



## **Council of Family and Child Caring Agencies**

Testimony Presented by:

Kathleen Brady-Stepien, President and CEO

Before the:

Assembly Ways and Means and Senate Finance  
Committees

Joint Legislative Budget Hearing

Human Services

February 2, 2022



Leadership, voice and vision for child welfare in New York State

Good afternoon, my name is Kathleen Brady-Stepien and I am the President and CEO of the Council of Family and Child Caring Agencies (COFCCA). Our member agencies include over 100 not-for-profit organizations providing foster care, adoption, family preservation, juvenile justice, and special education services in New York State. On behalf of our member agencies, their more than 55,000 employees all across New York State, and, mostly on behalf of the tens of thousands of children and families that our agencies serve, we thank Chairpersons Krueger and Weinstein for the opportunity to testify before you today.

I am here today to ask for the legislature's support in ensuring state funding that supports thousands of families in New York State today with preventive services, and for your partnership in ensuring that we continue to support our amazing staff working in child welfare and juvenile justice programs.

#### **EXECUTIVE BUDGET SUMMARY**

The Council of Family and Child Caring Agencies (COFCCA):

- Strongly supports the 5.4% Human Services COLA in the Executive Budget proposal (HMH Part DD).
- Recommends the Enacted Budget include an additional \$17 million in the Foster Care Block Grant to raise salaries for workers in foster care programs.
- Recommends that Healthcare and Human Services Workforce salary and pipeline enhancements, professional and educational development, and recruitment and retention incentive opportunities proposed in the Executive Budget proposal be provided across the full human services workforce, including our child welfare workforce.
- Supports the inclusion of funding for the NYS Child Welfare Worker Incentive Scholarship Program and the NYS Child Welfare Worker Loan Forgiveness Incentive Program in the Executive Budget proposal. COFCCA recommends the Enacted Budget increase funding to \$1 million each for a total state investment of \$2 million.
- Supports inclusion of A6008-B by Assemblyman Bronson and S5301-A by Senator Brouk in the Enacted Budget. This bill would standardize the requirements for licensure as a mental health practitioner and modernize the scope of practice for article 163 (Education Law) professionals to include diagnosis.



Leadership, voice and vision for child welfare in New York State

- Supports increased financial support for foster parents (ELFA Part O). COFCCA recommends the enacted budget include additional state investment in the Foster Care Block Grant to ensure full and successful implementation.
- Supports the extension of the child welfare financing structure (ELFA Part N). COFCCA strongly recommends that the Enacted Budget include child welfare financing reimbursement for counties at 65%, as statutorily required.
- Supports increased funding for the Foster Youth College Success Initiative as proposed in the Executive Budget.
- Supports the new grant funding opportunities under the \$50 million Nonprofit Infrastructure Capital Investment Program proposed in the Executive Budget.
- Supports continued funding for Supportive Housing for Young Adults in the Executive Budget proposal. COFCCA supports raising the value of the child welfare housing subsidy in the Enacted Budget to ensure successful reunification and independent living.
- Recommends the Enacted Budget provide an independent state funding line for kinship caregivers, by investing in Kinship Guardian Assistance Program (KinGAP) outside of the Foster Care Block Grant.
- Supports continued funding for Post-Adoption Services proposed in the Executive Budget.
- Supports continued funding for Community Optional Preventive Services (COPS) proposed in the Executive Budget.

## **SUPPORT FOR THE HUMAN SERVICES WORKFORCE**

Teams of dedicated professionals and related staff work alongside children and families in the child welfare system to support progress towards families' goals. A quality workforce is directly tied to the overall therapeutic care of youth in the foster care system. Due to many years of tight budgets, non-profit agencies which provide child welfare services are not able to invest in their staff at the levels they need to attract and retain highly competent front line staff, causing tremendous recruitment and retention challenges.

Our young people in foster care come to rely on and develop relationships with their child care workers and their caseworkers. High worker turnover negatively impacts children and youth in foster care, and it impacts our outcomes: studies in the field show that each time a worker leaves, it may add up to six additional months to a youth's time in foster care. Due to its



Leadership, voice and vision for child welfare in New York State

impacts on increased length of stay, worker turnover is therefore expensive for the state and the counties, and clearly leads to negative impacts on children and families.

In 2021, COFCCA completed a survey of our child welfare agencies on turnover and salaries in various positions. Our survey shows the following salary and turnover information for key staff:

- In 2020, our front line, child care workers earned an average statewide annual salary of \$30,361—or approximately \$14.60 per hour; **our child care worker turnover was 49.4%.**
- Our caseworkers in 2020 earned an average annual starting salary statewide of \$40,752—or approximately \$19.60 per hour (with a BA degree). The differential related to a comparable state-level position, a NYS Grade 21 salary and fringe, expanded in 2020 to over \$24,000—meaning that **a comparable state level worker earns more than \$24,000 more than workers in our settings.**

***COFCCA strongly supports the 5.4% Human Services COLA in the Executive Budget proposal (HMH Part DD).***

We are thrilled to see the Executive budget include the \$500 million Cost of Living Adjustments (COLAs) to help raise wages for human services workers. Human Services workers have been on the front lines of the pandemic, essential workers supporting New York’s children and families tirelessly each day. We strongly support this recognition of their work.

***COFCCA recommends the state include annual increases in the state-set foster care rate, the Maximum State Aid Rates (MSAR).***

Full funding for foster care is not “lined out” in the budget but instead set through an administrative state-set rate, the Maximum State Aid Rate (MSAR). The MSAR is recommended by OCFS and approved by DOB each year, in an administrative rate-setting process after the state budget is passed. There is no automatic mechanism for growth in the rate, and annual increases are imperative to ensuring that agencies can provide the best programs and services to children in foster care. Further, the rate is due on July 1 every year when a new rate year begins, but has historically taken a number of months to be released. For example when I last testified before this body in February of 2021, the rates that were due in July 2020 had not yet been issued. As such, we are asking the legislature to support:

- The issuance of timely rates, on July 1 every year, so that agencies can adequately prepare and balance their budgets.



Leadership, voice and vision for child welfare in New York State

- Annual growth in the rate, so that agencies can cover cost increases that they cannot control, and invest in program enhancements.

***COFCCA recommends the Enacted Budget include a significant state investment to raise salaries for workers in foster care programs.***

While we truly appreciate the past several years of growth, accomplished with a strong partnership with the legislature, the rate increases we have received do not begin to address the very real difficulties our providers face in competing to hire staff who can provide quality care to children and youth with complex needs. Even though we have reduced the foster care census dramatically in our state over the past several years, many of the children and youth in foster care today have experienced trauma & adverse childhood experiences, and have intensive needs; as a result we must ensure that we are able to provide therapeutic programs and services with highly trained staff. Unfortunately, a recent survey of our residential foster care providers in December 2021 found that programs currently have a 20% vacancy rate in positions.

At a time when the needs of children and youth in care have become more complex, increasing the need for highly trained staff, COFCCA agencies are facing a workforce crisis. As noted above, in 2020, our front line, child care workers earned an average statewide annual salary of \$30,361—or approximately \$14.60 per hour, and the turnover rate was 49.4%. It is important to note that minimum wage in “Rest of State” is currently \$13.20. While the economy has improved, workers are turning elsewhere for higher pay and less stressful jobs. If we want our state’s families to be strengthened and our children kept safe, we cannot continue to under-support the professionals who are doing this challenging work.

Current salaries are not competitive for recruitment and retention of staff. This is compounded by the fact that the child welfare field has not received federal and state pandemic aid like other sectors. Our foster care workforce is in desperate need of an infusion of funding through an increase in the MSAR to support raising salaries for both direct care staff and caseworkers/case planners, as well as the salaries of these workers’ supervisors—amounting to a \$17 million annual investment in the Foster Care Block Grant for three years. We calculated this figure as a best estimate based on starting salary data from a survey of foster care providers and the differential of compensation (salary and fringe) between our providers and their public sector equivalents.

This infusion of funding, implemented over three years, would raise salaries to be equitable with public sector salaries to make a job in the non-profit child welfare sector more



Leadership, voice and vision for child welfare in New York State

competitive, allowing programs to attract diverse, highly educated and trained candidates, to reap enormous benefits for the children and youth served.

***COFCCA supports the inclusion of funding for the NYS Child Welfare Worker Incentive Scholarship Program and the NYS Child Welfare Worker Loan Forgiveness Incentive Program in the Executive Budget proposal. COFCCA recommends the Enacted Budget increase funding to \$1 million each for a total state investment of \$2 million.***

We ask for the Legislature's support of our child welfare workforce by providing a career pathway to help us recruit and retain workers. For the past five years, New York State has invested \$100,000 per year in two higher education programs for the state's child welfare workforce--the NYS Child Welfare Worker Incentive Scholarship and the NYS Child Welfare Worker Loan Forgiveness Incentive Program.

#### NYS Child Welfare Worker Incentive Scholarship Program

Our child welfare staff tell us that in addition to salary increases, they need more support in achieving their higher education goals. Many staff in our programs desire to become supervisors or even aspire to be in a senior leadership position such as a program director or a CEO someday; however, they need advanced education degrees to pursue those positions. If our staff receive support in achieving their educational goals, we can begin to build a true career pathway for our state's child welfare professionals.

#### NYS Child Welfare Worker Loan Forgiveness Incentive Program

We consistently hear from our child welfare workers that although they find the work very challenging, they enjoy what they do and want to continue to grow with our agencies. We also often hear that they begin to look for other jobs when they cannot afford to pay their student loan monthly repayments (given the growing student debt crisis in our country, staff have student loan payments ranging from several hundred dollars per month to payments even in excess of \$1000 per month). While there has been some short term relief provided through a pause in repayments for public student loans throughout much of the pandemic, private student loans have not ceased collecting monthly payments.

We are grateful for the ongoing support for these programs in the Executive Budget and encourage the legislature to support significantly expanding the impact of these programs in the field by increasing the funding for these programs to \$1 million each.



Leadership, voice and vision for child welfare in New York State

***COFCCA recommends that Healthcare and Human Services Workforce salary and pipeline enhancements, professional and educational development, and recruitment and retention incentive opportunities proposed in the Executive Budget proposal be provided across the full human services workforce, including the child welfare workforce.***

Our workers have supported families with necessary services throughout the pandemic, whether delivering supplies to families, ensuring safety of children, or providing 24/7 care in residential (or congregate) foster care programs. In this way, our nonprofit child welfare workers have been absolutely critical components of the state's COVID-19 response. However, unlike other sectors, our workforce has not seen any dedicated federal investments to acknowledge this role. There are significant workforce investments included in the Executive Budget proposal; we request the Legislature assist in ensuring that human services investments in the enacted budget include the child welfare workforce.

***COFCCA supports inclusion of A6008-B by Assemblyman Bronson and S5301-A by Senator Brouk in the Enacted Budget. This bill would standardize the requirements for licensure as a mental health practitioner and modernize the scope of practice to include diagnosis.***

For decades, the dramatic shortage of licensed mental health practitioners has been artificially filled by an exemption to the scope of practice for certain practitioners licensed under Article 163 of the Education Law. As this exemption is phased out beginning this year, we must rethink the long-term solution, including standardizing the Master level educational, clinical training, and licensing standards for licensed mental health counselors, licensed marriage and family therapists and licensed psychoanalysts and modernizing the scope of practice to allow them to diagnose.

## **PREVENTION**

***COFCCA supports the extension of the child welfare financing structure (ELFA Part N). We strongly recommend that the Enacted Budget include child welfare financing reimbursement for counties at 65%, as statutorily required.***

Prevention services are available to families through New York State's child welfare system to keep children safely at home whenever possible to prevent the need to place them into foster care. In New York, our state's commitment to providing these prevention services has been unmatched by any other state in the country. Our state's open-ended child welfare funding stream, in place since 2002, has provided an incentive to counties for investing in prevention



Leadership, voice and vision for child welfare in New York State

services, by reimbursing county funds spent on preventive services. And it's working! We have reduced the foster care census dramatically in our state since enactment of the child welfare funding structure.

However, for several years, the state budget has reduced the state share for prevention services to 62%, even though there is a statutory requirement of 65%. This cost shift from the state to the local governments, first implemented under the Cuomo Administration, puts a strain on the counties' ability to invest in community-based programs for families.

Prevention workers work alongside families to understand supports and services they require, and they also keep a strong focus on any ongoing safety risks in the home. Staff regularly meet with families and make home visits to assess safety and to check in with families. They may provide referrals to treatment programs, including mental health or substance use disorder treatment, domestic violence services, or parenting classes. These services have been especially important throughout the pandemic, when more families have needed support with securing food, intimate partner violence, mental health crises, and substance use disorders. This open-ended child welfare funding stream also supports county funding for protective services, adoption administration, and independent living.

We are asking the Legislature to support community-based programs that keep families together by restoring 65% reimbursement to counties for child welfare services including prevention.

***COFCCA supports continued funding for Community Optional Preventive Services (COPS) proposed in the Executive Budget.***

The Community Optional Preventive Services, or COPS, program funds primary prevention. These are community services that can be available to families simply based on the geographic area that they live in; families can access these services without any formal level of child welfare intervention.

## **SUPPORTING FOSTER PARENTS AND KINSHIP CAREGIVERS**

***COFCCA supports increased financial support for foster parents (ELFA Part O). COFCCA recommends the enacted budget include state investment in the Foster Care Block Grant to ensure full and successful implementation.***

Foster parents are the incredible volunteers that support children and youth in foster care in our communities across New York. We are thrilled to see the Article VII language which will



Leadership, voice and vision for child welfare in New York State

provide long overdue significant rate increases to support our foster parents, given the ever-increasing costs associated with providing quality care for children and youth. We are asking for the State to put in funding to support their share, to ensure that as counties implement, they are supported and do not need to make difficult decisions about potentially reducing local investment in community-based/prevention programs as they need to invest more in foster care.

***COFCCA recommends the Enacted Budget provide an independent state funding line for kinship caregivers, by investing in Kinship Guardian Assistance Program (KinGAP) outside of the Foster Care Block Grant.***

The Kinship Guardianship Assistance Program (KinGAP) provides long-term support so children can leave foster care and live with kin who can provide them with crucial family supports. As more children in foster care are placed with relatives, KinGAP will become an increasingly important resource for achieving permanency. KinGAP is one proven strategy to reduce the over-representation of Black and brown New York children in foster care and to strengthen families. There is a clear opportunity to expand the use of KinGAP across the state. To do this, New York should fund KinGAP outside of the Foster Care Block Grant.

## **SUPPORT FOR YOUTH BEYOND FOSTER CARE**

***COFCCA supports increased funding for the Foster Youth College Success Initiative as proposed in the Executive Budget.***

New York State has committed funding in the budget for several years to assist youth in foster care as they pursue higher education. We have watched with great joy each year as our young people in foster care enter college or university through the support of the Foster Youth College Success Initiative (FYCSI). In the last six years, this initiative has supported nearly 2,000 young people in our state during their college journeys. These young people have attended more than 100 NYS colleges and universities and they are achieving success through post-secondary education. The FYCSI program uniquely provides necessary social, academic, and financial supports to ensure that barriers to opportunity for the foster care population are mitigated. We support the inclusion of an additional state investment of \$720,000 for the Foster Youth College Success Initiative proposed in the Executive Budget to continue to assist foster youth in achieving their goals.



Leadership, voice and vision for child welfare in New York State

***COFCCA supports continued funding for Supportive Housing for Young Adults in the Executive Budget proposal. COFCCA supports raising the value of the child welfare housing subsidy in the Enacted Budget to ensure successful reunification and independent living.***

Rent subsidies are more critical now than ever as families face great threats to their housing security as a result of deepened economic hardship due to the COVID-19 crisis. Housing resources are also critical for older youth leaving foster care. The child welfare housing subsidy can serve as a critical tool to secure housing along with other statewide housing supports.

***COFCCA supports continued funding for Post-Adoption Services proposed in the Executive Budget.***

Post-adoption services provide adoptive families with support as they navigate challenges. Examples of these services include peer support groups for adoptive parents and children, respite services, and counseling. The services assist in preserving adoptions and in preventing re-entry into the foster care system.

## **NONPROFIT INFRASTRUCTURE**

***COFCCA supports the new grant funding opportunities under the Nonprofit Infrastructure Capital Investment Program proposed in the Executive Budget.***

The legislature has previously been a huge advocate for these funds, and we ask for your continued support in making sure the \$50 million proposed in the Executive Budget for the Nonprofit Infrastructure Capital Investment Program is included in the enacted budget.

## **THANK YOU**

The pandemic has shown us where we need to make improvements for the safety and well-being of New York's children and families, to strengthen the workforce providing human services and child welfare services, and build up supports youth and young adults need to push our great state's progress into the future.

We look forward to collaborating with the Legislature in addressing these important priorities as we assert New York's position as a leader in supporting children and families.



Leadership, voice and vision for child welfare in New York State

We welcome the opportunity to continue the conversation with you on these important issues and to be helpful to you; we are available for any assistance that you need.