



**Council of Family and Child Caring Agencies**  
Leadership, Voice and Vision for Child Welfare in New York State

**Council of Family and Child Caring Agencies**

**Testimony Presented by**

**James F. Purcell, CEO**

**Before the**

**Assembly Ways and Means and Senate Finance Committees**

**Joint Legislative Hearing**

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Good afternoon, my name is Jim Purcell and I am the CEO of the Council of Family and Child Caring Agencies (COFCCA), the statewide representative for nearly all of the not-for-profit agencies that provide child welfare and juvenile justice services to New York's abused, neglected, and troubled children and their families. On behalf of our 100 member agencies and the thousands of children and families they help, we thank Chairmen DeFrancisco and Farrell for the invitation to appear today, and we look forward to working with the new chairs of the Assembly and Senate Children and Families Committees, Assembly member Donna Lupardo and Senator Simcha Felder.

We are pleased that last year the Governor and the Legislature maintained child welfare financing and the foster care block grant and that the Governor's budget continues these funding levels. This funding is essential if New York State is to continue to lead the nation in the declining use of foster care, which is only possible because of our strong Preventive Services system. Keeping Preventive Services an open-ended reimbursement makes it possible for New York City and counties throughout the state to keep at-risk children safely at home and stabilize their families to prevent foster care placement when possible. The State's investment in Preventive Services has resulted in hundreds of millions of dollars in cost savings in foster care while strengthening families and improving the parenting capabilities of mothers and fathers.

We are also pleased to see funding for Community Optional Preventive Services (COPS) continue and we hope that at some point this funding is increased, perhaps through incorporation in the Governor's new proposals regarding using schools as community centers. Prior to the block grant in the mid 1990's many school districts, especially in rural communities, provided half of the local match to the county through the donated funds provisions and had a preventive services worker in their schools –

improving both the educational environment for all children while identifying and addressing the needs of high risk children.

We all know that prevention is the best cure and another example of intervening early to save children from harm comes from Community Optional Preventive Services (COPS). COPS programs are a critical component of the continuum of child welfare services because they are designed at the local level to meet locally identified community needs. COPS programs avert crises before they reach the level of immediate risk of harm. These programs cost less, are less intrusive, and more flexible, while still subject to OCFS approval.

### **Community Work of These Agencies**

There have been many challenges to New York's families in the past five years-- the down economy, joblessness, homelessness, substance abuse, and violence in already plagued communities --but this past year was unique in the damage wrought by Super Storm Sandy just a few months ago on Long Island and in New York City. The coastal communities remain in crisis from the devastation to homes, schools, and community centers. When families are in crisis and children are at risk, New York's network of not-for-profit children and family services providers are on the job. Even though many of the workers at child welfare agencies in New York City and on Long Island were personally affected -- it was a struggle to find transportation and even gas, some offices were flooded, some without power, and some workers were displaced from their own homes as well --still they managed to ensure the safety of every child in foster care and every family receiving preventive services.

Workers climbed stairs in the dark to reach families trapped in buildings in the Rockaways, Coney Island, and lower Manhattan. They found homes for children and families displaced by the storm on Long Island and Staten Island. And they continue to support fragile families during these deeply distressing times.

But who is supporting those who do the work? Throughout the state, child welfare agencies are responding to family crises around the clock. And our workers are not immune from the trauma that affects victims. They too are under stress. The expectations are unrelenting.

Our member agencies have worked with government on countless new initiatives to reduce costs and improve quality services. There are not only a historically low number of children in foster care, but the children in foster care are returning home sooner. Again, this is due to the use of Preventive Services and Aftercare to assist in the transition home.

### **Increased Costs Must be Met**

All of these challenges that I cite come in a climate where the rates and contracts our agencies receive are frozen, or lower. These staff who we expect to do such vital work are facing staff cutbacks, frozen salaries, reduced health benefits, and little or no contributions to their pensions. Government has never fully funded child welfare. Our member agencies have always raised private dollars to supplement government resources.

But agencies cannot depend on raising private dollars to offset the lack of public funding for mandated services. Last year we commissioned the Center for Nonprofit Strategy and Management at Baruch College School of Public Affairs to analyze the financial health and quality of the financial practices of all of our agencies. They found a system of agencies across the state that operate with very low overhead rates, and with no operating margin based on their government contracts. Indeed they found that these agencies have provided considerable resources to meet the needs of their families and children, but that they are no longer able to plug the holes in government funding. Many have had to close programs that are desperately needed in their communities. They cannot afford to maintain

pension plans or provide health coverage for their workers, from whom so much is expected. The non-profit sector has fulfilled government's obligations for less money -- paying staff significantly lower salaries than workers with comparable credentials in State, City, and county agencies and with fringe benefits at half the cost of the public sector. Our agencies are delivering government-mandated services that include increasing demands and regulations, but with no price increases.

There have been no Cost of Living Adjustments (COLA) to cover required cost increases including health insurance, pension obligations, food, gasoline, etc. for workers for 3 and in some areas 4 years. The Governor has proposed increases of more than 3% for schools, but nothing for child welfare agencies, or for the 853 schools that teach the youth who cannot be maintained in their neighborhood schools due to their special needs or behavior issues. The loss of COLAs also means that there have been almost no salary adjustments for our front line workers which create greater difficulty for agencies to retain qualified staff. As the needs of the children and families become more complex, the need for qualified and experienced staff grows exponentially. In 2010, the depth of the job shortage, the turnover rate for our caseworkers in foster care was 41%.

We strongly support the Governor's proposal to increase the minimum wage to \$8.75 from \$7.25. It is just and needed. But without some ability to adjust our entry level salaries our child care workers will be perilously close to that minimum wage for very challenging work. Our child care workers who provide direct 24/7 supervision are increasingly seeing these as their second jobs. That is not what you or I would expect or demand if it were our child who needed that care.

The 853 and Special Act schools on these campuses, which must meet every Regents requirement and which provide the education for thousands of our children who the public schools including BOCES have said they cannot educate, are now in their 4<sup>th</sup> year with frozen or even lower rates than they had in 2008. Some can no longer survive. When these schools are forced to close we will see a return to hundreds more of our children being shipped out of state to schools which are not only beyond the oversight of you and the state agencies, but which ironically will cost even more.

The importance of COLAs in maintaining a qualified human services workforce was recognized by the State when it agreed to annual cost of living adjustments. But this year will be the fourth consecutive year that these COLAs have been deferred—adding up to a 10% loss in pay for our staff and impossible cost increases for these non profit organizations.

It is clear that the problems resulting from the lack of financial support for agencies cannot continue without further eroding the caliber of the workforce at a time when qualifications, skill, and experience are most needed to meet the challenges of working with the most at-risk, most troubled, and most damaged children and youth—children and youth who previously were placed in other systems and higher levels of care and treatment.

With respect to the Social Work and Other Mental Health Professionals Licensing Law, we support the recommendation in the Governor's budget that provides a permanent exemption for the State agencies and those agencies which are under their purview. We also support the need for reformation to the examination process that would enhance cultural competence and provide comprehensive language translation services for the many languages that our social workers practice in. Additionally, we support legislation to clarify the definitions of and limit the restricted scopes of practice. We are also strongly in favor of reopening the grand parenting period, which would allow for many of our practitioners with the appropriate degree and experience to obtain licensure, as a cost savings to agencies and the workforce."

## **RECOMMENDATIONS:**

### **Provide Essential Rate increases for these Agencies**

We first seek your support in restoring COLA's for these non profit agencies which do such vital work in your communities. They cannot continue to provide the high quality of service you rightfully expect of them. This budget provides increases for schools, hospitals, maintenance of state salary structures including annual longevity advances, retirement and health insurance benefits; but includes nothing for these agencies or their workers. Our agencies serve the families and children from the poorest communities in the state and their services are in distress as well.

### **Social Work and Other Mental Health Professionals Licensing Law:**

- Support the recommendation in the Governor's budget that provides a permanent exemption for the State agencies and the not-for-profit service providers with whom they contract.
- Support reforming the examination process to ensure and enhance cultural competence and provide comprehensive language translation services for the many languages that our social workers practice in.
- Support legislation to clarify the definitions of and limit the restricted scopes of practice.
- Support reopening the grand parenting period, which would allow many of our current practitioners, with the appropriate degree and experience, to obtain licensure without incurring the costs of re-application. This would be a financial savings to agencies and to the workforce.

### **Post Adoption Services:**

- Support the continuation of funding for the post adoption programs. Currently, 17 post-adoption programs are operating throughout the state. Their funding ends in April of this year. The need for and success of these programs has been well documented in several studies, including a report by the NYS Citizens' Coalition for Children, *Parents and Professionals Identify Post Adoption Services Needs in New York State*. These are regional cost effective services which only the state can provide.

### **Safe Harbor funding for Sexually Exploited Youth:**

- Support the continuation of funding for Safe Harbor which serves sexually exploited children. This program was originally funded at \$10M in 2008, but that money was never allocated and the problem has only worsened. The partial restoration last year of \$1.5 million is allocated to 9 counties—the five boroughs of NYC, Westchester, Erie, Onondaga, and Monroe for services to victims and those at-risk. We request the full funding of \$3 million. Surely New York State should do this.

### **Community Reinvestment in Juvenile Justice Services:**

- Restore \$5 million in funding for seven OCFS-contracted Juvenile Justice Community Reinvestment programs in Nassau, Suffolk, Monroe, and four NYC boroughs. These programs were newly created in 2011 and are perfectly aligned with New York's juvenile justice reform agenda since they provide community-based services to younger youth at risk of juvenile justice placement in the specific zip codes with the highest rates of juvenile justice placements.

We are of course always available to assist you in any way possible. Thank you.