

**Testimony Presented by
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**Before the Senate Finance and Assembly Ways and Means Committees
Joint Legislative Hearing**

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Good afternoon, my name is Jim Purcell and I am the executive director of the Council of Family and Child Caring Agencies (COFCCA), which is the principal statewide representative for nearly all the not-for-profit agencies providing services to New York's abused, neglected, and troubled children and their families. COFCCA's member agencies keep families together, reunite families broken apart because of substance abuse, domestic violence, or mental health problems, and find new permanent families for children whose parents can't or won't care for them.

On behalf of the 120 member agencies of COFCCA, I am grateful to Chairmen Farrell and Johnson for this opportunity to discuss the budget issues affecting the services urgently needed by New York's most vulnerable children and their families.

COFCCA is proud to be a founding member of a coalition of individuals and organizations advocating for children. This new and growing coalition, the New York Children's Action Network (New York CAN), has asked Chairmen Farrell and Johnson to convene a Children's Budget Hearing. With Governor Pataki, and I am quite sure with all of you, we believe that children are New York's most important resource and the most worthwhile investment you can make. Their needs are of concern to all of us which is why we ask the Assembly and Senate to hold a Children's Budget Hearing to focus attention on the dollars New York spends on children. We believe New York CAN and must do more for children and families.

Turning to those portions of the Governor's budget related to child welfare we want to call your attention to several key issues. First, the Governor's budget provides for annual cost of living adjustments for both our foster care agencies as well as for foster and adoptive parents; and for a host of programs in other state agencies.

We greatly welcome this recognition that costs of doing business and salaries go up each year and that failure to reflect those increased costs in payment rates and contracts creates a false premise that consistent and high quality services can be made available year after year with no recognition of these increases.

Over the last several years the cost increases our agencies face related to rising health and liability insurance costs alone have been exceptionally high.

This year, like all consumers, our agencies face the conflict of heating the buildings our children live in or filling critical front line jobs that become vacant. For that reason we recently asked OCFS to amend our current rates now so that we can cover these mandatory cost increases over which we have no control and continue to operate our programs at needed levels.

While we welcome the COLA initiative we are concerned that some of the costs we face, such as liability insurance, are not reflected in the CPI index the budget language requires. We plan to meet with OCFS and the Division of the Budget to discuss this matter.

We commend the governor for providing all of the funds needed this year to fully annualize the commitment he and you made last year to require all counties, notably New York City, to pay the full rates as established by OCFS for some of our programs. We are particularly pleased that he included the full annual funding for that portion which the legislature added last year.

There is a new \$5 million to develop programs to meet the treatment needs of substance abusing parents whose children are at risk. This initiative will build on some of the successes first demonstrated through the TANF Preventive Services initiative sponsored by the Legislature several years ago. We are also very pleased to see an additional 150 slots for our kids in the mental health Home and Community Based Waiver program,

Perhaps most exciting is the proposal in the Governor's budget to develop a Medicaid waiver for foster children in community based settings. These waivers have been the linch pin for many of the truly exciting and innovative program opportunities for children in the developmental disabilities, mental retardation, and mental health fields over the past ten years. The possibility of bringing these innovations and flexibility to New York's most vulnerable children in foster care is visionary and offers us great hope for opportunities to innovate and create truly child centered and family focused approaches to thousands of children and their families. We look forward to working closely with the Administration in the development of this initiative.

We are also working closely with OCFS, the State Education Department, and other state agencies to achieve the intent of Billy's Law related to New York children placed in out of state institutions. As you know we spend \$200 Million to pay these out of state institutions to provide the care, support, and education that we could be providing, for no more money, in New York. When we do so children will be served closer to their families and communities, agencies will provide a high quality of care under the direct oversight of New York State government agencies, and we will provide hundreds of jobs for New Yorkers.

Finally, I must bring to your attention again one thing that is not in this budget. Our agencies employ thousands of workers who provide the 24 hour care to very needy children in foster care; and who provide the casework and supports they and their families need in order to re-unite them or to find adoptive homes or to keep their children safely at home. They do this exhausting, emotionally draining, and sometimes dangerous work for salaries that none of you would want for your own children.

Too many of our child care workers are forced to work second and even third jobs. Indeed, in too many cases we are finding that the job of providing supervision to a cottage of perhaps aggressive, demanding youth is the worker's second job. Our salaries are so far below what New York State pays its own employees to do exactly the same work we haven't even estimated the amount this year. I can tell you that when one of our caseworkers takes a similar job for NYC or with the State, they will start at about \$10,000 more than they were making with us.

We were surprised to find that in some agencies overall health insurance costs didn't rise as fast as we thought they would have over the last couple of years. Then we discovered the reason. In order to operate on their very tight budgets, the agencies have been forced to meet 10% and 15% health insurance cost increases by raising deductibles and co-pays so high, that our lowest paid workers too often opt not to be insured. Surely, that cannot be the policy position of the New York State Legislature.

We join you in wanting to make sure that all the people to whom this care is entrusted in fact can be trusted to have no known criminal histories that would endanger the safety or welfare of the children. So we ask that this year you consider conforming all of the criminal background and SCR clearance requirements across all state agencies and providing for these to all be funded in a consistent manner by the state agencies. The current system has different rules and payment mechanisms for workers depending on which year the requirement was enacted.

I cannot speak to you today about child welfare in New York without reflecting on the Nixzmary Brown case in Brooklyn. Last Friday I was proud to join dozens of colleagues in an open letter to Mayor Bloomberg assuring him of our complete conviction that, while some changes are clearly needed, this is not the same New York City child welfare system it was ten years ago. Today I repeat that assurance to you.

While our agencies were not involved in this case, we serve thousands of families every day in circumstances that, at least up to some point, looked very much like this family. I hope that our letter demonstrated that while the signatories sit in many different seats at the child welfare table, that we stand

together in our commitment to being the very best child welfare system we can be on behalf of all New Yorkers.

I ask that as you consider, especially through hearings which the Assembly will hold next month, whether changes or more resources are needed, that you remember our agencies which are the front line day to day care givers and protectors to 80% of all the foster children in New York State, and for the thousands of families receiving family support preventive services. We absolutely support all of the additional resources which will be directed at the child protective function. However, the needs of our workers, for more reasonable caseload sizes and for decent salaries must also be met if we are to move ahead as a better child welfare system.

Surely, you want workers to be skilled, well trained, and consistent care givers to our children. No, that is phrased wrong. Not to "our" children....to "your" children. Because these children in foster care have been removed from the care of their families under laws you pass, and placed in foster care facilities and foster family homes which your state agency licenses and for which you appropriate the money that pays the foster parent stipend, the child care worker salary, and the grocery bill to feed the kids.

The commitment of our member agencies is to be vital, innovative, and high quality parts of the best child welfare system in America. We deeply appreciate all that you do to enable us to be that part, and we call on you to consider the quality of care you would expect us to provide to your child, your grandchild, or your nieces and nephews in the event that their family was so troubled at some point as to need that care. We ask you if the preventive services we are funded to provide to keep a vulnerable family safely together would be enough service if it were your brother's family, your daughter's family, or indeed your family.

So, while I understand that priorities must be set, and that paying salaries to our front line workers that are reasonable and adequate to stem the 40%+ a year turnover rate costs more money; I ask that you think carefully about your priorities and imagine the quality of care, the question of how much time a worker has to devote to each family (which is a function of the caseload size) that would be acceptable if the client were your child.

We are ready to meet those needs and we thank you for your support. I am happy to answer any questions you may have.