



**Testimony Presented by
James F. Purcell
Executive Director
Council of Family and Child Caring Agencies**

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

March 1, 2007

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 primary 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, provide quality foster care, 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 110 member agencies of COFCCA, I am pleased to have this opportunity to discuss the budget and its implications for our families and their children. I appear here today fully cognizant that this is the last of these joint hearings, and that you must be almost exhausted having listened to the requests of so many organizations and citizens who have a stake in the state budget.

The very breadth of issues you must consider is daunting; but I speak today for some of our most vulnerable families – families so troubled and challenged that the counties and New York City find that only through the involvement of our preventive services agencies can their children be kept safely at home while the family is strengthened. And I also speak for the children who could not remain safely at home and were placed into foster care. Those 27,207 children are – quite literally – our children. There can be no higher call on state resources than caring for those children who have been removed from their families – in your name!

First, we want to acknowledge and thank Governor Spitzer for approaching the development of his budget asking not who first supported a given funding item. Is it a Senate add? Or an Assembly add? Rather we have before us an executive budget proposal that contains millions of dollars for services to these families and children originally championed and added by you and your colleagues. We thank you again for your support for funding for cost of living

adjustments for our workers and programs, for funding for scholarships for some of our staff who seek to improve their education and their ability to do their jobs, for monies to expand the number of preventive services and aftercare programs, and for the only funds now used to support post adoption services for thousands of families.

With this new and refreshing approach by the Governor, the funds you have worked so hard to add to past budgets truly have become investments in enhanced supports for families and children.

This is a critical year for child welfare because the two main financing mechanisms sunset this year. The executive budget proposes making permanent both the foster care block grant as well as the child welfare financing mechanism which funds preventive, aftercare, and child protective services at 65% state share after using all available federal funds. Some of us remember when New York State was the national leader in initiating preventive services by funding them with 75% state dollars. That was the case until the original all encompassing block grant was imposed 12 years ago. Counties and New York City still struggle to find the funds to “invest” in these services; it would be a strong sign of state leadership to return this funding to 75%.

I am proud to say that COFCCA has opposed the block grant from its first days, and we continue to do so. While we can appreciate the desire to continue these mechanisms, as you consider the best way for the state to fund these critical government services we suggest a one, or two, year extension of the block grant in order that this Administration, the Legislature, and all of the public and private stakeholders can more carefully review the best way to proceed.

Capping the state's commitment to care for children being abused or severely neglected at home is quite simply **wrong**. It means that as more cases are investigated by child protective services in the aftermath of the shocking deaths of Nixzmary Brown and other children over a year ago, and as the Child Protective Services investigations find more children in danger and place them into foster care, that the state in essence says “we're not responsible for them”. Why? To make budgeting easier? Extend the block grant for a year or two so that all parties can find a better way. We believe that a better way is a true partnership of open-ended equally shared funding by the state and local governments.

Last year the Legislature took two actions which are proving most welcome. First, for the first time ever the state initiated a cost of living adjustment in local preventive service contracts. This COLA was fully funded by the state and was effective last October. Now Governor Spitzer has funded the continuation of these increases for which we are deeply grateful. However, unlike the other program areas where the Executive Budget also provided funding for an additional COLA in 2007, there is apparently not sufficient funding in the budget

as it stands to provide these needed funds. We urge you to remedy this. It was your leadership that included these workers and services last year, now we ask you to continue this practice and find the funds so that Preventive Services programs can again meet rising costs and do their best work with families. A preliminary estimate is that a new COLA can be supported with an additional \$2.5 Million.

Second, last year the legislature provided \$1 Million for the Amy Watkins Scholarship Fund to support caseworkers earning their BSW or MSW degrees. And for the first time you stipulated that these funds should be shared with our not-for-profit agency workers. We are working closely with the state Office of Child and Family Services and the Social Work Education Consortium to make these funds available this semester. We are confident that this support for some of our front line workers will not only result in better prepared workers but will also improve longevity so our workers stay in their jobs and thus support faster and better decisions for children based on more solidly formed relationships.

Our goal last year was to finance this Fund at \$3 million, with one third targeted to our workers. Governor Spitzer has continued the \$1 million you added. This represents the first ever Executive commitment to this Fund. Now we urge both houses to add to this amount so that we might have a total of \$3 Million to support this critical work.

IS 54 MINUTES A MONTH ENOUGH???

Last year you provided funds and instructed the Office of Child and Family Services to arrange a study by a national expert consultant to determine what “reasonable” caseloads are for workers in child protective services, preventive services, and foster care. The study was done by determining how several thousand caseworkers used their time over a typical two week period. The completed report was forwarded to the Governor and to the Legislature in December as required.

What did the expert consultants find? Quite simply, they documented that we have a child welfare system that is severely under-resourced. I leave the recommendations regarding child protective workers to those more expert in those areas. For preventive services the recommendation is that a caseload of 12 to 16 families is appropriate. Interestingly, last summer the New York City Council came to the same conclusion and funded caseload reductions down from 15 to 12 families per worker, so that workers could spend more time with each at-risk family. We commend the City and urge that similar standards be implemented statewide.

In foster care the recommendation is that a caseload of 11 or 12 children is reasonable for a caseworker. Caseloads today in our New York City foster care agencies are about twice that recommended level. They vary considerably in

residential facilities and in specialized programs across the state and we are just gathering the needed information to be able to describe those situations well. Full implementation of these recommendations will cost money, maybe more than the Legislature can add to this budget. But we must not lose our focus.

You directed OCFS to determine reasonable caseload sizes and now we have the answers. The children who have been removed from their families and placed in the custody of the government deserve our best efforts to ensure their safety and well being while they are in our care. And their families, as well as the children, deserve our expedited attention to remediate those conditions which required placement or to conclude that reunification is not possible and to move to adoption. In all cases, the children and families deserve a lot more than the average of 54 minutes a month of direct contact they can get now. That is right. The study found that after workers spend too much time in Family Court waiting for hearings, many of which are adjourned, after they undertake all of their required work, and spend many more hours each week documenting that work in the Connections system, after many hours ensuring that the foster home is up to par, that teachers have been contacted, that medical visits are made...after all of that they have only an AVERAGE of 54 minutes a month in face to face contact with the child and/or the family.

I close by asking each of you to imagine that life's fortunes had caused your son or your daughter; your grandchild, or any other child who you know personally to need the protections afforded by our foster care system. What would you expect of that system? What would you demand of that system? And I want you to know that our agencies are simply not resourced to enable them to work with the child and family and to give them the personal attention you would expect for your family, or I would expect for mine-- the amount of time the agencies know are needed to meet those expectations.

It is up to you and the Governor to decide when and how to respond to those expectations. Please don't ignore the study you commissioned. Now we know the answers, now it is time to act. We stand ready to help you in those deliberations in any way we can.

Thank you.