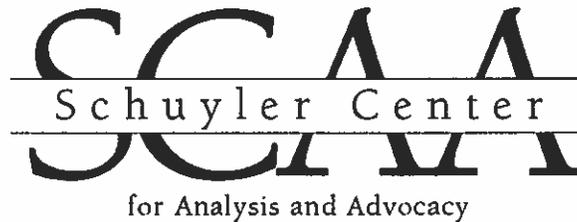


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**Human Services
Legislative Budget Hearing on the
SFY 2012-13 Executive Budget
February 13, 2012**

**Kate Breslin, President and CEO
Schuyler Center for Analysis and Advocacy
www.scaany.org**



*Shaping New York State public policy
for people in need since 1872*

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**Presented by
Kate Breslin, President and CEO
Schuyler Center for Analysis and Advocacy**

My name is Kate Breslin and I am President and CEO of the Schuyler Center for Analysis and Advocacy (SCAA). The Schuyler Center is a 140-year-old statewide, nonprofit, policy analysis and advocacy organization working to shape policies that improve health, welfare and human services in New York State. We take part in a number of coalitions, staff the New York State Citizen Review Panels, serve on the State Early Childhood Advisory Council, and co-convene Winning Beginning NY, the State's early care and learning coalition.

Thank you Senators and Assembly Members for your interest in human services and for this opportunity to come before you to provide input on the Executive Budget. This is a very difficult moment in time for people in need and the community-based-organizations that provide support for them. As you are well aware, the demand for services has increased over the past three years at the same time that programs and services have been cut. The result is a human services system attempting to meet the needs of the State's most vulnerable populations at a time when they are struggling to stay in business. They can no longer do more with less; in many cases they have to do less with less.

Recent years have brought the erosion of public support for children and families who are at risk for entering the child welfare system. The major pools of funds for mandated services have largely been maintained—foster care, adoption and preventive. Programs that support investigations—Child Fatality Review Teams, Child Advocacy Centers—have also been somewhat stable. The programs that help keep children out of more intensive systems—youth programs, COPS, Kinicare and the Children and Family Trust Fund have been whittled away or slashed entirely.

Meanwhile, poverty is taking a toll on New York's children and families. Child poverty is at the highest it has been since 1959. Poverty in childhood is strongly associated with cognitive, behavioral, social and emotional difficulties, and with the lifetime effects of compromised educational and employment attainment (Children's Defense Fund, 2011). In New York, more than one in five of our children, a total of over 900,626 were below the federal poverty level (FPL) in 2010 (US Census 2011). Ten percent (10%) or 427,000 of New York's children live in extreme poverty, having an annual family income of less than half the FPL—that's \$11,570 for a family of four (Kids Count, 2011). Children who are racial and/or ethnic minorities fared far worse than their White counterparts. While the poverty rate for White children in 2010 was 14.8%, the rate for Black children was 33.3%, and for Hispanic children, 33.9%. Asian children had a rate of 20.6%, and those identifying as "other" or "two or more races" had rates of 36.3% and 26.0%, respectively. In 2010, 11% of New York's children had an unemployed parent. It is estimated that 520,602 of New York's 4,690,107 children have an unemployed parent. Most (89%) of the impoverished children in New York have working parents and almost one-third (31%) of all unemployed adults are parents. They don't earn enough to keep their family above the poverty level.

As adults struggle with high levels of stress and decisions about paying for rent, heat or food, their children risk cognitive, behavioral, developmental difficulties due to poverty. Children who grow up in poverty are more likely to suffer lifetime effects of compromised educational and employment attainment. New York's extremely low-income children and families remain stuck. For low-income workers, there is nothing in the Governor's budget that addresses increasing the minimum wage or improving the State Earned Income Tax Credit.

The Schuyler Center for Analysis and Advocacy would like to thank the Governor and ask the Legislature to support:

- Preserving funding for the Healthy Families New York maternal, infant and early childhood home visiting programs. Home visiting is a proven strategy for reducing abuse and neglect.
- Recognizing the importance of child care subsidies to the ability of low-income parents to work by providing \$93M in State funding to offset a reduction in federal funding for child care subsidies.
- Preserving TANF funding for child care subsidies.
- Preserving child welfare preventive services as an open-ended funding source for critical services and maintaining funding for services to this most vulnerable population of children and families.
- Continuing reforms to the juvenile justice system by incentivizing home- and community-based services and reducing capacity.
- Increasing funding for the Nutrition Outreach and Assistance Program.
- Additional funding for the Summer Youth Employment Program.

Early Childhood

SCAA co-convenes *Winning Beginning NY (WBNY)*, the State's early care and learning coalition. WBNY's priorities span the continuum from the prenatal period to age eight. Although not all of these issues (such as Pre-Kindergarten, Afterschool, and Early Intervention) fall under the Committees' purview, they are inter-connected and are all part of a comprehensive early education system. We respectfully request the following:

Maintain the \$93M in the Governor's budget for child care subsidies for low-income working families and make an advance on the proposed \$215M in child care preservation funds for FY 2013–2014. The 2012 Executive Budget contains \$904M for child care, despite a loss of federal funds. The Governor made up this loss by including \$93M in State General Funds to fill the gap. This will help to maintain 19,000 child-care slots for low-income working families. However, even with this generous add, funding is \$70M less than in SFY 2009–2010, the cost of care has increased, and supply does not meet demand. New York should make an advance on the proposed \$215M in child care preservation funds earmarked for next year. The State should also explore setting consistent statewide standards for eligibility, co-pays and provider reimbursement rates.

Quality child care has both short- and long-term returns.

- Short-term. Child care allows nearly 70% of our local workforce to go to work each day. Access to affordable and quality child care is essential for low-income women to obtain and retain employment. Parents' productivity on the job keeps New York businesses running and enables residents to buy homes, pay taxes and support our communities.

- Long-term. Quality child care improves school readiness and lays the foundation for success in school and in life.

Invest \$20M for the first year of implementation of QUALITYstarsNY to ensure quality in New York’s early care and learning/child care programs. New York does not presently invest in ensuring the quality of early learning and development programs. This is despite considerable evidence that, particularly for children in low-income families, early investments in high-quality early learning can have significant and lasting benefits. A \$20M investment in QualityStars NY (QSNY) will move the State forward in measuring and improving quality statewide. It will provide ongoing professional development support to QSNY field test participants, support the professional development of new programs entering QSNY with Race to the Top (RTTT) funding, and provide technical assistance for quality improvement strategies as New York implements this essential statewide quality rating and improvement system.

Strengthen and expand evidence-based maternal, infant and early childhood home visiting.

- **Maintain \$23.3M for the Healthy Families New York maternal, infant and early childhood home visiting program;**
- **Establish \$5M in dedicated funding for the Nurse-Family Partnership home visiting program;**
- **Establish a dedicated fund of \$2M to provide home visiting programs for families who are not eligible for Healthy Families New York or Nurse-Family Partnership.**

The Executive Budget maintained funding for Healthy Families New York (HFNY) at \$23.3M, funds that are necessary to meet maintenance of effort requirements for federal funding. It also maintained \$12.1M in Community Optional Preventive Services (COPS) funding. COPS helps to fund Nurse-Family Partnership (NFP) programs. In addition, the Budget maintained over \$600,000 in funding for the Children and Family Trust Fund, which partially supports The Parent-Child Home Program.

We request that the State establish a dedicated line item of \$5M to help support the sustainability of NFP. We also ask that the State support the Medicaid Redesign Team’s recommendation to make NFP a fully covered preventive service for first-time, high-risk mothers and their children. Finally, we urge the State to begin building a system of home visiting services and supports and establish a dedicated line item of \$2M for evidence-based home visiting programs to fill gaps in services for families that are not eligible for HFNY and NFP.

There is strong evidence that investing in maternal and early childhood home visiting for at-risk families generates significant and positive health and other outcomes. Though not mentioned in the budget documents, it is expected that the MRT recommendation regarding support for the Nurse-Family Partnership’s maternal, infant and early childhood program for at-risk families would be included in the forthcoming waiver application. In the interim, we urge the Legislature to establish a dedicated line item of \$5M in the New York State Department of Health’s budget to help support the sustainability of Nurse-Family Partnership.

Maternal, infant and early childhood home visiting has emerged across the nation as a promising way to engage new and expecting parents and their children with services that support the family and lead to positive outcomes—and public cost savings—in the short,

medium and long term. By reaching at-risk children and families early on, home visiting prevents problems that require expensive intervention and remediation.

It has taken us nearly 20 years to build a system of home visiting supports and services, yet we still serve only a small percentage of those who would benefit. New York State can build on what is already established, by assuring secure funding for HFNY and NFP, and beginning to develop more comprehensive statewide services that reach families and communities that those programs do not serve. Investing in evidence-based and promising home visiting programs in the State will strengthen families, improve children's well-being and development, and save taxpayers money.

Child Welfare

In 2012, the Child Welfare Financing Law is due to expire. This law addresses funding provisions critical to serving the children and families who are subjects of child abuse and neglect allegations or at risk of such harm. The law provides for expenditures made by local districts of social services for child protective services, foster care, and adoption. The Schuyler Center's recommendations regarding proposals within the Executive Budget and Article VII bill section F follow.

Preserve open-ended preventive funding and restore the State share to 65% within the Child Welfare Financing Law. The Executive Budget extends the Child Welfare Financing Law to 2017 and establishes in statute current funding levels for preventive, protective, adoption administration and services, independent living, after care services and adoption subsidies at 62% State share. Localities use this funding to provide services such as home visiting which are proven to reduce maltreatment and neglect, support for Family Assessment Response (FAR), educational supports, and other needed services which keep families together, children safe, and prevent placement into costly foster care and re-entry into child welfare. It is absolutely critical that the preventive/protective funding remain open-ended in order to provide the needed services to keep children safe and from re-entering the system. This funding is key to achieving further reductions in the number of children placed into more costly foster care. Over the past two years, preventive service claims have decreased 14% and the State share for these services decreased from 65% to 62% (94% of 65%). Localities are experiencing increased pressures on their local budgets and have a new property tax cap to consider. The statutory language should be maintained at 65% and the State share for services should be restored to 65% as soon as possible.

Preserve community-based prevention funding (COPS) within the Child Welfare Financing Law and increase the availability of these services in localities. Funding for community-based preventive services, known as COPS, is maintained in the Executive Budget at its current funding level, \$12,124,750. COPS funding is used for primary prevention programs such as home visiting, co-location of services and services for cross-systems children whose needs are not easily met through other funding streams. COPS funding allows localities to target services before serious problems develop and a report is made to the State Central Registry (SCR). This flexible funding is extremely important to localities in meeting the needs of children and families but the funding available has decreased 79% since 2008.

COPS funding should be increased in the budget or localities should be given the option of using a percentage of their prevention funds allocation for such targeted services. In addition, counties should be allowed to use donated funds, either cash or in-kind, for up to half of their share of the costs. All counties should be allowed to offer COPS services including those who opted out in 2008 due to an uncertainty in funding. These changes should be incorporated into the Child Welfare Financing Law and, as applicable, in the budget language.

Pay for Kinship Guardianship Assistance as a permanency option with a dedicated fund outside the Foster Care Block Grant. The Executive Budget and changes to the Child Welfare Financing Law propose Kinship Guardianship Assistance (KinGAP) to be paid using funding from the Foster Care Block Grant. In 2011, New York implemented a Kinship Guardianship Assistance Program using funding within the Foster Care Block Grant. With KinGAP, relatives in approved or certified foster care settings can apply for KinGAP when both adoption and family reunification are ruled out. Many of these families require financial assistance to continue caring for a foster child in their household. With this option, kin families can exit the foster care system and continue to receive financial support. In a 2012 report to the Governor and Legislature on KinGAP, the New York State Office of Children and Family Services states that 16 applications were received between April 1, 2011 and December 31, 2011 based on entries into the Child Care Review Service. Of that number, nine have been approved and seven denied. Administration for Children's Services in New York City provided information that they received 51 applications, approved 10, have 11 under review, denied 7 and returned 23 due to a lack of sufficient documentation for the same time period.

Kinship Guardianship is an additional permanency option to adoption and should be funded as adoption subsidies are funded with identical shared State/local funding. The 2011-12 Budget provided funding for KinGAP within the block grant for one year. The Executive proposal keeps KinGAP within the Foster Care Block Grant and changes the statutory reimbursement level for adoption subsidies from 75% to 62%. The 2012-13 Budget and the reauthorization of the Child Welfare Financing Law should provide dedicated funding for Kinship Guardianship Assistance in the same manner as adoption subsidies and adoption subsidies should be returned to 75%/25% in statute currently. Further, the Foster Care Block Grant should remain at the funding level offered in the Executive Budget and not reduced to establish dedicated KinGAP funding.

Restore funding for Kinship Care programs. Once funded at \$2,750,000 in the 2009-10 Budget, funding for kinship care programs decreased to \$338,750 in the 2011-12 Budget, a decrease of 87%. The Executive Budget once again proposes funding for kinship care at \$338,750. Kinship care programs offer important support and services to kin, a majority of whom are grandparents, who care for relatives' children in their household. They provide needed information about family members' rights, support to meet children's education and health care needs, and assistance with obtaining benefits. For as little as \$500 per child, these programs are far less costly than a foster care placement. In 2011, 13 of the 21 regional programs in the State were defunded. Only eight received funding which is due to expire in November of this year. In January 2012, eight of the programs defunded in 2011 received one-year TANF contracts that begin in May 2012. These programs require secure, stable, and sufficient funding to continue their work. The Schuyler Center encourages a restoration of funding for these important programs.

Ensure that youth in- or aged-out of foster care have the same higher education opportunities as other youth in New York State by offering them the same Tuition Assistance Program (TAP) benefits. Youth in care are currently treated as “independent,” meaning that they receive less financial assistance than their peers who are “dependent” and living with their parents. Youth in- or aged-out of foster care should receive the same TAP benefits as youth who have the benefit of financial support from their families.

Policy discussions about TAP in recent years have focused on the State’s fiscal climate and the lack of available funds. Yet, the 2011-12 Enacted State Budget added approximately \$18M in tuition assistance for students attending some private religious schools, primarily benefiting students studying to be rabbis. Youth in foster care and former foster youth were not so fortunate.

In addition, many of these youth attend college part-time because of the need to support themselves. However, part-time TAP is only available to students who first attend school full-time for one year. If these students could attend full-time, they probably would. Requiring them to attend full-time for a year limits these students’ access to higher education. They should be supported in their endeavors—educational and otherwise—by the State, which took responsibility for their custody and care.

Additional Human Services items

Ensure that the Vulnerable Persons Central Register aligns definitions, regulations, and allowable actions across State agencies. The Executive Budget proposes the creation of a new centralized hotline with 24-hour coverage of reports of abuse and neglect allegations of children, the developmentally disabled, the elderly and other vulnerable persons. The reporting system will include certain programs operated, licensed or certified by the Office of Mental Health, Office for People With Developmental Disabilities, Office of Alcoholism and Substance Abuse Services, Office of Children and Family Services, the Department of Health, and the State Education Department. Greater efficiencies will be gained when providers do not have to identify what is and is not allowable based on whether the child is served by one State agency versus another. Any action to establish such a register should require cross-agency collaboration to develop uniform definitions, regulations, and allowable actions so that providers are not unduly affected when serving vulnerable persons from several agencies.

Restore the planned Public Assistance increase of 10% in the 2012-13 Budget. The Executive Budget spreads the planned Public Assistance Grant increase over two years in 5% increments for a State savings of \$6 million. The 2009-10 Budget provided an increase of 30% in the public assistance grant to be implemented over a three-year time period in 10% yearly increments through July 2011. Two of those increments were implemented. The 2011-12 Budget postponed the third installment of the increase to the 2012-13 Budget. Now, the Executive Budget proposes spreading the 10% promised increase over two years in 5% increments.

SCAA urges legislative leaders to reject the Governor’s proposal to require the State’s vulnerable families to wait once again, at a time when so many New Yorkers are out of work and poverty is on the rise. New York’s poverty numbers make a clear statement about the need for the full increase to go into effect now.

Youth Programs

Restore \$5M for Advantage After School Programs. The Executive Budget funded Advantage After School programs at \$17.5M, a reduction from the 2011–12 funding of \$22.5M. We urge the State to restore funding for these much-needed services.

Advantage After School programs are supported by school, community, public and private partners, and offer a broad range of educational, recreational, and culturally age-appropriate activities that are integrated with—and complement—school day learning. Programs operate five days a week during the regular school year and may elect to operate during school breaks. Programs may also extend hours into the evening hours, particularly when serving older adolescents. These programs are designed to improve the social, emotional, academic, and vocational competencies of school-age children; prevent and reduce the incidence of out-of-wedlock adolescent pregnancies; reduce negative behaviors such as violence and crime, tobacco, alcohol and substance abuse, disengagement from school, school suspension, truancy, and health-compromising behaviors; and provide parents with a safe after school environment for their children.

Restore funding for Runaway and Homeless Youth Act (RHYA), Youth Development and Delinquency Prevention Program (YDDP), and Special Delinquency Prevention Program (SDPP). RHYA, YDDP and SDPP are important programs which serve at-risk youth by helping them build life skills and competencies that allow them to be successful, achieve career and college readiness, and prevent them from entering or re-entering the juvenile justice and child welfare systems. Program offerings include mentoring services such as Big Brothers/Big Sisters, Boys & Girls clubs, supports for runaway and homeless youth, programs that prevent involvement with gangs or drugs, and services for pregnant and parenting teens. Additional funding is needed for these programs to maintain their funding at the levels actually allocated in the 2011 calendar year.

In Conclusion

We urge the Legislature to place a special focus on those programs designed to keep families and children from falling through the cracks and to promote a positive developmental path to responsible citizenship. Prioritizing the early identification and provision of services to the State's vulnerable families and children can result in significant cost savings down the road.

Thank you. We appreciate the opportunity to testify and look forward to continuing to work with you to build a strong New York that cares for its most vulnerable residents.

*Kate Breslin
President and CEO
Schuyler Center for Analysis and Advocacy
518-463-1896 / kbreslin@scaamy.org*