachment II) were used for the interviews with state, county and association representatives. Deviations from the interview guides accommodated the interest and roles of the interviewees. Interviews varied in length from one to two hours.

Empire Health Advisors also provided a briefing on this assessment to the Executive Director of the New York State Public Welfare Association and 30 local social services commissioners.

Review of Available Information

Empire State Health Advisors collected and reviewed a wide range of information related to CWF in assessing its initial impacts. The statute, official policy releases, claims data, and program reviews all offered information reflected in this report.

STATE LEVEL IMPLEMENTATION

The enactment of the State Budget on May 29, 2002 signaled the shift from the Family and Children's Services Block Grant to the three components of the CWF Law. To help districts and other authorized agencies understand the new provisions for financing child welfare services and to consider strategies for enhancing services, OCFS issued directives and provided regional and on-site county training. In the interviews conducted as part of this assessment, county representatives praised the efforts by OCFS staff to explain the CWF legislation and assist with its implementation.

On June 28, 2002, OCFS issued 02 OCFS LCM-11 to allocate to districts federal funds from TANF and the Social Services Block Grant and to specify the use of the funding. On July 2, 2003 OCFS LCM-13 provided districts their Foster Care Block Grant allocations. At the same time, claiming protocols were revised and methods to collect and code information were created in legacy systems. A statewide teleconference for local district staff allowed OCFS senior staff to present the provisions of the new statute and to describe how the allocated funds could be effectively used.

Policy Guidance

On October 1, 2002, OCFS provided districts with guidance and advice for implementation of CWF in two Local Commissioners Memorandum. The first, 02 OCFS LCM-19, offered the following provisions for administrative flexibility under the CWF statute.

- **Purchased Preventive Services.** OCFS provided that where preventive services are purchased from a public entity, a social services district may elect to allow the agency to complete periodic assessments and/or the family services plan in a format other than the OCFS prescribed Uniform Case Record (UCR) under certain conditions.
- **Community Optional Services** (COPS). For programs designed to serve communities or target groups of children or youth who are not at imminent risk of foster care, but at general risk of future foster care or crisis, certain requirements generally associated with preventive services can be waived with approval of a plan by OCFS. The provisions that may be waived by OCFS for these Community Optional Preventive (COPS) programs include individual family case planning, UCR, case reporting and individual program eligibility determinations.
- **Managed Care or Other Systems.** The CWF statute provides OCFS the authority to waive statutory or regulatory requirements concerning "…the child welfare services component of the multi-year services plan and the annual implementation reports, family services plans and uniform case records." In addition, a social services district may delegate case management responsibility in a managed care or other system to another entity, so long as appropriate quality control mechanisms are put in place.

Donated Funds

The second policy release, 02 OCFS LCM-20, offered guidelines for using donated funds and concrete examples of what qualifies (and, conversely, does not qualify) as donated funds. The CWF statute authorizes the use of donated funds for up to 17.5 percent of the total cost of preventive and independent living services funded through Uncapped Services Reimbursement. The LCM also indicated that federal Chafee Foster Care Independence Program funding is subject to federal statute allowing an unlimited amount of donated funds to be used as the local share of the cost of such services.

Prior to enactment of CWF legislation, districts were able to use in-kind and indirect services, and non-tax levy funds, including privately donated funds, to meet some portion of the local share of the cost of preventive services. For Mandated Preventive Services, up to one-half of the local share could be met by the use of in-kind or indirect services and non-tax levy funds. For Non-Mandated and Community Optional Preventive Services, any portion, up to and including the total of the local share, could be met with in-kind or indirect services and non-tax levy funds.

Until CWF, Independent Living Services were funded exclusively by a capped federal allocation through the Chafee Foster Care Independence Program. Federal statute permits the entire state/local match for federal funding to be comprised of donated funds, which may include in-kind or cash donations. CWF, for the first time, provided state funding for these services and allowed for donated funds to be used as a part of the local share of funding for Independent Living Services.

Those local social services districts that had previously claimed in-kind or indirect services and non-tax levy funds to meet some portion of the local share of the cost of Preventive Services and Independent Living Services may continue to do so, up to the dollar amount used for the local share of the cost of these services in Federal Fiscal Year 1998-99. Eight counties were "grand-fathered" under this provision and allowed to continue using in-kind services to offset a portion of the local share. Four of the seven counties visited for this assessment are "grand-fathered."

For all other local social services districts that did not previously claim in-kind or indirect services or non-tax levy funds for a portion of the local share in Federal Fiscal Year 1998-99, not more than 17.5 percent of the total cost of Preventive and Independent Living Services may be comprised of privately donated funds."[1]

Regional Forums

Through October 2002, OCFS held forums in each of its six regions. These full day forums, entitled *Improving Child Welfare Services: Implementing Child Welfare Finance and the Child and Family Service Review Program Improvement Plan* (CFSR PIP), included information for fiscal, program and budget staff. The sessions focused on how the funding strategies of CWF provide a vehicle for implementing the OCFS CFSR PIP. In addition, the forums offered an opportunity for districts to review changes in claiming protocols, implications of the new reimbursement methods for local budgets, data reporting requirements and service delivery strategies.

Outside New York City, most local districts sent several representatives to participate in the forums and invited representatives of voluntary agencies. New York City involved a broad range of ACS staff and other service providers. The forums offered an opportunity for both public and private child welfare programs to consider approaches to achieve reductions in the numbers and lengths of foster care placements and increases in permanency for vulnerable children and youth, either with their birth families or, when this is not possible, with adoptive families.

Since these initial regional forums, OCFS has conducted technical assistance sessions with over 35 districts, made presentations and provided technical assistance to commissioners and senior staff of local districts at White Eagle and conducted workshops at NYPWA Summer and Winter Conferences. These venues have allowed for clarification and explication of many questions that arose with the implementation of CWF.

Training

The enactment of CWF, in combination with ongoing efforts to improve programs to comply with federal standards for the Child and Family Services Review and to meet eligibility requirements for use of TANF and Title IV-E funding, has triggered aggressive training activities on new, effective models of service delivery and fiscal and programmatic eligibility for services. Training activities were comprehensive and included presentations at the New York Public Welfare Association's monthly meetings and semi annual conferences, small group trainings using a computer-based training program (*learn linc*), regional and district specific training and technical assistance by OCFS staff and ongoing eligibility training through a university contract.

FINDINGS

This section summarizes the findings of the assessment related to each of the three components of CWF: Uncapped Reimbursement for Services, the Foster Care Block Grant, and the Quality Enhancement Fund.

Uncapped Services Reimbursement

The CWF component providing for uncapped 65 percent state reimbursement, net of federal funding, to local social services districts for a wide range of in-home services demonstrated the strength of New York's commitment to supporting families to safely maintain their children in their homes and communities. CWF made uncapped reimbursement available for child protective, preventive, adoption, aftercare and independent living services.

Because this CWF component represented a significant departure from the Family and Children's Services Block Grant, which capped all but child protective services reimbursement, many of those interviewed in this assessment focused on its implementation and impacts on service delivery.

Each county commissioner stressed the importance of preventive services, understood the intent of the CWF legislation, and believed the CWF funding options were helpful with the design and implementation of new services. Although there was little change in spending in 2003, with technical assistance, spending commitments have grown.

The flexibility afforded by CWF has encouraged districts to develop alternative service strategies to support children and youth in their families. New York City and the seven counties visited for preparation of this report were in various stages of development and implementation of new services or expansion of existing services since passage of CWF legislation in 2002. Three of the counties visited have implemented new Community Optional Preventive Services programs benefiting from the flexibility offered by CWF. The other four counties are developing plans for new services they expect to implement soon or that are on hold until more federal and State dollars are available or the local fiscal crisis eases.

The counties visited all reported they favored creation of COPS programs to obviate the need for conforming program design to the complexities of mandated preventive services regulations and in recognition that programs that address the needs of groups of vulnerable children, youth and parents before crises occur often have proven more effective than intensive, individualized services. In addition, COPS programs permit the use of a proxy for determining eligibility of participants for services. Thus, for example, if a mentoring program is open to students of certain school districts, the percent of students eligible for free lunch could be used to determine the portion of the program funded through TANF. The remaining costs would be shared by the State (65 percent) and county (35 percent).

All county administrators interviewed indicated they are providing mandated preventive services to children identified as at risk of placement in foster care. In addition, they recognize there are at-risk children and families in their communities who could benefit from Community Optional Preventive Services. They acknowledged that without these services, a percentage of these children will face crisis and be referred to the mandated preventive services system through the schools and the judicial system.

A critical gap identified by county administrators is the reduced presence of social workers in the schools which has occurred over the last several years due to State and county fiscal constraints. In some instances, county agency administrators and school district officials cannot agree on the entity responsible for reimbursement of social workers. However, successful programs in Erie and Orange counties are combining county and school district funding to support social workers for targeted projects.

The following descriptions of activities of the counties visited to implement new services since passage of the CWF legislation provide insight into the variety of responses counties have had to date to the opportunities presented by passage of the legislation.

Erie County administrators made a commitment to develop programs to divert children and youth from placement through a range of new, targeted programs. OCFS has approved 27 COPS programs in Erie County and is reviewing additional applications for waivers for programs that use a mix of public and private agencies to offer such services as counseling, mentoring, wrap-around, case management, strengthening family units, truancy prevention, skill development, anger management and parenting skills. Unfortunately, Erie County currently is reevaluating all its programs in light of a serious financial situation so these, and other county funded programs, are in jeopardy.

Costs of the programs range from $5,000 for a community service mentoring program to $400,000 for a COPS program targeting children and their families in six schools in the Buffalo School District. This program also uses donated funds to offset part of the local share.

Orange County has also taken advantage of the flexibility of the CWF legislation in the development and implementation of COPS programs. Its preventive services programs have served as a model for other counties in the state.

A school-based preventive and a PINS diversion program are approved COPS programs. The school-based program funds 10 social workers in four school districts and one county caseworker stationed at BOCES. The PINS diversion program funds public employees in County Probation and Mental Health agencies as well as the Youth Bureau.

Funding for both programs is from donations and in-kind contributions (Orange and Erie Counties used in-kind services prior to enactment of CWF and, as a result, may continue to use them to reduce local match); TANF transfer to Title XX; Title XX regular; and 65 percent State preventive dollars. The direct county share of 35 percent is reduced by the amount of donated and in-kind contributions.

Ontario County is using flexible funding under the CWF legislation. The county has one of the lowest foster care placement rates in the state and the administration attributes that to forward thinking and development of preventive service programs. The county legislature supports the concept of COPS programs and has approved local share dollars for funding a Family Functional Therapy (FFT) program providing preventive services for children and families before a crisis occurs. Initially, there was reluctance to move in the FFT direction due to uncertainty of costs. Experience has taught county DSS administrators that costs can be predicted and the program is cost-effective. The program serves a limited number of children at any time. Intensive in-home therapy is conducted with each child and family for an average of 8 to 12 weeks.

Rensselaer County Department of Social Services staff is analyzing new preventive services options. There are currently 11 preventive services efforts in operation, one of which is a COPS plan to promote healthy child development, parent-child bonding, self-esteem and self-sufficiency. However, the department of social services is unable to commit new county funding or additional staff for social services programs. Fiscal constraints also exist in the schools where the number of social workers in schools has been reduced.

The following counties have preventive programs in the planning stage and understand the importance of CWF but barriers, primarily local fiscal crises, are limiting or delaying expansion of services and use of CWF funding flexibility.

Albany County historically has had a high percentage of foster care placements and a large provider base. The county has been decreasing placements and working with providers to expand community services. They have additional preventive services programs in the planning stages and the county is hopeful they will soon be implemented.

The *Chautauqua County* Department of Social Services historically has provided services for children and families with an emphasis on maintaining children in the community. However, the county has now placed a mandate on county agencies to control local spending. The social services district is unable to hire staff or commit to any programs that will require local dollars. They have been researching the evidence-based Functional Family Therapy (FFT) program and have a preventive services program with the schools along with a county probation department program that commenced in the fall of 2004.

Onondaga County's fiscal crisis has resulted in reduction and termination of children's services contracts with sixteen voluntary agencies. The county's calculations reveal that they lost State dollars with the transition into the Block Grant and that reductions in funding for children's services continue. COPS programs, considered important preventive services programs by the county administration, have been terminated due to loss of State and federal funds. With the requirement to contribute a 35 percent local share, the CWF legislation has not helped the county restore preventive services programs.

Administrators from the *New York City* Administration for Children Services (ACS) reported a belief that since 1996 they have lost a total of $300 million from their agency's budget in federal, state and local dollars. City staff acknowledges a large decrease in the number of children in foster care but there are large numbers of additional children in need of preventive and aftercare services. The City's new request for proposals issued to voluntary providers represents more of a focus on preventive services. A major initiative is to move adolescents out of congregate care through providing more aftercare. Prior to this review, ACS had not developed any new COPS programs since passage of the CWF legislation.

The City staff discussed many of the same factors impeding implementation of new services under the CWF legislation identified by the counties (i.e., financial constraints and uncertainties of funding levels).

Foster Care Block Grant

The Foster Care Block Grant capped State reimbursement to local social services districts for the following foster care services.

- Care and maintenance, including clothing and special payments,
- supervision and administrative costs,
- tuition, including tuition for foster children placed in residential treatment facilities;
- supervision of foster children in federally funded job corps programs, and
- care, maintenance, supervision and tuition of adjudicated juvenile delinquents or persons in need of supervision placed in residential programs operated by authorized agencies and in out-of-state residential programs.

In July 2002, OCFS issued 02 OCFS LCM-13 with the first allocations of the Foster Care Block Grant to local social services districts. The method for allocating the Block Grant included two strategies.

Prorated historical claims were used to distribute 75 percent of a district's block grant allocation. The remaining 25 percent was allocated using a formula that combined county population characteristics to estimate need for foster care days and then apportioning available funding in accordance with a social services district's share of estimated statewide foster care need.

The LCM issuing these state fiscal year allocations noted that allocations in subsequent years would be shifted to rely more heavily on districts' need for foster care and less on historical costs. The release of the LCM was delayed due to the late enactment of the budget for SFY 2002-03, providing districts with little opportunity to impact their delivery of foster care services.

Allocations for the SFY 2003-04 Budget were split evenly between historical claims and the estimated need for foster care. In addition, $20 million of the Foster Care Block Grant was allocated to the 22 local social services districts that exceeded the statewide average reduction in the number of foster care children in care from June 30, 2001 to June 30, 2002. Those 22 local districts were required, as a condition of receiving the funding, to submit a letter to OCFS outlining how they intended to spend the funding. Districts receiving this funding that did not pay the full Maximum State Aid Rates (MSAR) to voluntary agencies were required to use their portion of the $20 million to increase payments to voluntary agencies up to the MSAR. For those districts already paying the full MSAR, the funds could be spent on foster care services that could be reimbursed under the Block Grant.

The allocation methodology for SFY 2004-05 represented a shift from the needs-based approach used for the previous two SFYs. This change was made in response to local districts' criticisms that the needs-based allocation methodology was not directly related to actual foster care expenditures and was unpredictable from year to year. The new allocation methodology implemented the recommendations made by many districts that the Foster Care Block Grant be apportioned primarily on the basis of historical claims.

Of the $364.5 million appropriated for State reimbursement for foster care services for SFY 2004-05, $339.5 million, or 93%, was distributed to the districts according to their respective shares of historical claims, with the remaining $25 million held aside to reward districts that had succeeded in reducing their use of foster care days. The percentage of the $339.5 million allocated to each district was determined by the district's share of the statewide gross foster care claims.

The $25 million set-aside was allocated based on the district's reduction in the utilization of foster care days during two periods: from 1999 to 2001 and from 2001 to 2003. Reductions in care days during the most recent period were weighted more heavily (75%) than reductions during the earlier period (25%). This approach recognizes all districts that have decreased their foster care utilization over the past five years, while providing a more generous incentive to those districts that have achieved reductions in the years since the implementation of the CWF legislation and during the period of the CFSR PIP.

The new allocation methodology introduced for SFY 2004-05 is designed to continue OCFS' focus on safety, well-being, and permanence of children, and is expected to enable districts to continue to realize reductions in foster care days. Moreover, it aligned the funding with the program agenda established by the CFSR PIP to advance positive outcomes for children.

Another commonly reported concern among local districts included in the visits for this assessment was delays and changes in the Block Grant allocations. The timing of the financial process, from budgeting to payment, has hampered county planning for foster care services. While the budget year for counties is the calendar year (New York City's is July 1 to June 30), the State's fiscal year is April 1 to March 31 and the federal fiscal year is October 1 to September 30. The State budget for the past several years has not been finalized until summer or early fall. Consequently, counties do not know with certainty what their allocations for foster care services will be until several months into the fiscal year. In practice, counties may not have enough federal and State dollars to meet existing contractual obligations when the allocations are finalized and are unable to anticipate their needs for local funding. This has, according to local Commissioners interviewed, resulted in termination of the contracts during a fiscal year or discontinuance of a contract for important services for children and families.

As is generally the case with funding from all federal programs, State fiscal policies require that federal dollars be expended before State dollars. The counties generally agree with and follow this policy, but the process required to implement it is quite complicated. Counties submit their claims for children's and family services monthly to OCFS. These expenditures are charged against the counties' annual allocations. When county expenditures exceed the allocations, and available federal dollars are maximized, local dollars must be used. This reconciliation and the actual county fiscal liability are not made known until months into the next county fiscal year.

Prior to CWF, foster care allocations remained relatively stable from year to year. Changes in the allocation methodology under CWF resulted in some significant shifts in funding, which have confounded county strategies for preparing budgets. For the districts that received additional funding based on revisions to the allocation methodology, the short time available to spend unexpected State revenue limited the types of expenditures with the additional funds. The delays in providing allocations to districts have contributed to a frustration among districts.

For SFY 2005-2006, draft allocations were issued to local districts in late January 2005 based on the Governor's Executive Budget to assist districts in planning for their local funding requirements. Final allocations were issued once the 2005-2006 Budget was enacted.

Another concern raised by the counties was the insufficiency of funds in the Block Grant. The Block Grant anticipated a local contribution to foster care costs. Unfortunately, decreasing federal reimbursement through Title IV-E increased the amount of the local contribution in many counties. In fact, the State Block Grant funding has remained stable despite a reduction in foster care days. Although any county not using their block grant allocation in a given year is permitted to use the unexpended amount on preventive services in the following year, few counties have not utilized their full Block Grant allocation for the year. In 2002, for example, only two rural counties did not spend their allocation.

Quality Enhancement Fund

The Quality Enhancement Fund allows OCFS to invest in activities designed to increase the availability and/or quality of children and family services programs. In both State Fiscal Years 2002-03 and 2003-04, the Legislature appropriated $2 million in TANF funds for Quality Enhancement.

OCFS applied the following criteria in selecting programs for funding through the Quality Enhancement Fund. In order to qualify for funding, programs must:

- meet Federal TANF priorities 1 and 3 and serve families with incomes up to 200 percent of the Federal poverty level;
  - *TANF Priority 1-"Provides assistance to needy families so that children may be cared for in their own homes or in the homes of relatives";*
  - *TANF Priority 3-"Prevents or reduces the incidence of out-of-wedlock pregnancies."*
- be outcome-based;
- produce outcomes and spend the money timely;

- have the proper level of technology support to be evaluated; and
- build on an already existing infrastructure.

Based on these criteria, OCFS selected the following areas for investment of Quality Enhancement funds:

1. Care Coordination for children in foster care;
2. Support for the Child and Family Services Review Program Improvement Plan;
3. Mentoring for youth transitioning from foster care; and
4. Assessment of the impact of the child welfare financing structure and quality enhancement fund initiatives.

A separate report has been submitted to the Legislature describing in some detail the progress of these projects. The summary below highlights the rationale for funding programs through the Quality Enhancement Funds, the magnitude of investment and the program design.

Care Coordination

Children in foster care have significantly more mental and physical health needs than children in the general population. Designation of care coordinators enables timely identification of health needs, prompt development of assessment and treatment plans, involvement of foster and birth families, and support for caseworkers in integrating and managing health care information. These functions relate to both TANF Priorities 1 and 3, as required to qualify for funding.

In the first year (SFY 2002-2003) of CWF, nine organizations were selected to participate in a demonstration of care coordination at a total cost of just over $1 million. In the second year, eight organizations continued their care coordination activities (one project was concluded at the end of the first year). The projects, selected based on their readiness and the need for care coordination, are all working to achieve the following five outcomes:

1. Increase the stabilization of placement by reducing the number of movements while in care.
2. Increase the participation of birth families in health care visits/service plan reviews.
3. Complete and document child health assessments within the first 30-45 days of care for physical health, mental health, development, dental and substance abuse.
4. Complete a treatment plan for each child that is integrated with the permanency plan.
5. Provide pregnancy prevention education sessions to the target population.

OCFS is measuring the extent to which the contract agencies are meeting the above outcomes. In addition to receiving data from the participating agencies related to these outcomes, OCFS has developed a rigorous evaluation design to assess the effectiveness of care coordination. Preliminary findings from the evaluation will be available in mid-2005.

Support for the Child and Family Services Review Program Improvement Plan

As previously discussed, during 2001, the Federal administration for Children and Families (ACF), as part of a national review, conducted a review of the delivery of child welfare services in New York State. Like its 49 counterparts, New York was required to develop a Program Improvement Plan to address those areas found to be “not in substantial compliance” in the federal review, most particularly the need to discharge children from foster care to safe, permanent homes more quickly.

Over $500,000 annually for SFY 2002-2003 and SFY 2003-2004 of the Quality Enhancement has been invested in two areas: permanency mediation projects and locally driven projects designed to achieving and supporting permanency for children.

Permanency Mediation Projects. Permanency Mediation is a process that involves all stakeholders in a foster child's life—the family (including the child as circumstances warrant), the caseworkers, service providers, foster parents, law guardians, attorneys for all parties, and a neutral mediator—in planning activities to effect safe discharge of the child from care. The mediator's role is to help identify issues contributing to the child's placement, clarify perceptions and explore alternatives for a mutually acceptable outcome. Mediation can be done at any stage of the child welfare case and often can obviate the need for protracted litigation in the courts. Because it is non-adversarial, parents may be more engaged and empowered in reaching decisions about their families. Mediation is also a mechanism that provides more useful information to the courts and assists with service plan development.

In Year 1, OCFS joined with the Office of Alternative Dispute Resolution (ADR) of the Office of Court Administration (OCA) and the Permanent Judicial Commission on Justice for Children to fund Permanency Mediation programs in seven counties: Albany, Chemung, Monroe, New York City (Brooklyn and Manhattan), Oneida and Westchester. In Year 2, the New York City program expanded to the Bronx, the Westchester program expanded to Rockland County, and a new agency serving Erie and Niagara Counties came under the permanency mediation umbrella. Contract responsibility and funding streams in Year 2 were divided between OCA and OCFS. OCFS contracted with three private organizations that received quality enhancement funds to provide mediation services for New York City ($401,325), Monroe County ($75,000), and Westchester/Rockland counties ($75,000), while OCA is supporting the remaining programs. In New York City, the permanency mediation program is a joint private/public project with some Society for the Prevention of Cruelty to Children (SPCC) employees and some court employees.

Despite splitting the contracts between the two state agencies, the overall permanency mediation project is still viewed by all participants as a collaborative project between OCFS and OCA. In keeping with a unified collaborative structure, the programs have the same reporting requirements regardless of contract source. This year all programs attended a joint OCFS-OCA workshop about developing a continuous improvement plan that includes specific performance targets and activities they will undertake to achieve those numeric goals. The continuous improvement model was chosen by OCFS and OCA as the appropriate method for tracking program progress because it accommodates the unique features of each program, while still requiring accountability and demonstrated progress towards quantifiable goals.

OCFS is in the process of evaluating the seven child permanency mediation programs sponsored by OCFS and the OCA. Included within the current evaluation plan are a multi-site process evaluation and a client satisfaction study. Plans to incorporate a quasi-experimental impact study are also being developed.

Locally Driven Permanency Projects. The diversity among the local social services districts in New York results in widely different needs to fill gaps in services or to redirect services. To allow localities flexibility in augmenting services to enhance family unity and child safety, OCFS awarded between $10,000 and $40,000 available to local districts outside New York City using Quality Enhancement Funds (about $100,000) and other Federal funds (about $151,000). In addition, New York City received about $100,000.

New York City has invested in a new court diversion project. This collaborative effort among the Administration for Children's Services, Legal Aid Society, Office of Court Administration and Center for Family Representation provides services to children and families just as they are coming to the attention of the child welfare system to determine whether services to a family might permit a child to safely remain or return home. The initiative also uses alternative dispute resolution as a means to divert court involvement or to achieve settlement of child abuse and neglect proceedings.

Outside New York City, district allocations depend on the size of the district's foster care population and are available for developing contracts for districts to purchase training, technical assistance or direct services to facilitate planning for, conduct and follow up of family meetings. Family meetings use strength-based, family-centered principles to bring families and their supports together to identify, discuss and solve critical problems and to offer support, guidance and resources to families. Experience has demonstrated that when all family members are invited to the table to discuss the child's needs and assess the family's capacity to provide for these needs, families are empowered to make better plans for their children.

Foster Care Transitioning-Youth Mentoring Programs

OCFS contracts with Big Brothers/Big Sisters of New York City to provide mentors for 100 former foster youth, ages 12 to 20, who were discharged from placement to a birth parent, a relative or to independent living. Evaluations have demonstrated that mentoring programs modeled after the Big Brothers/Big Sisters of America programs help high-risk youth to build attachments to pro-social others, commit to socially appropriate goals and become involved in conventional activities. Research indicates that youth who achieve these three core skills engage in less high-risk behavior and more pro-social behavior.

Initial planning for the Foster Care Transitioning Youth Mentoring Program began in November 2003; implementation began in January 2004. Big Brothers/Big Sisters was awarded $165,000 for each of the two years the CWF has been operational.

Assessment of the Child Welfare Financing Initiative

The Child Welfare Financing legislation requires that OCFS submit preliminary and final reports on the implementation and impacts of the child welfare financing provisions, including programs funded through the Quality Enhancement Fund. The Quality Enhancement Fund will support about $67,000 annually for the cost of the assessment.

Local Financial Environment

Financial barriers are impeding progress in the use of the CWF legislation. As discussed in the Foster Care Block Grant section, lack of synchronization in the timing of the State and local budget and claiming processes confounds financial planning by localities. Because allocations are not formally known until late in the county fiscal year and the reconciliation occurs several months into the next fiscal year, counties tend to be conservative in supporting existing programs and planning for new programs

Social services commissioners in several counties have been told by their county administrator or legislative body that there are no new county funds for children's services despite the fiscal benefits of the CWF legislation. Some counties report that they have reduced funding for children's services and even terminated some contracts due to lack of funding.

TANF funding for services requires no local investment. In the first year of CWF, $100 million in TANF funds were transferred to Title XX to help finance the delivery of in-home services and another $4.6 million was allocated specifically for the purpose of providing preventive and other supportive services to PINS, ages sixteen and seventeen. While the absence of a local share made use of TANF funds seem attractive to districts, the initial enthusiasm was diminished by the additional TANF eligibility requirements for in-home services. This necessitated training front line staff to include in their assessments for services a consideration of family income and citizenship/immigration status—not in order to determine eligibility for services but in establishing which funding stream (TANF or uncapped services reimbursement) would pay for the services provided.

County personnel interviewed noted both the overall financial constraints on county spending and the initial complexity of using TANF funding and documenting eligibility as barriers to providing in-home services. Yet, spending on these services increased in the aggregate by about $25 million from SFY 2002-03 and SFY 2003-04.

Fiscal Complexity

With few exceptions, county fiscal staff interviewed reported they lack the fiscal expertise to understand children's services financing and whether or not they are maximizing State and federal dollars. County commissioners stressed that although they intend to use the uncapped services reimbursement under CWF, they do not know how many local share dollars are needed because of the claiming complexities, the unknown of the State budget process and the final amount of their allocations.

OCFS works in partnership with the Office of Temporary and Disability Assistance (OTDA), the state agency with organizational responsibility for local financial oversight. OTDA's Bureau of Financial Services addresses local financial issues through its regional staff. At the same time, OCFS's regional offices provide local program oversight and rely on the resources of the fiscal staff in home office for guidance.

OCFS staff has designed tools to assist counties, including workshops held across the state. These sessions have been very helpful, but counties indicate that there is a lengthy learning curve for their staff. When state and regional staff are meeting or conferencing jointly with counties, there is consistency in response to program and fiscal questions. However, due to the complexity of the funding according to commissioners interviewed, this is frequently not the case when the State responds to questions outside of joint sessions.

Importance of Local Leadership

Over 40 percent of county social services commissioners (and many second level administrators) have been appointed since 2000. Learning children's services and the basics of child welfare funding has been a daunting task for most. These officials are responsible not only for children's services but also Temporary Assistance, Medicaid and several other programs. If the new commissioner does not have a background in children's services, these services may not have received priority. When local leadership places a high priority on children's services and county government gives its support (e.g. Ontario and Orange counties), there is an opportunity for progress and new children's services programs have a better chance of being funded even with local dollars.

Local Creativity and Collaboration

The timing of CWF coincided with an interest in encouraging practice and policy changes in the delivery of services to vulnerable children and families. The enactment and implementation of the Personal Responsibility and Work Opportunities Reconciliation Act and the Adoption Assistance and Safe Families Act stimulated these changes. The flexibility accompanying TANF funding and the mission prescribed in ASFA provided opportunities for bringing together human service providers and administrators to consider alternative strategies for achieving permanency, safety and well-being for a diverse population.

The flexibility offered by TANF funding and increased availability of funds resulting from declining welfare caseloads have allowed OCFS to invest in starting new programs to fill gaps in services and testing new practices to meet emerging or previously unmet needs. In SFY 2000-01, an allocation of TANF funds allowed OCFS to work with other State and local organizations to start Family Drug Treatment Courts, aftercare programs for youth leaving institutional placements, after school programs, home visiting services, coordinative efforts between child protective services staff and domestic violence service providers, intensive case management services for families in which parental substance abuse contributed to involvement with child welfare services and post-adoption services.

The development of new programs was stimulated by the State's commitment to investing in expansion of evidence-based practices or practices that had demonstrated efficacy in achieving outcomes. Despite subsequent uncertainty of continued funding and the lack of evaluations of the programs, these experiences were consistent with CWF in three areas: 1) using TANF funds for developing and demonstrating new programs by OCFS; 2) the value of spending on programs with demonstrated outcomes achieved widespread acceptance; and 3) the interdisciplinary nature of the programs initiated required collaboration among child welfare, substance abuse, mental health, health and domestic violence providers, schools and family courts.

Uncapped Services Reimbursement has allowed districts to draw on the experiences of the programs supported through TANF funding by providing State reimbursement to fund a portion of the costs of continuing these new programs. At a time when local districts are striving to meet federal performance measures and implementing program improvement plans, they are looking for new, effective methods of service delivery.

This assessment has documented the districts' interest in identifying alternative, innovative means of service delivery. The expansion of in-home services through use of Community Optional Preventive Services reflects the high currency local commissioners put on this method of service delivery. In Erie County, for example, COPS facilitated interdisciplinary service delivery by allowing mental health, substance abuse, education, family court and child welfare services to refer vulnerable children to services targeted to meet their needs. Potential conflicts resulting from varying and sometimes contradictory rules for case contacts, eligibility and reporting are obviated. Simplifying these administrative demands helps to lower the costs of service delivery.

Feedback From Associations

In addition to interviewing staff of OFCS and several local social services districts, representatives of two key statewide organizations participated in interviews.

The Schuyler Center for Analysis and Advocacy (SCAA) issued a 2001 paper proposing reform of child protection services, "A Different Front Door: Essential Reforms in Child Protection Services." The paper stresses the importance of an integrated system with emphasis on prevention and early intervention. The author states that OCFS cannot support its goals as spelled out in the 1998 OCFS Operational Framework without adopting reforms. The CWF legislation is a positive step toward reform. Counties have an opportunity to develop preventive services with flexible funding. However, the fiscal constraints in the counties are impeding their development. During these difficult fiscal periods, SCAA leadership advocates all counties must be afforded an opportunity to use donated and non-tax levy funds and in-kind services to cover the total share of local costs.

Another question posed by SCAA "Why does funding and claiming have to be so complicated?" Something is wrong when so few fiscal experts in the counties understand claiming and funding.

During the interview, the Council of Family and Child Caring Agencies (COFCCA) indicated that counties and providers are unable to plan from year-to-year because the foster care allocation formula factors change annually. The State contends, however, that the changes in the allocation methods were made to address local district concerns. While the State believes that the block grant drives decision-making, COFCCA disagrees. They argue that there needs to be more predictability in the system. For instance, foster care rates were issued in October 2004 and effective retroactive to July 2004 while the block grant allocations were issued in October effective retroactive to January.

FINAL REPORT

A Final Report to the Legislature is due for submission by August 15, 2005. In the second quarter of 2005, counties that have developed and implemented programs for children's services utilizing the flexibility of CWF will have one to two years of experience funding the services. The counties identified in this report will be revisited and an in-depth case study will be conducted of services provided as well as the expenditure of federal, State, local and other funds. As appropriate, other counties will be included in the review. In addition to local social services districts, input will be obtained from other stakeholders (e.g. family court, probation departments, school districts, providers and advocacy organizations) that play a role in the planning, development, utilization and provision of services for at-risk children and their families.

The Final Report will address the impact of the CWF legislation on county/NYC funding strategies and the practice of creative financing approaches, evidence-based programs and other community based preventive services programs. It will also examine the degree to which the CWF legislation has encouraged new services and describe issues still confronting and impeding utilization of the flexibility provided under the CWF legislation.

(Footnotes)

[1] Local Commissioners Memorandum 02 OCFS LCM-20.

ATTACHMENT I

STATE EXPERTS

Office of Children and Family Services

Nancy W. Martinez, Director, Strategic Planning and Policy Development
Judy Gallo, Director, Bureau of Policy Analysis
Jamie Greenberg, Asst Director, Bureau of policy Analysis
Susan Mitchell-Herzfeld, Director, Evaluation and Research
Lee Prochera, Deputy Counsel
Larry Brown, Deputy Commissioner, Division of Development and Preventive Services
Lee Lounsbury, Assist. to Deputy Commissioner, Development and Preventive Services
William McLaughlin, Director, Office of Regional Operations and Practice Improvement
Susan Costello, Deputy Commissioner, Administration
John Murray, Director, Bureau of Financial Operations
John Conboy, Asst Director, Bureau of Financial Operations
Eric Petersen, Asst Director of Budget Management
Rayana Gonzales, Associate Budget Analyst
Linda Brown, Director, Buffalo Regional Office
Paul Mann, Director Field Operations, Buffalo Regional office
Linda Kurtz, Director, Rochester Regional Office
Jack Klump, Director, Syracuse Regional Office
Fred Levitan, Director, New York City Regional Office

Office of Temporary and Disability Assistance

Rick Radzminski, Chief Accountant, Office of Budget, Finance and Data Management

COUNTIES AND NYC

Erie, Deputy Commissioner Deborah Merrifield and staff

Chautauqua, Commissioner Kirk Maurer and staff

Ontario, Commissioner Jane Lynch and staff

Onondaga, Exec Dep. Commissioner Steven Morgan and Dir of Administrative Services, Ira Dubnoff

Albany, Commissioner Sheila Poole and staff

Rensselaer, Commissioner John Beaudoin and staff

Orange, Commissioner Margaret Kirchner Dillon and staff

NYC, Deputy Commissioner Susan Nuccio and staff

NEW YORK PUBLIC WELFARE ASSOCIATION

Thirty (30) County Social Services Commissioners

Executive Director, Sheila Harrigan

Associations

Karen Schimke, Executive Director, Schuyler Center For Analysis and Advocacy

James Purcell, Executive Director, Council of Families and Child Caring Agencies

ATTACHMENT II

Questionnaire For OCFS And Other State Staff

1. How did you roll out the CWF legislation to the counties?
2. What organizational changes were made internally to enable OCFS to roll out?
3. What was the specific process for these changes and did OCFS inform the counties?
4. What is your understanding of the implementation of CWF in the counties including the successes and problems?
5. What are the issues along with the positive and negative aspects of the CWF legislation?
6. Are child welfare plans reflecting an increase in the use of preventive, aftercare, independent living and post-adoption services?
7. Has every county used all of its Block Grant allocation in the last five years? If not, what counties have not done so?
8. Were these counties allowed to reinvest the unused funds in the subsequent year for preventive services?
9. What fiscal and services reports are available from 1990 to present that reflect service delivery prior to the block grant, under the block grant and since the implementation of the CWF legislation?
10. Have you seen an increase in preventive, aftercare, independent living and post-adoptive services and expenditures for services in counties and New York City? If so, where?
11. What counties use donated funds and non-tax levy contributions to offset the local share for preventive services? What is this as a percentage of the dollars spent for preventive services?
12. Are the eight counties that were grandfathered for use of in-kind contributions maximizing their use?
13. Has there been an increase in mandated preventive services and COPS?
14. Have any counties implemented managed care approaches?
15. What should EHA expect to find regarding implementation of CWF as we visit counties?
16. What questions should we be asking associations? Providers? Counties?

SPECIFIC QUESTIONS FOR OCFS STAFF

1. What are the financial and services data indicating regarding implementation of the CWF legislation in NYC and the counties?
2. What changes in funding and claiming rules have been implemented since the adoption of the CWF legislation.
3. Is MSAR impacted by CWF legislation? If so, how?
4. What is the explanation for the $20 million to pay up to 100% of MSAR?
5. How does PIP fit into CWF?

Questionnaire for Counties and New York City

OCFS released the Local Commissioners Memorandum, Administrative Flexibility Associated with Child Welfare Finance (CWF) Provisions, in October 2002.

1. Does your agency understand the rationale for CWF?
2. Will the provisions of the CWF legislation achieve the objectives of the legislation?
3. When did your agency complete the analysis of this document?
4. Did your agency receive sufficient guidance?
5. Did your agency develop local policy?
6. When did your agency develop local policy?
7. When did your agency implement the provisions?
8. How did your agency go about implementation?
9. What fiscal plans were developed?
10. What local government, provider or advocacy agencies participated in the development of the new policies?
11. Did OCFS approve the services plan?
12. What are the specific policy provisions of your plan including those pertaining to preventive and independent living services?
13. Does your agency have the policy manual readily accessible to staff?
14. Are new services provided by a public or voluntary agencies, or both?
15. The intent of the CWF legislation is to provide services that will reduce the need for foster care placements. What specific groups of children do you anticipate will benefit from the new preventive and independent living services?
16. Have you targeted problem areas or specific groups of children?
17. Pursuant to the CWF legislation, has your county developed a COPS program? Has it been approved by OCFS? What services is your county providing?
18. Pursuant to the CWF legislation, has your county established managed care or other systems to provide children and family services other than child protective services investigations?
19. If your county has developed preventive and independent living services, how are you funding the local share (e.g. in-kind, indirect services and non-tax levy funds, tax levy funds)?
20. In general, did uncapped funding lead to an expansion of preventive, aftercare, independent living and post-adoption services in your county? If not, why not?
21. What in your view are the positive and negative aspects of the CWF legislation?
22. What are the key areas of feedback you would like us to deliver to the State officials?
23. If you have not developed new policies and services as a result of the CWF, why not?

Questionnaire for Association CEOs

1. Do your providers understand the intent of CWF?
2. What impact has the CWF legislation had on your providers?
3. What are the issues including both the negative and positive aspects, with implementation of CWF?
4. What additional services have been implemented as a result of CWF?
5. Are there counties that you believe have successfully implemented CWF? Please identify the counties and explain what they are doing.
6. Do you receive information/data regarding CWF implementation and outcomes?
7. Do you receive reports regarding services implemented since CWF?
8. Do you receive reports regarding county and State expenditures under CWF?
9. Has CWF been successful in reducing dependence on foster care placement?
10. What questions would you suggest we ask providers and county officials relative to implementation of CWF?