

Family Services Review Commission Meeting

May 3, 2007

HSB-252

Members present: Maggie Bagon, Doreen Binder, Kim Freeman, Rosemary Lazzari, Mavel Morales, Rob Potter, and Michael Ware (by phone)

Members excused: Diane Cohen-Alpert and Angela Sanchez

Members absent: Jessica Chanay, Bonnie Davidson, Miranda Herrera, Shirley Kaping and Peggy Kennerly

DHS staff present: Ramona Foley, Jim Neely, Vic Todd, Dave Lyda, Carol Krager, and Nancy Sathrum

Administrative Handouts, sent via email prior to the meeting: Meeting Agenda, Draft Minutes of the April 5, 2007 FSRC Meeting, FSRC 2006 – 2007 Strategic Plan, DHS Summary of Complaints Report for March 2007

Additional Administrative Handouts at meeting: FSRC Member Roster, List of Self Sufficiency Program Legislative Bills as of 5/1/07, March 2007 CAF Public Assistance Caseload Statistics, Self-Sufficiency at a Glance for March 2007, Degree Completion Initiative Update, Temporary Assistance for DV Survivors Program Summary and Flow Chart

Greeting and Roll Call:

Meeting called to order at 8:35 a.m. with a membership quorum in attendance. Introductions were made around the table. Michael Ware participated by phone.

Chair Report:

- Action and follow-up items: None outstanding.
- Approval of Minutes:
 - Rosemary Lazzari motioned and Maggie Bagon seconded the approval of the April 5, 2007 FSRC meeting minutes as written. Vote of approval was unanimous.
- Commission membership status: **ACTION:** Nancy will request an update from the Governor's Executive Appointment office re: Bonnie Davidson and Miranda Herrera. **(Done 5/4/07)**

Legislation: HB 2469 was heard and passed out of the House Human Services and Women's Wellness Committee. Rob reported that Rep. Kotek's office sent the amended bill and the proposed amendments to the FSRC. **ACTION:** Check on-line for revised bill and send to members. **(Done 5/4/07)**

Joel, from Rep. Kotek's office, contacted Rob to discuss items in HB 2469; time limit clarification, family leave limits, sanctions, child care pass through, and parenting classes.

Budget: Nancy sent the co-chair budget information to the FSRC. Changes between the Governor's Recommended Budget and the Co-chair Budget were discussed. Will any of the services in the eliminated packages be provided with other funding sources? Rob would like the FSRC to develop a paper for Ways and Means. Items discussed:

- Consistent, complete assessments are needed throughout the state. The assessments will provide the data needed to request future funding.
- Co-chair budget doesn't include funds for treatment services as proposed in the GRB.
- TANF funds cannot be used for treatment.
- Post-TANF will help stabilize families in transition to employment after placement.
- State Pre-SSI/SSDI program will help those clients most likely to qualify for federal SSI/SSDI.
- Clients often have multiple treatment needs that can't be addressed separately.
- Funding the continuum of services for clients is very important.
- Drug/Family Court model works to accomplish interdisciplinary treatment needs.

Reviewed and discussed the current Rule Change Summary. FSRC members receive the rule change information electronically. The Policy Committee should be reviewing and commenting on the changes. Maggie will alert members when she sees something that she believes the FSRC should comment on.

CAF Report, Ramona Foley, Jim Neely, Vic Todd and Dave Lyda:

TANF Reauthorization, discuss status of TANF bill, revised TANF regulations and TANF policy changes:

Continued discussion of Rule Changes – there is currently a batch with due date of May 22nd. The FSRC would like to get more involved in rule changes. Mavel will ask if the rule change analysis of the Oregon Law Center (Karen Berkowitz) related to self sufficiency programs can be shared with the FSRC. Dave mentioned that many of the current changes are for clean-up purposes. **Action:** Mavel to follow-up on sharing the OLC's rule change analysis with the FSRC.

Nancy was presented with a card and candy in recognition of her work with the commission. **(Thank You!)**

Status of TANF bill: HB 2469 was passed out of committee with a series of amendments. Proposed amendments include slight changes in deprivation rules, child support pass through (to begin in 2nd year of the biennium to correspond with date the feds begin participating in funding), modifications to the income eligibility rules and income disregards to allow for increased utilization of transitional medical assistance, changes in client accountability process, assessment of barriers and sanction levels, length of time client can request a hearing, inclusion of "parents as scholars" program beginning Oct 2008 (2nd year of biennium) as an option for 1% of clients, technical and language changes to

the 13, 14 and 15 amendments will also be necessary. After amendments are made it will go to Ways and Means. The amended bill isn't available yet but we hope to see it soon. (Posted on line and sent to members on 5/4/07.) Rep. Kotek will propose another amendment to change the grant level to 33% of FPL with a 50% income disregard. The effective income limit would be 66% of current poverty level. These amounts will change with adjustments to federal poverty levels. If this bill passes as amended by Committee, it will require about \$7.8 million in additional funding. We won't know the outcome until it goes through Ways and Means.

- Family leave: Teen parents under the age of 20 will receive 16 weeks. The shorter timeline is meant to get teens re-engaged with school, work, etc. as quickly as possible. Non-teen parents will receive 6 months. (Clients may be required to participate in family stability activities or parent classes during the 16 week or six month period.) Doreen would like to see the same amount of time regardless of age. Consensus has been difficult to achieve and there are many different opinions.
- Sanctions: Settled on 3 months at adult needs removed level with move to full family sanctions during the 4th month. We plan to strengthen the assessment piece to ensure that client entering sanctions isn't participating because they don't want to. At any stage clients may come back and restore the full grant when they participate for two weeks.
- Alcohol and Drug treatment: SB 184 is being handled by the Addictions and Mental Health Division of DHS. The Governor's budget still includes the treatment funding even though it was removed from the Co-chair budget. Meetings were held around the state for testimony. Written testimony can still be provided to let the co-chairs know how important this treatment is and how it affects self sufficiency and child welfare programs.
- Transitional medical would be provided if client qualifies for medical in the pre-TANF assessment or TANF program and the client leaves pre-TANF or TANF medical program due to increased earnings.
- Employment Related Day Care (ERDC): The Co-chair budget reduced the increase by 13 million.

Article Rosemary provided to Ramona was discussed. A conference held recently in southern Oregon spoke about how risk factors early in life affect a person's life. The book "Ghosts from the Nursery" was mentioned as a great book on this subject.

Clients getting "legal": Some clients engage in risky behaviors that keep them from focusing on the issues that led them to their life situation. 30-40% of parents whose kids enter foster care, do so because of criminal activity. Our goal is to help them learn how to break loose and live a legal life. Congress decided these efforts are to be time limited; we have 15 of most recent 22 months to make the decision whether or not kids can go home. This is a very tight time frame if you can't get parents into treatment, etc. This time line frightens parents but doesn't necessarily help them clean up their life. The judge can offer

an extension of time if treatment resources aren't available. Treatment options continue to decline.

State Work Verification Plan: States are required to do a TANF work verification plan as part of the Deficit Reduction Act (DRA). We have sent in the original plan and a revised plan. Comments have been received from HHS and it appears they have tightened their requirements even further. We are requesting some flexibility on client homework; supervised hours/verification of job search details and self reporting). They continue to say these are the rules and you need to comply with them as written. Have we been working with other states on this issue? An APHSA teleconference is coming up to help address building a plan that will be acceptable. Kim mentioned that the National Governor's Association is also doing a companion piece. She will try to locate and share information. We now have 60 days to re-write our state plan or face penalties.

TANF time limit letters, discuss client reaction

According to the feedback, the general reaction indicates that most clients affected feel the exemptions are extensive enough that they will fit an exemption. Concern also that clients may think it is out in the future and won't affect them now. Many are the same clients being served by SSI liaisons. Need to continue using a strength-based approach to work with field management to engage clients and set clear parameters.

There was an error in the original time limits letter. The drug and alcohol piece was left out. New letters will be sent next week to all clients who have received the time limits letter correcting this error.

Legislative activity and priority bills related to DHS

HB 3252 requires us to track employer information related to clients on Medicaid or food stamps and whether or not the employer provides health insurance, produce a report and post on our web site. The amended version requires us to gather employer information and note if they are union or non-union. A field for union representation will be added to applications. 19 states have passed similar laws. Our concerns have been around client confidentiality. The law needs to protect confidentiality of employee information from employers. No states are using verified information from the employment departments. All employment information will be unverified. Only the "top 40" employers with the largest number of clients would be reported.

There are many bills related to legal residency and citizenship.

Grievance Report, review and comment on grievances: No comments or questions.

DHS' Domestic Violence Grant, discuss eligibility

Rosemary requested information on determining eligibility for DV emergency funds. Carol Krager, Intervention Program Analyst joined the meeting and distributed handouts; TANF

TA-DVS Program Summary and flow chart. Carol walked the group through the process. Limit is \$1,200 but average pay out is \$780 over 90 days.

Individualized case plans lead to some inconsistencies, but eligibility criteria should be constant. When clients apply they need to meet the domestic violence definition and have an emergent need. Many branches house out-stationed DV advocates in our DHS field offices. If not, we refer client to local DV service providers if they are willing to participate. When eligibility is confirmed, an individual case plan is developed.

The client decides what will make them safe, and then we help them with needed services. Cash is not provided; instead we use vendor payments, gas cards, bus/train tickets, etc. If there is a second request within 12 months, case worker needs to staff with central office. Caseworkers should not dictate how funds will be used.

Client should talk with manager if there is a conflict or they may request an expedited hearing (held within 5 working days). Carol staffs cases all the time with workers unsure of the services we can provide. If there are inconsistencies with particular workers regarding eligibility, Jim suggested speaking with local managers first (supervisor, program manager, district manager), then contact CAF Field Services in central office. There are federal guidelines that allow us to waive requirements when needed. Although Carol can't discuss specific cases, many DV partners contact her to discuss general policy questions for clarification.

Is specific training provided to case workers? Federal law requires DV training for anyone developing a case plan or waiving federal requirements. We report training back to the legislature on a biennial basis. Our new learning center system will allow us to better monitor the training staff receive. Carol believes there is more consistency in training and practice. Some field offices have one DV expert with additional training. The mandatory core training package includes the DV training usually provided by the local domestic violence service provider. Carol will travel to provide policy training for 10 or more, including community partners. New workers need to rely on more experienced staff to assist in decision making until they can attend training..

What if the client doesn't self disclose domestic violence? The client has a right not to disclose. Opportunities to disclose are part of the initial assessment process. The application has four questions regarding domestic violence. DV Posters are required in all offices, brochures and other resources are also available. If the client doesn't disclose domestic violence, the worker continues to assess during the life of the case as client/worker build trust. Oregon has a higher level of disclosure than many states because we have TA-DVS available. There are only five other states that have programs that provide funds to address domestic violence issues.

Discuss DHS field office client privacy policy

Client privacy was discussed. The policy that was sent out dealt with sharing of confidential information and other HIPPA requirements. The FSRC is concerned with the client confidentiality in desk-side interviews and employees and other clients overhearing the interviews. Early drafts of the policy included more direction about this. It was removed because none of our offices are set up with private interview rooms. It is an issue that has to be addressed, but it will have a huge fiscal impact. To comply with HIPPA laws, this needs to be discussed as a facilities issue and taken into consideration as offices are relocated or redesigned. The facilities issue will involve DAS as well as DHS.

Note that total Oregon food stamp benefits topped \$40 million (per month) in March 2007.

FSRC Strategic Plan: Continue review and discuss 2006-07 status

Our focus now is on the TANF Reauthorization bill, the 2007-09 Budget and future regulations and rules to meet the new requirements. When that has been accomplished the FSRC agendas will move to other issues; client privacy rights, customer complaints, influencing customer service policy, and building partnerships.

FSRC Committees/DHS Partnerships:

- Legislative Committee: Craft testimony paper for Ways and Means to let them know our funding priorities; 1) support ERDC funding that was included in the governor's budget, and 2) support drug and alcohol assessment and treatment, including Drug Court. Paper should be positive, support the GRB with no cuts, and state that the additional funding will make a dramatic difference in the lives of children. **ACTION:** Rosemary will develop paper and send to Rob within a week. Rob will send to FSRC members and request comments and an on-line approval process. **ACTION:** Nancy will print off email votes for FSRC files.
- Partnership Committee: Discuss recent activities
 - Advisory Committee on OAR related to threats of violence
Peggy Kennerly has agreed to serve on the Advisory Committee on OAR Threats and Violence in the workplace.
 - Angela Sanchez is participating in the customer services policy work group.

The July 5th FSRC meeting was discussed. Due to the July 4th holiday, **the July 5th meeting has been canceled.**

Next Meeting: The next FSRC meeting is scheduled for June 7, 2007, 8:30 a.m. to noon, in HSB-252. Please let Nancy know if you plan to attend by Video Conferencing or phone.

Meeting adjourned at 11:38 p.m.