

Buncombe County Agenda Item Information Sheet

AGENDA ITEM: Budget Amendment for Additional Staffing for HHS Social Work	
MEETING DATE: January 05, 2016	
REQUESTED BY: Jennifer Chilton for Amanda L. Stone	
Background information	
<p>I. Economic Services Realignment:</p> <p>Buncombe County is mandated by Federal and State Statutes to provide programs of public assistance.</p> <p>The Economic Services Federal and State mandates are defined in the following statutes:</p>	
<p>State/County Special Assistance for Adults Program (SA)</p> <p>Refugee Cash and Medical Assistance</p> <p>Child Support Enforcement</p> <p>Food and Nutrition Services Employment and Training Work First Program</p> <p>LIHEAP (Low-Income Energy Assistance Program and Crisis Intervention Program)</p> <p>Food and Nutrition Services Program</p> <p>Medicaid</p> <p>Medicaid Transportation</p> <p>North Carolina Health Choice for Children (SCHIP)</p> <p>Subsidized Child Care Program</p> <p>Work Permits</p> <p>Disaster Shelter Management</p>	<p>20 CFR 416.2001- 2099; G.S.108A-25; G.S.108A-40- 47.1; 10A NCAC 71P</p> <p>P.L. 99-603; 8 USC 1521 Sec. 411</p> <p>Title IV-D of the Social Security Act; 45 CFR Chapter III 300-308; G.S. 50. 52c; G.S. 110-128 through G.S.110-142; 10A NCAC 71T .0101-.0104</p> <p>P.L. 99-198; 99.stat. 1354- 1660 (Food Security Act of 1985); CFR 273.7(C)(8); G.S. 108A-25</p> <p>TANF BG Plan; Title IV-A of the Social Security Act; Personal Responsibility and Work Opportunity Act of 1996; Deficit Reduction Act of 2005; 42 USC 601 et. seq.; P.L. 104-193; G.S. 108A-27; G.S. 108A-29.1; 10A NCAC 71W .0905</p> <p>LIHEAP BG Plan; P.L. 97-35; G.S. 108A-25; 10A NCAC 71V</p> <p>7 USC 2011; 7 CFR 271.4; P.L. 110-246; G.S. 108A-25</p> <p>Title XIX and Section 1634 of the Social Security Act; 42 CFR 430-460; G.S. 108A Part 6; G.S. 108A-79; G.S. 108A-80; 10A NCAC 21; 10A NCAC 22F</p> <p>42 CFR 431.53</p> <p>Title XXI of the Social Security Act; 42CFR .457; G.S. 108A, Part 8; G.S. 108A-79, 108A-80</p> <p>Federal Child Care and Development Fund: 45 CFR, Parts 98 and 99; APA: G.S. 110-107; 10A NCAC 10</p> <p>G.S. 95-25.5</p> <p>G.S. 166A</p>
Background:	
<p>The system continues to be challenged by volume, realigning the business model with the NCFAS electronic system and the additional programs and policy changes in Medicaid within the ACA.</p> <p>The federal oversight agency for Food and Nutrition Services, USDA, has formally notified NC that it is out of compliance on the timeliness processing requirements. The level of non-</p>	

compliance places NC at risk for loss of Federal Administrative funding. In addition USDA has defined timeliness as the benefits being loaded and available to the eligible consumer thus decreasing processing time by 5 days. This requires that we move toward a same day processing model.

Proposed Plan:

HHS has evaluated and determined that realignment of resources within Economic Services Divisions' current structure is necessary to meet Federal timeliness standards. For Buncombe County, failure to meet and comply with the 95% standard places at risk \$7.9 Million in Federal funds annually. Loss of funding would not alter the mandate to deliver the services. The realignment will move technical and policy expertise within teams and increase the line staff by 11 and line supervisors by 2.

II. Child Welfare Realignment:

Buncombe County is mandated to provide Child Welfare Services.

The legal mandates in Child Welfare include the following:

Licensure of maternity homes, child-placing agencies, family foster homes, therapeutic foster homes and residential child care facilities Interstate/Intercountry services, including ICPC and ICJ	Titles IV-B, IV-E, XX of the Social Security Act; G.S. 131 D, Article 1A; G.S. 143B-153; 10A NCAC 70E,F,G,H,I,J,K,& L. G.S. 7B-28, 7B-38; G.S. 143B-153; P.L. 103-432, 108-36, 105-89, 109-239 42-USC 675(5) (A) & (C), 42-ISC 622 (b)12; 10A NCAC 70C
Adoption/ Adoption Assistance	Titles IV-B; IV-E; XX of the Social Security Act.; P.L. 96-272, 99-514; 103-382, 106-385, 105-89 106-169 109-171; G.S. 108A-49 & 50; 10A NCAC 70M .0500 – Out of State Adoption Fees
Child Protective Services	Title IV-B, IV-E & XX of the Social Security Act, Child Abuse Prevention & Treatment Act (P.L. 93- 247); Keeping Children Safe Act of 2003 (P.L. 108-36); P.L. 105-89; G.S. 7B; 10A NCAC 70A
Child Medical Evaluations	(Required as a part of CPS investigations; G.S. 7B-300, et. seq.)
Family Preservation and Support Services (Safe and Stable Families Program and Community Based Child Abuse Prevention) Foster Care Assistance	IV-B, Subpart 2 of the Social Security Act; Federal Adoption and Safe Families Act (P.L. 105- 89); CAPTA (P.L. 111- 320); G.S. 143-152.10-15
Child Welfare Training	Title IV-E & IV-B; Title XX of the Social Security Act; CAPTA (P.L. 93-247); G.S. 108A-48; G.S. 108A-49; 45 G.S.143B- 153(2)(d); 10A NCAC 70D G.S. 131D-10.6A

Background:

The following factors are negatively impacting compliance with legal standards and Federal benchmarks.

- Turnover and FMLA impacting available social worker time
- Increasing foster care caseloads and frequency of court ordered visitation
- Case complexity due to substance abuse and domestic violence
- After-hours call and workload volume impacting current workforce

Proposed Plan:

HHS is proposing to utilize existent positions to reallocate to areas of identified need.

The proposed realignment within the Economic Services division yields a net county savings, therefore helping to offset the increased cost of the reallocation of positions to social work.

Both realignments utilize existent HHS positions with the net gain of additional direct services staff resources in both the Economic and Social Work Services Division.

Pro's

These realigned and reallocated positions will allow HHS to meet the County obligations under Federal and State Statutes as well as NC Administrative Code.

- Failure to address the workload issue will result in Child Protective Services managing caseloads in excess of state standards, which results in less thorough and timely assessments, agency non-compliance with laws and standards, and creates serious liability.
- Increased caseload size could result in potential for serious harm or death of a child.
- Current staff must work more hours to provide the mandated services, increasing compensatory time and staff turnover.
- Taxpayers will face significant, long-term costs associated with unresolved child abuse, neglect.
- Cases remain open for longer periods of time due to increased caseload size and demands on existing staff.
- Quality of work and practice is compromised due to increased caseloads
- Increased workloads and staff turnover detract from maintaining a trained and knowledgeable workforce

Con's

- **The realignments require no new positions but do require additional reoccurring County funding.**

Funds required in current budget:

The net additional county cost requested for the staffing needs and alignment across HHS for both Economic Services and Social Work for FY16 is **\$119,925**.

Funds required in future budgets:

In FY17, annualized additional net county cost for these reallocated positions is estimated to be **\$280,913**.

Alternatives

Maintaining current structure of Economic Services Division and failure to allocate additional front line resources will negatively impact compliance with federal standards for processing/maintaining public assistance caseloads. The determination of eligibility and redetermination must be completed by "merited government employees" thus contracting is not allowed.

In addition to not meeting program requirements the potential loss of benefits will impact the health and safety of citizens as well the potential loss of federal benefits that fund health care providers and grocery retailers.

Counties in NC are mandated to provide eligibility of federal and state public assistance programs and failure to do so at the required timeliness and quality standards can result in the State assuming the operations of these functions and charging the county for the cost of operation.

Maintaining current staffing levels of the Social Work Division will result in failure to meet state and federal standards and mandates for Child Protective Services provision. Increased caseload size will impact the ability to comply with timeline defined in law increase the potential for serious harm or death of a child. Cases could potentially remain open for longer periods of time due to increased caseload size and demands on existing staff resulting in prolonged involuntary intervention into families. Increased workloads and staff turnover detract from maintaining a trained and knowledgeable workforce and have a significant financial impact specific to overtime compensation, loss time due to FMLA, and the cost of retraining new hires as NC requires the completion of pre-service training prior to the ability to actually complete the work. The cost of training staff as required is approximately \$27,000 including travel, lodging, registration and loss work time. The state controls the scheduling and access to this training model.

Action recommended:

Allocate the net additional funding needed to realign HHS staffing to increase Social Work staffing by one (1) Social Work Supervisor and five (5) Investigative Assessment & Treatment Social Workers and Economic Services staffing by 2 Supervisors and 11 direct services staff. In FY16 the total dollars required is \$119,925.