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**COMMITTEE ON HUMAN SERVICES**

BRIANNE K. NADEAU, CHAIRPERSON  
FISCAL YEAR 2019 COMMITTEE BUDGET REPORT

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**TO:** Members of the Council of the District of Columbia

**FROM:** Councilmember Brianne K. Nadeau  
Chairperson, Committee on Human Services

**DATE:** May 3, 2018

**SUBJECT:** Report and Recommendations of the Committee on Human Services on the Fiscal Year 2019 Budget for Agencies Under Its Purview

The Committee on Human Services (“Committee”), having conducted hearings and received testimony on the Mayor’s proposed operating and capital budgets for Fiscal Year 2019 (“FY 2019”) for the agencies under its purview, reports its recommendations for review and consideration by the Committee of the Whole. The Committee also comments on a section in the Fiscal Year 2019 Budget Support Act of 2018, as proposed by the Mayor.

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NON-CERTIFIED DRAFT

COUNCIL BUDGET DIRECTOR CERTIFICATION: \_\_\_\_\_ DATE: \_\_\_\_\_

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# I. SUMMARY

## A. FISCAL YEAR 2019 AGENCY OPERATING BUDGET SUMMARY

<i>Fund Type</i>	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum Of Committee Variance</i>	<i>Committee Approved</i>
<b><i>Child and Family Services Agency</i></b>					
FEDERAL GRANT FUND	\$57,462,386	\$65,382,575	\$60,222,543		\$60,222,543
LOCAL FUND	\$163,431,940	\$158,633,122	\$161,201,210	\$7,241	\$161,208,450
OPERATING INTRA-DISTRICT FUNDS	\$1,464,126	\$1,459,168	\$1,794,673		\$1,794,673
PRIVATE DONATIONS	\$35,878	\$20,977	\$22,560		\$22,560
PRIVATE GRANT FUND	\$0	\$0			\$0
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	\$1,200,000	\$1,000,000	\$1,000,000		\$1,000,000
<b>TOTAL</b>	<b>\$223,594,331</b>	<b>\$226,495,842</b>	<b>\$224,240,986</b>	<b>\$7,241</b>	<b>\$224,248,227</b>
<b><i>Department of Human Services</i></b>					
FEDERAL GRANT FUND	\$181,731,151	\$156,422,234	\$152,924,790		\$152,924,790
FEDERAL MEDICAID PAYMENTS	\$31,075,720	\$31,249,562	\$17,380,568		\$17,380,568
FEDERAL PAYMENTS	\$0	\$0			\$0
LOCAL FUND	\$293,588,956	\$365,268,655	\$382,982,316	\$3,029,792	\$385,755,739
OPERATING INTRA-DISTRICT FUNDS	\$3,176,407	\$2,866,896	\$2,924,270		\$2,924,270
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	\$2,011,802	\$1,800,000	\$1,032,431		\$1,032,431
<b>TOTAL</b>	<b>\$511,584,037</b>	<b>\$557,607,347</b>	<b>\$557,244,374</b>	<b>\$3,029,792</b>	<b>\$560,017,797</b>
<b><i>Department of Youth Rehabilitation Services</i></b>					
LOCAL FUND	\$90,344,425	\$96,885,071	\$96,570,063	(\$618,068)	\$95,951,995
OPERATING INTRA-DISTRICT FUNDS	\$460,394	\$344,000	\$344,000		\$344,000
PRIVATE DONATIONS	(\$1,629)	\$0			\$0
<b>TOTAL</b>	<b>\$90,803,190</b>	<b>\$97,229,071</b>	<b>\$96,914,063</b>	<b>(\$618,068)</b>	<b>\$96,295,995</b>
<b><i>Department on Disability Services</i></b>					
FEDERAL GRANT FUND	\$30,117,207	\$32,921,399	\$31,061,625		\$31,061,625
FEDERAL MEDICAID PAYMENTS	\$12,563,509	\$10,810,294	\$10,789,091		\$10,789,091
LOCAL FUND	\$115,430,422	\$116,611,535	\$123,842,415	(\$1,816,147)	\$122,026,269
OPERATING INTRA-DISTRICT FUNDS	\$52,048	\$49,677	\$49,677		\$49,677
PRIVATE GRANT FUND	\$10,000	\$0			\$0
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	\$6,539,821	\$7,763,257	\$7,300,000	\$1,816,147	\$9,116,147

<b>TOTAL</b>	<b>\$164,713,007</b>	<b>\$168,156,163</b>	<b>\$173,042,808</b>	<b>\$0</b>	<b>\$173,042,808</b>
<b><i>Office of Disability Rights</i></b>					
FEDERAL GRANT FUND	\$364,218	\$627,967	\$637,850		\$637,850
LOCAL FUND	\$1,041,317	\$1,105,023	\$1,133,094		\$1,133,094
OPERATING INTRA-DISTRICT FUNDS	\$260,803	\$292,633	\$292,633		\$292,633
<b>TOTAL</b>	<b>\$1,666,338</b>	<b>\$2,025,623</b>	<b>\$2,063,576</b>		<b>\$2,063,576</b>

## B. FISCAL YEAR 2019 AGENCY FULL-TIME EQUIVALENT

	<i>FY 2017 Actual</i>	<i>FY 2018 Approved</i>	<i>FY 2019 Proposed</i>	<i>Sum Of Committee Variance</i>	<i>Committee Approved</i>
<b><i>Child and Family Services Agency</i></b>					
FEDERAL GRANT FUND	145.66	156.00	183.00		183.00
LOCAL FUND	556.40	664.00	638.00	-2.00	636.00
OPERATING INTRA-DISTRICT FUNDS	0.00	0.00	0.00		0.00
PRIVATE DONATIONS	0.00	0.00	0.00		0.00
PRIVATE GRANT FUND	0.00	0.00			0.00
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	0.00	0.00	0.00		0.00
<b>TOTAL</b>	<b>702.06</b>	<b>820.00</b>	<b>821.00</b>	<b>-2.00</b>	<b>819.00</b>
<b><i>Department of Human Services</i></b>					
FEDERAL GRANT FUND	390.89	400.81	429.16		429.16
FEDERAL MEDICAID PAYMENTS	161.85	211.31	191.46		191.46
FEDERAL PAYMENTS	0.00	0.00			0.00
LOCAL FUND	583.78	613.36	696.08	-3.00	693.08
OPERATING INTRA-DISTRICT FUNDS	19.59	21.00	21.00		21.00
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	12.10	2.00	0.00		0.00
<b>TOTAL</b>	<b>1,168.21</b>	<b>1,248.48</b>	<b>1,337.70</b>	<b>-3.00</b>	<b>1,334.70</b>
<b><i>Department of Youth Rehabilitation Services</i></b>					
LOCAL FUND	510.32	553.50	589.50	-2.00	587.50
OPERATING INTRA-DISTRICT FUNDS	0.00	0.00	0.00		0.00
PRIVATE DONATIONS	0.00	0.00			0.00
<b>TOTAL</b>	<b>510.32</b>	<b>553.50</b>	<b>589.50</b>	<b>-2.00</b>	<b>587.50</b>
<b><i>Department on Disability Services</i></b>					
FEDERAL GRANT FUND	192.68	199.40	183.40		183.40
FEDERAL MEDICAID PAYMENTS	34.39	35.50	32.00		32.00
LOCAL FUND	191.42	197.10	212.10		212.10
OPERATING INTRA-DISTRICT FUNDS	0.00	0.00	0.00		0.00
PRIVATE GRANT FUND	0.00	0.00			0.00
SPECIAL PURPOSE REVENUE FUNDS (O'TYPE)	0.00	0.00	0.00		0.00
<b>TOTAL</b>	<b>418.49</b>	<b>432.00</b>	<b>427.50</b>		<b>427.50</b>
<b><i>Office of Disability Rights</i></b>					
FEDERAL GRANT FUND	3.00	3.00	3.00		3.00

LOCAL FUND	10.91	9.00	9.00		9.00
OPERATING INTRA-DISTRICT FUNDS	0.00	0.00	0.00		0.00
<b>TOTAL</b>	<b>13.91</b>	<b>12.00</b>	<b>12.00</b>		<b>12.00</b>

## C. FY 2019 - 2024 AGENCY CAPITAL BUDGET SUMMARY

Project No	Project Title	Allotment Scenario	Unspent Allotment (3/23/18)	FY 2019	FY 2020	FY 2021	FY 2022-2024	6-Year Total
CMSGSC	CASE MANAGEMENT SERVICES- FEDERAL	Available	84,721,586	0	0	0	0	84,721,586
		Committee's Recom.	0	0	0	0	0	0
<b>CMSGSC Total</b>			<b>84,721,586</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>84,721,586</b>
CMSS1C	CASE MANAGEMENT SYSTEM - GO BOND	Available	19,024,079	0	0	0	0	19,024,079
		Committee's Recom.	0	0	0	0	0	0
<b>CMSS1C Total</b>			<b>19,024,079</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>19,024,079</b>
HSW01C	WARD 1 TEMPORARY HOUSING FOR FAMILIES	Available	19,835,634	0	0	0	0	19,835,634
		FY18-23 Approved	0	3,000,000	0	0	0	3,000,000
		Mayor's Proposed	0	3,000,000	7,881,400	0	0	10,881,400
		Committee's Recom.	0	0	0	0	0	0
<b>HSW01C Total</b>			<b>19,835,634</b>	<b>6,000,000</b>	<b>7,881,400</b>	<b>0</b>	<b>0</b>	<b>33,717,034</b>
HSW03C	WARD 3 TEMPORARY HOUSING FOR FAMILIES	Available	5,140,888	0	0	0	0	5,140,888
		FY18-23 Approved	0	6,000,000	7,500,000	0	0	13,500,000
		Committee's Recom.	0	0	0	0	0	0
<b>HSW03C Total</b>			<b>5,140,888</b>	<b>6,000,000</b>	<b>7,500,000</b>	<b>0</b>	<b>0</b>	<b>18,640,888</b>
HSW04C	WARD 4 TEMPORARY HOUSING FOR FAMILIES	Available	6,633,985	0	0	0	0	6,633,985
		Committee's Recom.	0	0	0	0	0	0
<b>HSW04C Total</b>			<b>6,633,985</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6,633,985</b>
HSW05C	WARD 5 TEMPORARY HOUSING FOR FAMILIES	Available	3,798,915	0	0	0	0	3,798,915
		FY18-23 Approved	0	3,300,000	0	0	0	3,300,000
		Mayor's Proposed	0	4,434,769	0	0	0	4,434,769
		Committee's Recom.	0	0	0	0	0	0
<b>HSW05C Total</b>			<b>3,798,915</b>	<b>7,734,769</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>11,533,684</b>
HSW06C	WARD 6 TEMPORARY HOUSING FOR FAMILIES	Available	3,612,112	0	0	0	0	3,612,112
		FY18-23 Approved	0	2,350,000	0	0	0	2,350,000
		Mayor's Proposed	0	6,791,827	0	0	0	6,791,827
		Committee's Recom.	0	0	0	0	0	0
<b>HSW06C Total</b>			<b>3,612,112</b>	<b>9,141,827</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>12,753,939</b>
HSW07C	WARD 7 TEMPORARY HOUSING FOR FAMILIES	Available	4,684,612	0	0	0	0	4,684,612
		Committee's Recom.	0	0	0	0	0	0
<b>HSW07C Total</b>			<b>4,684,612</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,684,612</b>
HSW08C	WARD 8 TEMPORARY HOUSING FOR FAMILIES	Available	225,994	0	0	0	0	225,994
		Committee's Recom.	0	0	0	0	0	0
<b>HSW08C Total</b>			<b>225,994</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>225,994</b>
PSH01C	PSH UNITS FOR SENIOR WOMEN	Mayor's Proposed	0	2,750,000	15,900,000	9,540,000	0	28,190,000
		Committee's Recom.	0	0	0	0	0	0
<b>PSH01C Total</b>			<b>0</b>	<b>2,750,000</b>	<b>15,900,000</b>	<b>9,540,000</b>	<b>0</b>	<b>28,190,000</b>
TFS01C	SMALL CAPITAL PROJECTS	Mayor's Proposed	0	4,541,000	0	0	0	4,541,000
		Committee's Recom.	0	0	0	0	0	0

<b>TFS01C Total</b>			<b>0</b>	<b>4,541,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,541,000</b>
THK16C	MP-TEMPORARY AND PERMANENT SUPPORTIVE HO	Available	7,137,956	0	0	0	0	7,137,956
		Committee's Recom.	0	0	0	0	0	0
<b>THK16C Total</b>			<b>7,137,956</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7,137,956</b>
THK17C	EMERGENCY AND TEMPORARY HOUSING UPGRADES	Available	110,282	0	0	0	0	110,282
		Mayor's Proposed	0	6,949,360	4,558,000	0	0	11,507,360
		Committee's Recom.	0	0	0	0	0	0
<b>THK17C Total</b>			<b>110,282</b>	<b>6,949,360</b>	<b>4,558,000</b>	<b>0</b>	<b>0</b>	<b>11,617,642</b>
THK18C	NEW YORK AVENUE UPGRADES/ RENOVATIONS	Mayor's Proposed	0	850,000	7,685,000	0	0	8,535,000
		Committee's Recom.	0	0	0	0	0	0
<b>THK18C Total</b>			<b>0</b>	<b>850,000</b>	<b>7,685,000</b>	<b>0</b>	<b>0</b>	<b>8,535,000</b>
THK19C	EMERGENCY & TEMPORARY HOUSING FOR MEN	Mayor's Proposed	0	18,000,000	22,000,000	0	0	40,000,000
		Committee's Recom.	0	0	0	0	0	0
<b>THK19C Total</b>			<b>0</b>	<b>18,000,000</b>	<b>22,000,000</b>	<b>0</b>	<b>0</b>	<b>40,000,000</b>
<b>Department of Human Services Total</b>			<b>154,926,043</b>	<b>61,966,956</b>	<b>65,524,400</b>	<b>9,540,000</b>	<b>0</b>	<b>291,957,399</b>
<b>Department of Youth Rehabilitation Services</b>								
SH737C	HVAC REPLACEMENT	Available	2,812,265	0	0	0	0	2,812,265
		Committee's Recomm.	0	0	0	0	0	0
<b>SH737C Total</b>			<b>2,812,265</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,812,265</b>
SH738C	DYRS YSC GYMNASIUM MODERNIZATION	Available	(21,824)	0	0	0	0	(21,824)
		Committee's Recomm.	0	0	0	0	0	0
<b>SH738C Total</b>			<b>(21,824)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(21,824)</b>
SH739C	DYRS YSC COURTYARD MODERNIZATION	Available	137	0	0	0	0	137
		Committee's Recomm.	0	0	0	0	0	0
<b>SH739C Total</b>			<b>137</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>137</b>
SH740C	YSC SECURITY ENTRANCE IMPROVEMENTS	Mayor's Proposed	0	1,500,000	1,497,800	0	0	2,997,800
		Committee's Recom.	0	0	0	0	0	0
<b>SH740C Total</b>			<b>0</b>	<b>1,500,000</b>	<b>1,497,800</b>	<b>0</b>	<b>0</b>	<b>2,997,800</b>
<b>Department of Youth Rehabilitation Services Total</b>			<b>2,790,578</b>	<b>1,500,000</b>	<b>1,497,800</b>	<b>0</b>	<b>0</b>	<b>5,788,378</b>
<b>TOTAL</b>			<b>157,716,621</b>	<b>63,466,956</b>	<b>67,022,200</b>	<b>9,540,000</b>	<b>0</b>	<b>297,745,777</b>



## D. TRANSFERS IN FROM OTHER COMMITTEES

<i>Sending Committee</i>	<i>Amount</i>	<i>FTEs</i>	<i>Receiving Agency</i>	<i>Purpose</i>	<i>Recurring or One-Time</i>
Committee on the Judiciary and Public Safety	\$150,000		Department of Youth Rehabilitation Services	Funding for B22-451 Youth Rehabilitation Amendment Act of 2018, Section 3(d).	One-Time
Committee on Education	\$300,000		Department of Human Services	ICH Youth Plan - Additional wraparound services at 24-hour drop in center for youth experiencing homelessness	One-Time
Committee on Education	\$90,000		Department of Human Services	ICH Youth Plan - 3 additional units of Permanent Supportive Housing (PSH) for youth experiencing homelessness	Recurring
Committee on Education	\$135,000		Department of Human Services	ICH Youth Plan - 3 additional units of transitional housing for youth experiencing homelessness	Recurring
<b>TOTAL</b>	<b>\$150,000</b>	<b>0.00</b>			

## E. TRANSFERS OUT TO OTHER COMMITTEES

<i>Receiving Committee</i>	<i>Amount</i>	<i>FTEs</i>	<i>Receiving Agency</i>	<i>Purpose</i>	<i>Recurring or One-Time</i>
Committee on Business and Economic Development	\$17,500		Department of Small and Local Business Development	Fund operational costs for the Ward 1 Clean Team	One - Time
Committee on Housing and Neighborhood Revitalization	\$84,000	1.00	Office of the Mayor	Fund 1 new FTE who will serve as an outreach specialist in the Mayor's Office of Returning Citizen Affairs (MORCA)	Recurring
Committee on Business and Economic Development	\$114,000	3.00	Department of Small and Local Business Development	Fund 1 FTE for the Ward 1 Clean Team and 2 FTEs for the Mid-City Clean Team	Recurring
Committee on the Judiciary and Public Safety	\$142,000	1.00	Office of Human Rights	Fund the Street Harassment Prevention Act BSA Subtitle. Enhancement includes \$102k to fund 1 new FTE and \$40k for outreach efforts	Recurring
Committee on Health	\$200,000		Department of Behavioral Health	Fund B22-195 Study of Mental Health and Substance Abuse in Immigrant Communities Act of 2017	One - Time
Committee on Housing and Neighborhood Revitalization	\$214,416		Housing Authority Subsidy	Fund the services and housing costs associated with 12 new units of Targeted Affordable Housing (TAH) for individuals experiencing homelessness	Recurring
Committee on Housing and Neighborhood Revitalization	\$446,700		Housing Authority Subsidy	Fund the housing costs of 25 new units of Permanent Supportive Housing (PSH) for individuals experiencing homelessness	Recurring
<b>TOTAL</b>	<b>\$1,218,616</b>	<b>5.00</b>			

## F. REVENUE ADJUSTMENT

<i>Agency</i>	<i>Fund Type</i>	<i>Amount</i>	<i>Use</i>	<i>BSA subtitle</i>
Department on Disability Services	Special Purpose Revenue	\$1,816,165	Use certified fund balance to enhance DDA Service Planning and Coordination	Special Purpose and Dedicated Revenue Fund Amendments and Transfers

## G. BUDGET SUPPORT ACT SUBTITLE FUNDING

<i>Subtitle</i>	<i>Agency</i>	<i>Amount</i>	<i>FTEs</i>
Applicability Clause to DC HealthCare Alliance Recertification Simplification Amendment Act of 2018	Department of Human Services	\$ 200,000	

## H. SUMMARY OF COMMITTEE BUDGET RECOMMENDATIONS

### CHILD AND FAMILY SERVICES AGENCY

#### *Operating Budget Recommendations*

##### Local Funds

1. *Reduce* CSG 11 (Regular Pay – Continuing Full Time) FTE Authority by 2 and by program as follows:
  - a. In Program 1000 (Agency Management), Activity 1010 (Personnel Services Activity), *reduce* CSG 11 by \$67,419
  - b. In Program 6000 (Policy and Planning), Activity 6020 (Planning and Data Analysis), *reduce* CSG 11 by \$87,657
2. *Reduce* CSG 14 (Fringe Benefits-Current Personnel) by \$37,683.47 and by program as follows:
  - a. In Program 1000 (Agency Management), Activity 1010 (Personnel Services Activity), *reduce* CSG 14 by \$16,382.82
  - b. In Program 6000 (Policy and Planning), Activity 6020 (Planning and Data Analysis), *reduce* CSG 14 by \$21,300.65
3. *Reduce* CSG 50 (Subsidies and Transfers) in the “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018” (B22-756) by \$2,169,598 and by program as follows:
  - a. In Program 4000 (Adoption and Guardian Subsidy Program), Activity 4011 (Guardianship Subsidy Activity), *reduce* CSG 50 by \$1,369,598
  - b. In Program 7000 (Clinical Practice), Activity 7020 (Well Being), *reduce* CSG 50 by \$300,000
  - c. In Program 8000 (Community Partnerships), Activity 8010 (Community-Partnership Services), *reduce* CSG 50 by \$500,000
4. *Reduce* CSG 70 (Equipment and Equipment Rental) by \$30,000 and by program as follows:
  - a. In Program 1000 (Agency Management), Activity 1030 (Property Management Activity), *reduce* CSG 70 by \$30,000
5. *Increase* CSG 50 (Contractual Services – Other) by \$230,000 and by program as follows:
  - a. In Program 3000 (Community Services), Activity 3087 (Child Protective Services-Investigations), *increase* CSG 50 by \$130,000 for Safe Shores – The DC Children’s Advocacy Center
  - b. In program 8000 (Community Partnerships), Activity 8030 (Prevention Services), *increase* CSG 50 by \$100,000; to fund a contract for targeted legal interventions in matters involving, *inter alia*, child custody, child support, domestic violence, landlord-tenant issues, housing conditions, federally

subsidized housing defense, and public benefits, from the current contract's end date through the end of fiscal year 2019.

## **DEPARTMENT ON DISABILITY SERVICES**

### *Operating Budget Recommendations*

#### Local Fund

*Reduce* CSG 50 (Subsidies and Transfers) in Program 6000 (Developmental Disabilities Administration), Activity 6035 (DDA Service Planning and Coordination) by \$1,816,164.67; fully offset by an enhancement from unspent fund balance in SPR Fund 611, Cost of Care Non-Medicaid Clients

#### Special Purpose Revenue Fund

*Increase* CSG 50 (Subsidies and Transfers) in Program 6000 (Developmental Disabilities Administration), Activity 6035 (DDA Service Planning and Coordination) by \$1,816,164.67; enhancement from SPR Fund 611, Cost of Care Non-Medicaid Clients-uses unspent fund balance

## **DEPARTMENT OF HUMAN SERVICES**

### *Operating Budget Recommendations*

#### Local Funds

1. *Reduce* CSG 11 (Regular Pay – Continuing Full Time) FTE Authority by 4, a reduction of \$263,504.19, and by program as follows:
  - a. In Program 100F (Agency Financial Operations), Activity 120F (Accounting Operations), *reduce* CSG 11 by 1 FTE, a reduction of \$77,702.25
  - b. In Program 100F (Agency Financial Operations), Activity 120F (Accounting Operations), *reduce* CSG 11 by 1 FTE, a reduction of \$36,066.94 from B22-756, “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”
  - c. In Program 2000 (Economic Security Administration), Activity 2040 (Eligibility Determination Services), *reduce* CSG 11 by 2 FTEs, a reduction of \$149,735
2. *Reduce* CSG 12 (Regular Pay - Other) FTE Authority by 1, a reduction of \$36,456.43, in Program 2000 (Economic Security Administration), Activity 2013 (Interim Disability Assistance) from B22-756, “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”

3. *Reduce* CSG 14 (Fringe Benefits – Current Personnel) by \$79,041.65 and by program as follows:
  - a. In Program 100F (Agency Financial Operations), Activity 120F (Accounting Operations), *reduce* CSG 14 by \$19,503.26
  - b. In Program 100F (Agency Financial Operations), Activity 120F (Accounting Operations), *reduce* CSG 14 by \$12,345.06 from B22-756, “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”
  - c. In Program 2000 (Economic Security Administration), Activity 2013 (Interim Disability Assistance), *reduce* CSG 14 by \$9,296.39 from B22-756, “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”
  - d. In Program 2000 (Economic Security Administration), Activity 2040 (Eligibility Determination Services), *reduce* CSG 14 by \$37,896.94
  
4. *Reduce* CSG 40 (Other Services and Charges) by \$76,000 and by program as follows:
  - a. In Program 2000 (Economic Security Administration), Activity 2030 (Case Management), *reduce* CSG 40 by \$31,000 from B22-756, “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”
  - b. In Program 2000 (Economic Security Administration), Activity 2040 (Eligibility Determination Services), *reduce* CSG 40 by \$45,000 from B22-756, “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”
  
5. *Reduce* CSG 41 (Contractual Services – Other) by \$12,000 and by program as follows:
  - a. In Program 1000 (Agency Management), Activity 1010 (Personnel), *reduce* CSG 41 by \$9,000 from B22-756, “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”
  - b. In Program 2000 (Economic Security Administration), Activity 2040 (Eligibility Determination Services), *reduce* CSG 41 by \$3,000 from B22-756, “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”
  
6. *Increase* CSG 41 (Contractual Services – Other) by \$200,000 in Program 2000 (Economic Security Administration), Activity 2040 (Eligibility Determination Services); to fund the BSA subtitle, “Applicability Clause to the DC Healthcare Alliance Recertification Simplification Amendment Act of 2018”. Sections 7c and 7d(a) may now be implemented.
  
7. *Increase* CSG 50 (Subsidies and Transfers) by \$2,631,797 and by program as follows:
  - a. In Program 2000 (Economic Security Administration), Activity 2011 (Burial Assistance), *increase* CSG 50 by \$110,000; to enhance burial assistance on a recurring basis, better aligning the fund with the increased

maximum per family allotment as established under the BSA subtitle, “Burial Assistance Program Increase Amendment Act of 2018”

- b. In Program 2000 (Economic Security Administration), Activity 2013 (Interim Disability Assistance), *increase* CSG 50 by \$1,000,000; to enhance the program on a one-time basis to serve a greater number of clients in FY19
  - c. In Program 5000 (Family Services), Activity 5022 (Youth Services), *increase* CSG 50 by \$705,000; to provide 13 transitional housing beds for youth experiencing homelessness (\$585,000) and to provide 4 Permanent Supportive Housing units for youth experiencing homelessness (\$120,000)
  - d. In Program 5000 (Family Services), Activity 5038 (Homeless Services Continuum- Individuals) *increase* CSG 50 by \$192,768; to provide enhancement for the services associated with 25 units of Permanent Supportive Housing for individuals experiencing homelessness
  - e. In Program 5000 (Family Services), Activity 5039 (Homeless Services Continuum- General), *increase* CSG 50 by \$624,029; to enhance one-time funding for ERAP and reverse the Mayor’s proposed FY19 reduction of \$588,660
8. *Accept* \$300,000 in one-time dollars from the Committee on Education to fund the addition of certain wraparound services at the youth 24-hour Drop-In Center
  9. *Accept* \$225,000 in recurring dollars from the Committee on Education to fund 3 additional units of Permanent Supportive Housing for youth experiencing homelessness (\$90,000) and 3 additional units of transitional housing beds for youth experiencing homelessness (\$135,000)

### *Capital Budget Recommendations*

The Committee recommends approval of the FY19-FY24 capital budget for the Department of Human Services as proposed by the Mayor.

## **DEPARTMENT OF YOUTH REHABILITATION SERVICES**

### *Operating Budget Recommendations*

#### Local Funds

1. *Reduce* CSG 11 (Regular Pay – Continuing Full Time) by \$526,559, and by programs as follows:
  - a. In Program 1000 (Agency Management), Activity 1090 (Performance Management), *reduce* by \$66,588
  - b. In Program 7000 (Office of the Director), Activity 7010 (Office of the Director), *reduce* by \$123,179
  - c. In Program 9000 (Youth and Family Programs), Activity 9010 (Deputy Director for Youth Programs), *reduce* by \$122,568

- d. In Program 9000 (Youth and Family Programs), Activity 9030 (Youth Development Services), *reduce* by \$107,112
  - e. In Program 9000 (Youth and Family Programs), Activity 9040 (Residential Services), *reduce* by \$107,112
2. *Reduce* CSG 11 (Regular Pay – Continuing Full Time) in the “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018” (B22-756) by \$526,559 and by program as follows:
- a. In Program 1000 (Agency Management), Activity 1090 (Performance Management), *reduce* by \$66,588
  - b. In Program 7000 (Office of the Director), Activity 7010 (Office of the Director), *reduce* by \$123,179
  - c. In Program 9000 (Youth and Family Programs), Activity 9010 (Deputy Director for Youth Programs), *reduce* by \$122,568
  - d. In Program 9000 (Youth and Family Programs), Activity 9030 (Youth Development Services), *reduce* by \$107,112
  - e. In Program 9000 (Youth and Family Programs), Activity 9040 (Residential Services), *reduce* by \$107,112
3. *Increase* CSG 11 (Regular Pay – Continuing Full Time), Program 9000 (Youth and Family Programs), Activity 9030 (Youth Development Services) FTE Authority by 3 FTEs, an *increase* of \$235,088, to provide 3 FTEs for mental health specialists at Achievement Centers
4. *Increase* CSG 14 (Fringe Benefits – Current Personnel) in Program 9000 (Youth and Family Programs), Activity 9030 (Youth Development Services), *increase* CSG 14 by \$66,295, to provide fringe benefits for the 3 FTEs for mental health specialists at Achievement Centers
5. *Reduce* CSG 14 (Fringe Benefits – Current Personnel) by \$148,490 and by programs as follows:
- a. In Program 1000, (Agency Management), Activity 1090 (Performance Management), *reduce* by \$18,778
  - b. In Program 7000 (Office of the Director), Activity 7010 (Office of the Director), *reduce* by \$34,736
  - c. In Program 9000 (Youth and Family Programs), Activity 9010 (Deputy Director for Youth Programs), *reduce* by \$34,564
  - d. In Program 9000 (Youth and Family Programs), Activity 9030 (Youth Development Services), *reduce* by \$30,206
  - e. In Program 9000 (Youth and Family Programs), Activity 9040 (Residential Services), *reduce* by \$30,206



6. *Reduce* CSG 14 (Fringe Benefits – Current Personnel) in the “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018” (B22-756) by \$148,490 and by program as follows:
  - a. In Program 1000 (Agency Management), Activity 1090 (Performance Management), *reduce* by \$18,778
  - b. In Program 7000 (Office of the Director), Activity 7010 (Office of the Director), *reduce* by \$34,736
  - c. In Program 9000 (Youth and Family Programs), Activity 9010 (Deputy Director for Youth Programs), *reduce* by \$34,564
  - d. In Program 9000 (Youth and Family Programs), Activity 9030 (Youth Development Services), *reduce* by \$30,206
  - e. In Program 9000 (Youth and Family Programs), Activity 9040 (Residential Services), *reduce* by \$30,206
  
7. *Reduce* CSG 40 (Other Services and Charges), by \$217,643, and by programs as follows:
  - a. In Program 1000 (Agency Management), Activity 1010 (Agency Management/Personnel), *reduce* by \$20,000
  - b. In Program 1000 (Agency Management), Activity 1030 (Property Management), *reduce* by \$100,000
  - c. In Program 7000 (Office of the Director), Activity 7020 (Office of the Chief of Staff), *reduce* by \$50,000
  - d. In Program 9000 (Youth and Family Programs), Activity 9030 (Youth Development Services), *reduce* by \$47,643
  
8. *Increase* CSG 40 (Other Services and Charges), Program 7000 (Office of the Director), Activity 7020 (Office of the Chief of Staff), by \$150,000 in local one-time funds for the purpose of developing a strategic plan for young people at risk of becoming youth offenders
  
9. *Reduce* CSG 41 (Contractual Services Other), by \$176,760 and by programs as follows:
  - a. In Program 1000, (Agency Management), Activity 1010 (Agency Management/Personnel), *reduce* by \$41,760
  - b. In Program 1000, (Agency Management), Activity 1030 (Property Management), *reduce* by \$135,000
  
10. *Accepts* \$150,000 in one-time local funds from the Committee on Judiciary and Public Safety for the purpose of developing a strategic plan for serving youth offenders and young people at risk of becoming youth offenders, as required to fund the fiscal impact of Section 3(d) of B22-0451, the “Youth Rehabilitation Amendment Act of 2018”

*Capital Budget Recommendations*

The Committee recommends approval of the FY19-FY24 capital budget for the Department of Youth Rehabilitation Services as proposed by the Mayor.

**OFFICE OF DISABILITY RIGHTS**

*Operating Budget Recommendations*

The Committee recommends approval of the FY19 operating budget for the Office of Disability Rights as proposed by the Mayor.

## II. AGENCY FISCAL YEAR 2019 BUDGET RECOMMENDATIONS

### A. INTRODUCTION

The Committee is responsible for matters concerning welfare; social services; youth affairs (other than juvenile justice); homelessness; and disability services. To this end, the Committee is also accountable for programmatic and budgetary oversight of the Department of Human Services, the Child and Family Services Agency, the Department of Youth Rehabilitation Services, the Department on Disability Services, the Office of Disability Rights, and the Interagency Council on Homelessness. The Committee works closely with these agencies, District residents, and community advocates to craft careful and deliberate policies for the human services realm and relevant programming.

The Committee is chaired by Councilmember Brianne K. Nadeau. The other members of the Committee are Councilmembers David Grosso, Brandon T. Todd, Robert C. White, Jr. and Trayon White, Sr.

The Committee held performance and budget oversight hearings on the following dates:

<i>Performance Oversight Hearings</i>	
<b>February 14, 2018</b>	Department on Disability Services Office of Disability Rights
<b>February 21, 2018</b>	Child and Family Services Agency Department of Youth Rehabilitation Services
<b>March 8, 2018</b>	Department of Human Services Interagency Council on Homelessness

<i>Budget Oversight Hearings</i>	
<b>March 28, 2018</b>	Department on Disability Services Office of Disability Rights
<b>April 12, 2018</b>	Department of Human Services
<b>April 18, 2018</b>	Child and Family Services Agency Department of Youth Rehabilitation Services

The Committee received important comments from members of the public during these hearings. Copies of witness testimony are included in this report as *Attachments A-C*. A video recording of the hearings can be obtained through the Office of Cable Television or at [oct.dc.gov](http://oct.dc.gov). The Committee continues to welcome public input on the agencies and activities within its purview.

## B. CHILD AND FAMILY SERVICES AGENCY

### 1. Agency Mission and Overview

The mission of the Child and Family Services Agency (“CFSA” or “Agency”) is to ensure the safety, permanence, and well-being of abused and neglected children and to strengthen troubled families in the District of Columbia. CFSA operates through the following 8 divisions:

**Agency Programs** – provides direct case management for families at home, as well as for children and youth in out-of-home care. The Agency Operations program works to ensure the safety and well-being of children and youth in care while moving them to permanence as quickly as possible via reunification, guardianship, or adoption.

This division contains the following 7 activities:

- **Permanency** – provides permanency support, consultation, technical assistance, training, and case management for children from the inception of concurrent permanency planning through finalization of adoption and guardianship;
- **Teen Services** – provides permanency support, consultation, technical assistance, training, and case management for older youth between the ages of 15-21. Teen Services works to achieve permanence for older youth while at the same time providing life skills training, vocation and educational support, and transitional assistance to help youth to prepare for independence after leaving foster care;
- **Family Resources** – provides foster and adoptive resource recruitment and support services to current and potential foster, kinship, and adoptive parents;
- **Facility Licensing** – provides licensing for CFSA’s foster homes;
- **Contract Monitoring** – provides oversight of services contracted by CFSA and ensures program outcomes and adherence to contractual requirements;
- **Child Placement** – provides living arrangements for foster children, including traditional and therapeutic foster homes, group care, and independent living programs; and
- **Kinship Support** – identifies viable family resources, conducts family team meetings, facilitates placements with relatives, expedites licensing of kinship foster parents, and provides supportive services to kinship caregivers.

**Community Services** – is comprised of investigative social workers, medical professionals, and other professionals responsible for monitoring and overseeing services to children who are placed in foster care. Community Services operates CFSA’s on-site clinic and the child abuse hotline.

This division contains the following 5 activities:

- **Child Protective Services (Family Assessment)** – leads and conducts assessments of suspected child abuse or neglect, assesses families whose children are alleged victims of abuse or neglect, and refers children and their families for services within CFSA or the Healthy Families Thriving Communities Collaborative. The assessments are designed to prevent further abuse and neglect, strengthen parents’ capacity to care for their children, assure that children receive adequate care, and safely prevent out-of-home placement when appropriate;
- **Child Protection Services (Investigations)** – receives reports of suspected child abuse or neglect through the hotline, investigates families whose children are alleged victims of abuse or neglect, and makes determinations regarding immediate removals and /or court referrals;
- **Clinical Health Services** – provides medical and behavioral health screenings prior to placement and expert consultation in health, residential treatment, developmental disabilities and 24/7 on-call support for medical and mental services;
- **Nurse Care Management** – supports a cadre of nurse care professionals to support the medical needs of children in care; and
- **Healthy Horizon’s Clinic Activity** – provides medical health screenings prior to placement and expert consultation in health, residential treatment, developmental disabilities, and 24/7 on-call support for medical services.

**Adoption and Guardian Subsidy** – supports families caring for children and providing a long-term permanent placement for children.

This division contains the following 3 activities:

- **Adoptions and Guardianship Subsidy** – provides financial assistance services to eligible relatives and adoptive parents so that they can maintain children in permanent homes;
- **Guardianship Subsidy** – provides financial assistance services to eligible relatives and non-family caregivers so that they can maintain children in permanent homes; and
- **Grandparent Subsidy** – provides financial assistance services to eligible grandparents so that they can maintain children in permanent homes.

**Policy and Planning** – supports CFSA’s policy development, planning and data analysis, Fair Hearings, Child Protection Registry, quality assurance and training functions.

Additionally, Policy and Planning licenses group homes and independent living facilities that provide services to youth.

This division contains the following 3 activities:

- **Policy** – develops agency policy and provides review, interpretation and decision-making services to the Director and staff so that they can make decisions consistent with best practices and with statutory and regulatory requirements;
- **Planning and Data Analysis** – provides reporting, data analysis, technical assistance and research services to the agency and external stakeholders in order to facilitate short and long-term agency strategic planning; and
- **Quality Assurance** – provides assessment, monitoring, and recommendation services to CFSA staff and key stakeholders to improve agency practice. In addition, Quality Assurance is responsible for facilitating qualitative review processes such as child fatality review and quality service reviews in order to identify areas of strength and need in line with best practices and child welfare standards.

**Clinical Practice (Well-Being)** – provides comprehensive well-being services for children in CFSA’s care, including educational services, liaisons for substance abuse and domestic violence services, and day care. This division is responsible for implementing CFSA’s trauma-informed practice.

**Community Partnerships** – forges community partnerships and supports, community-based programs, and strategies designed to strengthen families and promote safety and stability for these families as well as at-risk children.

This division contains the following 3 activities:

- **Community Partnership Services** – provides staffing support and oversight of community-based prevention, supportive, and after-care services to families and at-risk children in their homes, maximizing the use of informal and formal support systems;
- **In-Home** – serves families in-home through social work units co-located with community partners to provide community-based family supportive services; and
- **Prevention Services** – provides direct community-based prevention, supportive, and after-care services to families and at-risk children in their homes, maximizing the use of informal and formal support systems.

**Agency Management** – provides for administrative support and the required tools to achieve an agency’s operational and programmatic results. This division is standard for all agencies using performance-based budgeting.

**Agency Financial Operations** – provides comprehensive and efficient financial management services to, and on behalf of, District agencies so that the financial integrity of the District of Columbia is maintained. This division is standard for all agencies using performance-based budgeting.

## **2. Mayor’s Proposed Fiscal Year 2019 Operating Budget**

**Gross Funds:** The proposed budget is \$224,240,986, a decrease of \$2,254,856 or 1 percent from the approved FY 2018 budget. This funding supports 821.0 FTEs, an increase of 1 FTE or 0.1 percent from the approved FY 2018 budget.

**Local Funds:** The proposed budget is \$161,201,210, an increase of \$2,568,087 or 1.62 percent from the approved FY 2018 budget. This funding supports 638.0 FTEs, which is decrease of 26.0 FTEs, a 3.9 percent decrease from the FY 2018 budget.

**Special Purpose Revenue Funds:** The proposed budget is \$1,000,000 which maintains the approved FY 2018 budget.

**Federal Grant Funds:** The proposed budget is \$60,222,543, a decrease of \$5,160,031 or 7.89 percent of the approved FY 2018 budget. This funding supports 183.0 FTEs, an increase of 27.0 FTEs, or 17.3 percent from the approved FY 2018 budget.

**Private Funds:** The proposed budget is \$22,560, an increase of \$1,583 or 7.55 percent of the approved FY 2018 budget.

**Intra-District Funds:** The proposed budget is \$1,794,673, an increase of \$335,505 or 23 percent of the approved FY 2018 budget.

### **Committee Analysis and Comments**

**Safe Shores – The DC Children’s Advocacy Center (“CAC”):** As the District’s sole children’s advocacy center, Safe Shores facilitates compliance with the District’s law on child abuse investigations, which requires a multidisciplinary response to these cases. Along with Safe Shores, CFSA, the Metropolitan Police Department (“MPD”), the Office of the Attorney General, the U.S. Attorney’s Office for the District of Columbia, and Children’s National Medical Center comprise the District’s Multidisciplinary Team on Child Abuse Investigations and Prosecution. Safe Shores serves as the hub of this team, which has the goals of: (1) minimizing the trauma children and families experience in the context of abuse investigations; (2) improving investigation outcomes for children and families affected by abuse and other violence; and (3) enhancing the effectiveness of joint investigations.

In FY17, the Committee on Human Services (“Committee”) was concerned about the \$300,000 decrease in Safe Shores’ budget. In partnership with the Committee on the Judiciary, the Committee restored that \$300,000. In FY18, Safe Shores’ operating budget

increased again as it reported an increase in cases, including emergency cases, and the expansion of services to parents and caregivers. As a result, the Committee approved a one-time increase in the Safe Shores budget of \$250,000.

This year, Safe Shores funding has been returned to FY17 levels (\$900,000) despite its operating budget growing from \$2.7 million in FY17 to \$3.1 million in FY18. Additionally, Safe Shores reports an increase in cases and anticipates a continued upward trend in the demand for their services by their partner agencies, CFSA and MPD. Safe Shores also reports that the organization is doing more work with cases involving the commercial sexual exploitation of children (CSEC) and is working with the DC Superior Court and other local agencies to develop the District's response to such cases. As a result, the Committee is approving a one-time increase in the Safe Shores budget of \$130,000.

***Family Preservation Project – Neighborhood Legal Services Program (“NLSP”).*** At the Committee's budget oversight hearing, NLSP testified about the Agency's decision to end its funding of NLSP's *Family Preservation Project* after April 7, 2019. The *Family Preservation Project* is a grant-funded project that works to prevent families from unnecessarily entering the child welfare system by providing targeted legal interventions in matters involving child custody, child support, domestic violence, landlord-tenant issues, housing conditions, federally subsidized housing defense, and public benefits. According to NLSP's testimony, since the inception of the *Family Preservation Project*, NLSP has provided legal assistance to 206 custodial parents, 45 noncustodial parents, 44 third party caregivers, and has potentially affected the lives of 670 children.

The Agency's justification for cutting funding for the *Family Preservation Project* has to do with utilization of the program as well as the availability of these services at the District of Columbia Courts' Self Help Center. Unlike NLSP, the Self Help Center is not permitted to provide legal advice or services. Instead, the Self Help Center is “a free walk-in service that provides unrepresented people with general legal information in a variety of family law matters (such as divorce, custody, visitation, child support).”<sup>1</sup> Furthermore, other major providers of free legal services in the District are regularly under resourced and overworked. Because the Committee has found that the District of Columbia Courts' Self Help Center does not fulfill the very important need that has been addressed by the *Family Preservation Project*, it is approving a one-time enhancement of \$100,000 in local funding to be used between April 7, 2019 and September 30, 2019, to support a program that works to prevent families from unnecessarily entering the child welfare system through targeted legal interventions.

***Child Protective Services-Family Assessment and Investigations:*** At the budget oversight hearing, the Center for the Study for Social Policy (“CSSP”), which is the court appointed monitor from the *LaShawn* cases,<sup>2</sup> expressed concerns over the caseloads of

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<sup>1</sup> <https://www.dccourts.gov/services/family-matters/self-help-center>.

<sup>2</sup> In 1989, the American Civil Liberties Union (later Children's Rights, Inc.) filed the *LaShawn A. v. Barry* lawsuit over the quality of services the District of Columbia was providing to abused and neglected children in its care. CSSP was appointed the Court Monitor and today, the District is working with CSSP



CPS-Family Assessments and Investigations Activities workers in the Community Services Division of CFSA. This was also a concern last year at the Agency's performance and budget oversight hearings. For example, the Agency reported that in March 2017, 81% of CPS-Family Assessment workers and 42% of CPS-Investigation workers had more than 12 cases. According to CSSP, under the *LaShawn* requirements, 90% of the CPS-Family Assessment workers and Investigation workers should have no more than 12 cases, and no workers should ever have more than 15 cases.

In response to the concerns last year, the Agency moved several FTEs to the CPS-Family Assessments and Investigations Activities, which resulted in a decline in the percentage of CPS-Family Assessments and Investigations workers with caseloads over 12 in the Q4 of FY 2017 and Q1 of FY 2018.

In the proposed FY 2019 budget, there is an increase of \$2.7 million and 17 FTEs to CPS-Investigations and Family Assessments, which preserves staffing increases that were made at the end of FY 2017 or the beginning of FY 2018. The Agency testified that there is adequate staffing to meet the *LaShawn* caseload requirements as long as the positions that are currently budgeted are filled. However, the Court Monitor has found that all budgeted positions are rarely filled. The Committee will monitor staffing levels and caseloads of CPS-Investigations and Family Assessments workers to ensure compliance with the *LaShawn* requirements.

***Prevention Services – Narrowing the “Front Door”:*** One of the Agency's core tenets is that “children grow up best with their families” and that the Agency removes “children only when necessary to keep them safe.” For the past six years, the Agency has focused on reducing the number of children that come under their care through investment in prevention services, a practice the Agency calls “narrowing the front door.” Over this time, the Agency has seen the number of youth in out-of-home care decrease from 1,549 youth in FY 2012 to 906 youth in FY 2017. According to the Agency, at the beginning of April 2018, only 855 youth were being served in out-of-home care. During the budget hearing, the Committee heard a lot of testimony about CFSA's success in narrowing the front door, which was often followed by testimony indicating concern about the major cuts to various prevention services in the Mayor's Proposed FY 2019 budget.

Safe and Stable Family Redesign. In FY17, the Agency continued its commitment to prevention by investing in a redesign of its approach to prevention and in-home services through its *Safe and Stable Family Redesign*. As part of the Redesign, the Agency renegotiated contracts with the District's five Healthy Families/Thriving Communities Collaboratives and increased the Collaboratives' capacity to provide case management and other services to families while also requiring improvement in data collection and reporting. The Redesign also changed protocols for in-home services provided by the Agency's social workers, requiring more intensive visits and services based on assessment risk and need. The Redesign and the overall investment in prevention

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to meet all requirements of an Implementation and Exit Plan (IEP) so that the Federal Court will return control of local child welfare to the city.

services was largely made possible by a U.S. Department of Health and Human Services (DHHS) waiver of federal funds through Title IV-E of the Social Security Act.

Title IV-E Waiver and In-Home Services. The Title IV-E Waiver funds originally supported two evidenced-based family preservation programs: HOMEBUILDERS®<sup>3</sup> and Project Connect.<sup>4</sup> At the performance oversight hearing, the Agency testified that the HOMEBUILDERS program was canceled in FY 2017 because, *inter alia*, it had low referrals due to the narrow requirements of the model. The Agency also testified that with the cancellation of HOMEBUILDERS, Project Connect was expanded. However, no more than two months later, the Agency decided to cancel Project Connect, thus eliminating \$2.85 million in the FY 2019 budget dedicated to in-home prevention services.

At the budget oversight hearing, the Center for the Study for Social Policy Court Monitor and the Children’s Law Center both expressed concern that the cancellation of the programs without a clear replacement might have created a void in the array of in-home and prevention services available to families, particularly those with high-needs. Intensifying these concerns is the fact that the District’s waiver to use Title IV-E funds for prevention services ends March 31, 2019.

The Agency indicated that they will request that the Title IV-E Waiver be extended through the end of FY 2019, when the Family First Prevention Services Act (“Family First Act”) will take effect. The Family First Act was signed into law as part of the Bipartisan Budget Act on February 9, 2018. This act reforms the federal child welfare financing streams, Title IV-E and Title IV-B of the Social Security Act, to provide services to families who are at imminent risk of entering the child welfare system. At the budget oversight hearing, the Agency also indicated that it is currently exploring how best to leverage the Family First Act to leverage Title IV-E funding for prevention services. The Agency is still waiting for additional guidance from DHHS, and there is no guarantee that the IV-E Waiver extension will be granted or that the Family First Act will allow Title IV-E dollars to be used for all the programs previously funded under the Title IV-E waiver. The committee will closely monitor the Agency’s pursuit of an extension of the Title IV-E Waiver and the subsequent allocation of such funds.

Primary Prevention Services and CBCAP Funding. Another strategy utilized by the Agency to help narrow the front door has been the leveraging of local dollars and federal Community Based Child Abuse Prevention (CBCAP) resources to fund community-based providers that implement evidence-based practices to promote family stability and

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<sup>3</sup> HOMEBUILDERS® is a nationally recognized, evidence-based model for providing intensive, short-term services that help parents address the issues that are putting their children at risk of entering foster care.

<sup>4</sup> Project Connect works to keep children safe and strengthen families by supporting parents to achieve a substance-free lifestyle.

bonding and to reduce community risk of abuse and neglect.<sup>5</sup> For the past five years, the Agency has been leveraging both federal and local resources to support various primary prevention services, including: (1) Parent Education and Support Project (PESP); (2) Father-Child Attachment Program; (3) Home Visitation;<sup>6</sup> and (4) Parent and Adolescent Support Services (PASS). In FY 2018, the Agency granted \$200,000 in federal CBCAP funds and \$840,000 in local funds to eight primary prevention providers. While the Proposed FY 2019 Budget still has \$200,00 of federal CBCAP funding available for such programs, the Agency is only budgeting \$40,000 in local funds, the matching amount required by law. Furthermore, all of the current CBCAP grants are expiring at the end of FY 2018 or the beginning of FY 2019 and the Agency has made no commitment to renew grants for any of the current primary prevention service providers. Instead, the Agency is waiting to make decisions on the use of federal CBCAP and local matching funds until after it performs a needs assessment this summer.

Despite having made no determinations on how to spend these funds in FY 2019, during the budget oversight hearing, the Agency did make clear that all funding for Home Visitation programs would be cut in FY 2019.<sup>7</sup> The Agency's justification for cutting all funding for Home Visitation was a decision made by the Executive Branch to make the Department of Health the lead agency for the administration of all Home Visitation services, and thus, similar services would be available. While there was some dispute between the Agency and advocates during the budget oversight hearing as to whether Home Visitation services provided by DOH have been underutilized, there was no dispute about the fact that the Proposed FY 2019 budget for DOH does not have an increase in funding for Home Visitation programs to offset the cut in CFSA's budget. Furthermore, during the budget oversight hearing the Committee heard concerns that the current Home Visitation services offered by DOH are more limited than those funded by CFSA, both in terms of the types of services provided and the populations served. For example, it was reported at the budget oversight hearing that DOH Home Visitation services are predominantly made available to residents of Wards 5, 7, and 8 because of restrictions placed on a portion of DOH's federal funding. Furthermore, the Committee heard from a number of organizations currently funded by CFSA that offer Home Visitation type services that have no analogue in DOH, including, *inter alia*, the Father-

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<sup>5</sup> See

<https://cfsa.dc.gov/sites/default/files/dc/sites/cfsa/publication/attachments/Child%20and%20Family%20Services%20Plan%202015%20-%202019.pdf>.

<sup>6</sup> Home Visitation is an effective evidenced-based family support strategy designed to promote maternal, infant, and early childhood health as well as the development of strong parent-child relationships. Through programs delivered primarily in clients' homes, trained home visitors work with families who are expecting or who already have young children to achieve improved outcomes including: (1) improved maternal and child health; (2) prevention of child injuries, child abuse or maltreatment; (3) improvement in school readiness and achievement; (4) reduction in crime or domestic violence; and (5) improvements in family economic self-sufficiency. See

[http://www.dcauditor.org/sites/default/files/Home\\_Visiting\\_Final\\_Report.3.23.17.pdf](http://www.dcauditor.org/sites/default/files/Home_Visiting_Final_Report.3.23.17.pdf).

<sup>7</sup> In FY 2018, \$240,000 in local funds was allocated to Home Visitation services.

Child Attachment program offered by Mary's Center.<sup>8</sup> For these reasons, the Committee shares the advocates concern that cutting \$800,000 of CFSA funding for primary prevention services, including all funding for Home Visitation services, could result in less variety and capacity of primary prevention services in the District.

Committee Recommendations. Ultimately, ensuring the availability of primary prevention services, including Home Visitation services, will require proactive research on the availability of new federal funding sources, intra-agency coordination, and expanded engagement with relevant community stakeholders. To guarantee that the capacity and array of primary prevention services offered by the Agency, and more broadly, the District, are sufficient, the Committee will hold a public roundtable in the fall of 2018, after the Agency has completed its needs assessment. The Committee will invite members of the Committee on Health to participate and will ask for testimony from CFSA, DOH, and all relevant stakeholders.

The Committee also strongly recommends that the Agency actively engage with the Home Visitation Council, including attending their bimonthly meetings.<sup>9</sup> DOH is already an active member of the Home Visiting Council and the participation of CFSA is critical to ensuring that the unique needs of CFSA clients are fully considered when DOH becomes responsible for administering all the District's Home Visitation services.

***Mental Health and Substance Abuse:*** At the budget oversight hearing, the Agency reported a one-time enhancement of \$1.1 million for mental health and substance abuse treatment. The Agency also noted that it has yet to decide how that funding will be allocated. However, about \$140,000 was cut for a Residential Treatment for Substance Abuse program and as discussed above, an additional \$2.85 million was cut by canceling the Project Connect program. Given the lack of clarity on how the \$1.1 million will be used and the large cuts to programs focused on substance abuse, the Committee will be closely monitoring how the Agency chooses to utilize this one-time enhancement.

Additionally, the Family First Act permits states to use Title IV-E dollars to provide up to 12 months of mental health services and substance abuse treatment to families at imminent risk of entering the child welfare system. The Committee wants to ensure that

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<sup>8</sup> Through home visitation and consultation services, this program is designed to help fathers forge lasting bonds with their children in order to improve child development outcomes. Program goals include increasing protective factors specifically by improving non-custodial father/custodial mother relationships and interactions.

<https://cfsa.dc.gov/sites/default/files/dc/sites/cfsa/publication/attachments/Child%20and%20Family%20Services%20Plan%202015%20-%202019.pdf>.

In the strictest sense, Father-Child Attachments programs are distinct from CFSA's Home Visitation programs. However, this program is funded in the same way that other programs classified as Home Visitation programs are funded and it is structured in much the same way.

<sup>9</sup> The Home Visiting Council, which is comprised of community-based providers and agency leaders, is tasked with strengthening Home Visitation resources in the District by building a cross-sector network of support for programs, advocating for resources and funding for their stability and growth, and collaborating to address system-wide challenges to the implementation of Home Visitation services.

the Agency fully leverages all federal funding sources and will be very interested in receiving an update from the Agency as soon as it has developed a strategy for leveraging this resource.

***Placement and the Redesign of the District's Comprehensive Child Welfare***

***Information System (CCWIS):*** At the Committee's performance oversight hearing, the Agency explained that placement stability in out-of-home care is at the core of offsetting trauma for youth in care and conceded that the current rate of placement disruptions is too high. Often, placement disruptions are the direct result of improper initial placements because of inadequate placement options and/or problems with the matching process. At the performance and budget oversight hearings, the Committee was told that the Agency does not have enough foster parents who are willing and/or properly trained to meet the unique needs of the children in their care. Similarly, witnesses indicated that even when there is an appropriate and available placement, insufficient information is available or considered to make the best match.

Despite conceding underperformance in placement stability, the Agency's Proposed FY 2019 budget has a \$7.4 million decrease in Child Placement activities. The Agency stated that about \$5.6 million of the savings can be attributed to reductions for room and board, which is largely attributable to a decrease in the projected number of youth in care in FY 2019.<sup>10</sup>

The Proposed FY 2019 budget also includes a one-time enhancement of \$2 million that will allow the District to comply with new federal requirements to upgrade and modernize the automated case management system currently known as FACES.net ("FACES"). The new Comprehensive Child Welfare Information System (CCWIS) will be built out over the next 4-5 years and should have completely replaced the use of FACES by 2022. Despite being supportive of this very important improvement, the Committee is aware of reports that the design for the new CCWIS may not capture all the relevant information necessary to make good matches and will be monitoring its development.

***Temporary Safe Haven Redesign:*** In FY 2017, the Agency consolidated its model for family-based foster care by taking responsibility for the licensing and oversight of all (approximately 50) foster homes in the District, while initiating the transfer of responsibility for all foster care and case management of District children placed in Maryland from seven providers to two; the National Center for Children and Families (NCCF) is responsible for the vast majority of Maryland foster homes except for a small minority of foster homes serving Spanish-speaking children, which will be managed by the Latin American Youth Center (LAYC). The name of this reform is the *Temporary*

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<sup>10</sup> As discussed above, the number of youth in Out-of-Home care decreased from 1,549 youth in FY 2012 to 906 youth in FY 2017. Only 855 youth were being served in Out-of-Home care in the beginning of April 2018.

*Safe Haven Redesign* and at the budget oversight hearing, the Committee was informed that all the District children placed in Maryland were successfully transferred to NCCF.<sup>11</sup>

The Redesign will also provide foster parents with services and training to support children with severe mental, emotional, or behavioral health needs, instead of designating foster homes based on each of these categories of need. Furthermore, CFSA and its partners will begin measuring their standards against national practices to ensure the highest quality of delivery. The Agency has reported that the FY 2019 budget provides sufficient funding to implement the remaining elements of the redesign, and the Committee will be closely monitoring the transition.

### **3. Committee Recommendations**

#### **a. Fiscal Year 2019 Operating Budget Recommendations**

The Committee recommends **approval** of the Mayor’s proposed FY 2019 operating budget for the Child and Family Services Agency with the following changes:

#### **Local Funds**

1. *Reduce* CSG 11 (Regular Pay – Continuing Full Time) FTE Authority by 2 and by program as follows:
  - a. In Program 1000 (Agency Management), Activity 1010 (Personnel Services Activity), *reduce* CSG 11 by \$67,419
  - b. In Program 6000 (Policy and Planning), Activity 6020 (Planning and Data Analysis), *reduce* CSG 11 by \$87,657
2. *Reduce* CSG 14 (Fringe Benefits-Current Personnel) by \$37,683.47 and by program as follows:
  - a. In Program 1000 (Agency Management), Activity 1010 (Personnel Services Activity), *reduce* CSG 14 by \$16,382.82
  - b. In Program 6000 (Policy and Planning), Activity 6020 (Planning and Data Analysis), *reduce* CSG 14 by \$21,300.65
3. *Reduce* CSG 50 (Subsidies and Transfers) in the “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018” (B22-756) by \$2,169,598 and by program as follows:
  - a. In Program 4000 (Adoption and Guardian Subsidy Program), Activity 4011 (Guardianship Subsidy Activity), *reduce* CSG 50 by \$1,369,598
  - b. In Program 7000 (Clinical Practice), Activity 7020 (Well Being), *reduce* CSG 50 by \$300,000
  - c. In Program 8000 (Community Partnerships), Activity 8010 (Community-Partnership Services), *reduce* CSG 50 by \$500,000

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<sup>11</sup> Spanish-speaking children from the District that were placed through LAYC stayed with LAYC.

4. *Reduce* CSG 70 (Equipment and Equipment Rental) by \$30,000 and by program as follows:
  - a. In Program 1000 (Agency Management), Activity 1030 (Property Management Activity), *reduce* CSG 70 by \$30,000
5. *Increase* CSG 50 (Contractual Services – Other) by \$230,000 and by program as follows:
  - a. In Program 3000 (Community Services), Activity 3087 (Child Protective Services-Investigations), *increase* CSG 50 by \$130,000 for Safe Shores – The DC Children’s Advocacy Center
  - b. In program 8000 (Community Partnerships), Activity 8030 (Prevention Services), *increase* CSG 50 by \$100,000; to fund a contract for targeted legal interventions in matters involving, *inter alia*, child custody, child support, domestic violence, landlord-tenant issues, housing conditions, federally subsidized housing defense, and public benefits, from the current contract’s end date through the end of fiscal year 2019.

**b. Policy Recommendations**

1. The Committee recommends that CFSA be thoughtful in its redesign of the foster care program. To ensure the availability of diverse and appropriate placements, the agency should ensure that all eligible foster homes are prepared to take on youth that come into the care of the agency, including youth with higher care needs.
2. To facilitate continued improvement in placement stability, the agency should engage advocates early and often in the process of developing the new Comprehensive Child Welfare Information System. In particular, the Committee recommends that the Agency (1) expand the data inputs about youth and out-of-home care providers to ensure successful matches and (2) develop data inputs to be tracked in aggregate for all instances in which youth interact with the District’s child welfare system, including instances in which youth are diverted from out-of-home care.
3. It would also be in the best interest of the youth and children in CFSA’s care to maintain language access and cultural competency as a priority. These services are essential for youth in care as well as their parents and foster families. Maintaining LAYC as an out-of-home care service provider for Spanish-speaking youth placed in Maryland is an example of the type of thoughtfulness that we want the Agency to apply to all services provided to District youth and their families.

4. CFSA should continue to fully leverage all available federal resources and local funding to ensure the availability of robust primary prevention services. This includes proactively analyzing the challenges and opportunities associated with the Family First Act.
5. Finally, the Committee recommends that the Agency immediately start to participate in the bimonthly meetings of the Home Visiting Council.



## C. DEPARTMENT ON DISABILITY SERVICES

### 1. Agency Mission and Overview

The mission of the Department on Disability Services (“DDS”) is to provide innovative, high-quality services that enable people with disabilities to lead meaningful and productive lives as vital members of their families, schools, workplaces, and communities in every neighborhood in the District of Columbia.

DDS is composed of two administrations that oversee and coordinate services for residents with disabilities through a network of private and not-for-profit providers. The Developmental Disabilities Administration (“DDA”) ensures that residents with intellectual disabilities receive the services and supports they need to lead self-determined and valued lives in the community. DDA achieves this through the delivery of outreach and service coordination services; the development and management of a provider network delivering community residential, day, vocational, employment, and individual and family support services; and the operation of a comprehensive quality management program.

The Rehabilitation Services Administration (“RSA”) delivers vocational rehabilitation services focusing on employment and training activities that allow persons with disabilities to experience a greater quality of life by obtaining and sustaining employment, economic self-sufficiency, and independence. RSA provides employment marketing and placement services, vocational rehabilitation, inclusive business enterprises, and support for the D.C. Center for Independent Living. DDS also serves as the state agency for Social Security Disability Insurance determinations under the direction of the Social Security Administration.

DDS operates through the following 5 divisions:

**Developmental Disabilities Administration (“DDA”)** – provides individualized services, supports, and life planning to individuals with intellectual and developmental disabilities so that they may lead self-determined and valued lives in the community.

This division contains the following 3 activities:

1. **DDA Service Planning and Coordination** – provides services to qualified individuals by coordinating available resources and opportunities in the community through the development of Individual Service Plans (“ISPs”), advocating for quality services to promote healthy and productive lifestyles for each person, completing monitoring activities to ensure the delivery of services and supports, completing all intake activities for new applicants, and coordinating activities carried out in D.C. Superior Court;

2. **Quality Assurance** – examines and improves internal and external service delivery systems by conducting external provider reviews to ensure performance so that standards, federal and local regulations, quality frameworks issued by the Centers for

Medicare and Medicaid Services (“CMS”), national best practices, and court mandates are met. Quality Assurance also includes functional responsibility for incident management and enforcement, rights and advocacy, CMS and *Evans* performance analysis, and reporting and mortality review; and

3. **DDA Consumer Resources and Operations** – manages the human care provider network and administrative functions for DDA including budget compliance, service and billing authorization, and residential portfolio management; operates the Home and Community Based Services Waiver including provider enrollment, provision of technical assistance, and service authorization; and manages benefits and personal funds.

**Rehabilitation Services** – assists persons with physical, cognitive, and emotional disabilities to achieve a greater quality of life by obtaining and sustaining employment, economic self-sufficiency, and independence.

This division contains the following 4 activities:

1. **RSA Vocational Rehabilitation Services** – assesses, plans, develops, and provides vocational rehabilitation services to individuals with disabilities to enable them to prepare for, maintain, and advance in integrated, competitive employment; and provides services to businesses, including recruitment and job placement for people with disabilities and training for employers on issues related to hiring and maintaining employees with disabilities;

2. **RSA Blind and Visual Impairment Services** – provides services to people with disabilities to help them live as independently as possible in the community. Services include advocacy, independent living skills training, information and referral, peer support, and transition from secondary school to post-secondary activities and from nursing homes;

3. **Quality Assurance** – provides monitoring and compliance reviews of internal and external operations and agencies, ensuring that RSA customers received quality services that meet local and federal regulations; and

4. **RSA Operations** – manages the human care provider network that serves RSA clients, provides oversight to the Randolph Sheppard Vending Facility Program, and processes payments for service providers.

**Disability Determination Services** – administers Social Security Disability Insurance and Supplemental Security Income eligibility determinations in conjunction with the federal Social Security Administration.

**Agency Management** – provides for administrative support and the required tools to achieve operational and programmatic results. This division is standard for all agencies using performance-based budgeting.

**Agency Financial Operations** – provides comprehensive and efficient financial management services to, and on behalf of, District agencies so that the financial integrity of the District of Columbia is maintained. This division is standard for all agencies using performance-based budgeting.

## **2. Mayor’s Proposed Fiscal Year 2019 Operating Budget**

**Gross Funds:** The Mayor’s proposed FY2019 budget is \$173,042,808, an increase of \$4,887,000, or 2.9%, over the approved FY2018 budget. This funding supports 427.5 FTEs, a decrease of 1.0 FTEs, or 1.0%, from the approved FY2018 staffing level.

**Local Funds:** The proposed budget is \$123,842,000, an increase of \$7,231,000, or 6.2%, from the approved FY2018 budget. This funding supports 212.1 FTEs, an increase of 15.0, or 7.6%, from the approved FY2018 staffing level.

**Special Purpose Revenue Funds:** The proposed budget is \$7,300,000, a decrease of \$463,000, or 6.0%, over the approved FY2018 budget. No FTEs are supported with Special Purpose Revenue.

**Federal Grant Funds:** The proposed budget is \$31,062,000, a decrease of \$1,860,000, or 5.6%, over the approved FY2018 budget. This funding supports 183.4 FTEs, a decrease of 16.0 FTEs, or 8.0%, from the approved FY2018 budget.

**Federal Medicaid Payments:** The proposed budget is \$10,789,000, a decrease of \$21,000, or 0.2%, over the approved FY2018 budget. This funding supports 32.0 FTEs, a decrease of 3.5 FTEs, or 9.9%, over the approved FY2018 budget.

**Private Funds:** The proposed budget is \$0, which maintains the funding level in the approved FY2018 budget. No FTEs are supported with Private Funds, which maintains the level of Private Funds-supported staffing in the approved FY2018 budget.

**Intra-District Funds:** The proposed budget is \$50,000, which maintains the funding level in the approved FY2018 budget. No FTEs are supported with Intra-District Funds, which maintains the level of Intra-District Funds-supported staffing in the approved FY2018 budget.

### **Committee Analysis and Comments**

**Bill 22-154 – Disability Services Reform Amendment Act of 2018:** Bill 22-154 was initially introduced as the “Citizens with Intellectual Disabilities Civil Rights Restoration Act of 2017 on March 3, 2017. It was introduced by Chairman Mendelson at the request of the Mayor. Chairman Mendelson referred the bill to the Committee on Human Services for consideration on March 7, 2017. The Council passed the Disability Services Reform Amendment Act on February 6, 2018. The Mayor signed the bill, which was then transmitted to the U.S. Congress for review with a projected law date of May 12, 2018.

The purpose of Bill 22-154 is to maximize the decision-making abilities of persons with intellectual disabilities in the District, and to create a formal complaint process for those who receive services at DDS. Bill 22-154 does three things: (1) it eliminates involuntary civil commitment, (2) it establishes a supported decision-making credential, and (3) creates a suitable formal complaints process for persons receiving services from the Department on Disability Services.

The bill harmonizes the District with national best practices for disability services. Currently, all persons who are at least moderately intellectually disabled must be committed in order to receive residential services in a residential placement, which, except for four limited circumstances, must be funded through Medicaid. Bill 22-154 removes the commitment requirement for such persons.

Bill 22-154 increases the autonomy of persons with disabilities by creating a system of supported decision-making agreements. These agreements will largely formalize the relationships which the person already maintains, but having a formal agreement will increase the person's independence in two ways. First, creating a more flexible mechanism for assistance will tailor each person's supportive relationships to his or her actual needs. Second, centering decision-making capacity in the person with a disability to the greatest extent possible strengthens the independence of the person with a disability by allowing him or her to make as many decisions as possible and limiting assistance to where it is needed. Importantly, supported decision-making agreements are not a replacement for civil commitment; they are an alternative to guardianship.

At the public hearing on June 15, 2017, one common complaint about the provision of disability services was the lack of a grievance system within DDS to report and address problems of abuse or neglect in a formal manner without needing to initiate a lawsuit. Two advocates specifically pointed to the grievance system at the Department of Behavioral Health ("DBH") as a model for a grievance system at DDS. The final bill includes a comprehensive formal complaints process for persons receiving services from DDS. At the request of advocates, who prefer to be referred to as "person" rather than "individual," the Committee also made amendments throughout the Citizens with Intellectual Disabilities Constitutional Rights and Dignity Act of 1978 to change every reference to an "individual" with a disability to a "person" with a disability.

When the law goes into effect, DDS must take steps to come into conformance. DDS must issue rules to implement the provisions in the bill requiring the establishment of a formal complaints procedure, and the provisions in the bill creating a process for supported decision-making agreements. The Committee urges DDS to issue these rules as soon as possible, and within the timeline recommended by the law. The bill requires the Mayor to issue rules implementing provisions relating to formal complaints within 45 days after the effective date of the law. The bill does not specify a timeframe for the provision creating supported decision-making agreements, but the Committee urges the Agency to implement rules as soon as possible. The Committee intends to continue monitoring the status of these rules.

***Third-Party Residential Habitation Services Contractors:*** DDS provides residents of DC with intellectual disabilities various services, including subsidies for residential services. Most of these residential services are in the DC area. However, DDS has Human Care Agreements with providers outside of the DC area that provide specialized services to meet individuals' person-centered needs. One of these agreements, or contracts, is with Woods Services, a residential complex and treatment program in Langhorne, Pennsylvania. Woods provides residential habilitation services to five women who are supported by DDS. In October 2017, media reports found abuse and neglect to be pervasive at Woods Services.<sup>12</sup>

The Committee reached out to DDS and asked a series of questions about the Agency's oversight of Woods Services. DDS assured the Committee that, while concerning, the report was not applicable to the five women supported by the Agency. DDS assured the Committee that the most recent review of the facilitates did not raise any flags relating to the treatment of the five women.

DDS also stated that it requires contractors to abide by the Agency's policies and procedures, and that it regularly monitors the contractors to ensure compliance. The Committee also inquired about why these services need to be provided out of state and why the payments are not covered by Medicaid. DDS explained that this provider does not accept Medicaid. Additionally, DDS has determined that continuing care at this facility is in the best interest of the five women's long-term interests. This is because Woods Services is uniquely suited to meet the person-centered objectives in the individual service plans of the five women. These women are long-term residents who have received uninterrupted services from Woods for a significant period of time. For example, one of the women has lived at and received services from Woods for the last 38 years. Moving these high-needs individuals from what has become their home could prove to be detrimental to their wellbeing. The Committee was satisfied with DDS responses to its questions, but will continue to follow up on the status of this contract and others similar to it.

***Direct-Support Personnel Workforce Development Group:*** The Committee convened a working group to address the looming shortage of direct-support professionals in the disabilities services field, and the workforce recruitment challenges associated with this shortage. The working group is considering how the District can attract employees to this field, how the District is training the existing potential workforce of unemployed DC residents to prepare them for available jobs, and how the District can replace an aging population of workers as they move into retirement.

DDS – along with DOES, DHCF, the D.C. Coalition of Disabilities Services Providers, the Offices of Councilmembers Grosso and Silverman – is a part of the working group.

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<sup>12</sup> See Lisa W. Foderaro, *Abuse and Neglect Were Pervasive at Special Needs Center, Reports Says*, THE NEW YORK TIMES, October 30, 2017, <https://www.nytimes.com/2017/10/30/nyregion/woods-center-abuse-neglect-disability-rights-report.html>; and Harold Brubaker, *Reports: Abuse and neglect found Woods Services*, THE INQUIRER, October 30, 2017, <http://www.philly.com/philly/business/disturbing-abuse-neglect-woods-services-20171030.html>.

The Committee believes the agency will be an integral partner in reaching a solution. The working group has already met once, and there two more meetings that are yet to convene. The first session focused on identifying and understanding the issues. In the second session, we will discuss what steps need to be taken to address the issues. In the final session, we will discuss potential solutions. The Committee will work with DDS, and other partners, to find a legislative solution, as needed.

**3. Committee Recommendations**

**a. Fiscal Year 2019 Operating Budget Recommendations**

The Committee recommends **approval** of the Mayor’s proposed FY 2019 operating budget for the Child and Family Services Agency with the following changes:

*Local Fund*

*Reduce* CSG 50 (Subsidies and Transfers) in Program 6000 (Developmental Disabilities Administration), Activity 6035 (DDA Service Planning and Coordination) by \$1,816,164.67; fully offset by an enhancement from unspent fund balance in SPR Fund 611, Cost of Care Non-Medicaid Clients

*Special Purpose Revenue Fund*

*Increase* CSG 50 (Subsidies and Transfers) in Program 6000 (Developmental Disabilities Administration), Activity 6035 (DDA Service Planning and Coordination) by \$1,816,164.67; enhancement from SPR Fund 611, Cost of Care Non-Medicaid Clients-uses unspent fund balance

**b. Policy Recommendations**

1. The Committee maintains an interest in the successful implementation of the Disabilities Services Reform Amendment Act of 2018. The Committee recommends the Agency issue and implement rules required by the provisions pertaining to a formal complaints procedure, and supported decision-making agreements, in a timely manner. The Committee urges the Agency to implement the rules relating to the formal complaints process within the timeframe required by the law, or as soon as possible; and to implement the rules relating to supported decision-making agreements as soon as possible.
2. The Committee recommends the Agency conduct robust oversight of all third-party habitation service contractors to ensure that people receiving support from the Agency are not being neglected or mistreated. It is recommended that the Agency conduct annual review of these contractors to ensure safety of care receivers. The review should also consider if a consolidation of these services to fewer and more proximate service providers is possible and in the best interest of those receiving support. The Committee will review the oversight of these service providers

happening currently, and, if it is determined further oversight is needed, consider legislative solutions.

## D. DEPARTMENT OF HUMAN SERVICES

### 1. Agency Mission and Overview

The mission of the Department of Human Services (DHS), is to empower every District resident to reach their full potential by providing meaningful connections to work opportunities, economic assistance, and supportive services. The DHS operates through the following 3 programs:

**Economic Security Administration (ESA)** –determines eligibility and the amount of assistance for those receiving Temporary Assistance for Needy Families (TANF), Medical Assistance, Food Stamps, and the childcare subsidy; and helps low-income adults achieve self-sufficiency through employment and work-related activities. ESA also administers the Burial Assistance program, Interim Disability Assistance, and General Children’s Assistance. This division contains the following 11 activities:

- **Burial Assistance** – provides assistance to low-income families who need help with funeral expenses;
- **General Assistance for Children** – provides financial assistance to eligible individuals caring for unrelated children under the age of 18;
- **Interim Disability Assistance (IDA)** – provides temporary financial assistance to those who are unable to work due to a disability and who have a high probability of receiving federal Supplemental Security Income (SSI). IDA payments are issued until SSI eligibility is approved or denied, after which the IDA payment ends;
- **Temporary Assistance for Needy Families (TANF)** – provides social services and supports to achieve family preservation and economic self-sufficiency;
- **Cash Assistance (TANF)** – provides financial assistance to eligible individuals with children under the age of 19, so that they can meet their basic needs and transition to economic self-sufficiency;
- **Job Opportunity and Training (TANF)** – provides employment readiness, skill development training, and educational enrichment to eligible individuals so that they can be socially and economically self-reliant;
- **Supplemental Food Assistance (Local)** – provides locally funded food assistance to the District Supplemental Nutritional Assistance Program (SNAP) recipients; this assistance is provided to District residents who receive the minimum SNAP benefits to increase the food supplement;
- **Case Management** – provides diagnostic, evaluation, and plan development services to consumers, in order to determine the needs and plan the treatment



and other related services and supports needed. Coordinates treatment and services to remediate barriers to employment and assists with securing other financial supports, such as Program on Work Employment and Responsibility (POWER) and Supplemental Social Security Income (SSI). This activity includes the Office of Work Opportunity and the Food Stamp Employment and Training Programs;

- **Eligibility Determination Services** – provides program eligibility determination services to disadvantaged individuals of the District of Columbia for services for which they qualify;
- **Monitoring and Quality Assurance** – provides internal monitoring of ESA’s compliance with Federal and District laws and court orders. Addresses the accurate and timely determination of eligibility and administration of benefits; and
- **Early Education Subsidy Transfer** – provides funding to the Office of the State Superintendent of Education (OSSE) for subsidized child care for the children TANF-eligible families.

**Family Services Administration (FSA)** – helps homeless individuals and families, low-income people, adults at-risk for abuse or neglect, teenage parents, troubled families, and refugees to become gradually stable and fully self-sufficient through an array of social services, assessments, and case-management and crisis-intervention services. This division contains the following 10 activities:

- **Adult Protective Services (APS)** – investigates alleged abuse, neglect, self-neglect, and exploitation of frail elderly and disabled adults, and intervenes to protect vulnerable adults who are at risk;
- **Domestic Violence Services** – provides protection, emergency shelter, and crisis intervention services to victims of domestic violence so that they can seek immediate relief from harm;
- **Youth Services** – provides integrated services for youth including:
  1. **Alternatives to the Court Experience** – Provides comprehensive services to youth formally diverted by the District’s juvenile justice entities (MPD, OAG, and CSS) for truancy and low-level delinquency offenses;
  2. **Parent and Adolescent Support Services** – provides intensive case management and/or in-home family counseling services to youth who have committed status offenses, namely truancy, running away, and extreme disobedience at home;

3. **Teen Parent Assessment Program**– provides services to teen parents who are receiving their own TANF grants, with the goal of ensuring full participation in their educational programs to move toward self-sufficiency; and
  4. **Youth Homeless Services** – provides coordinated entry and comprehensive services (shelter and transitional housing beds, street outreach, and drop-in centers) to youth aged 24 and under who are at risk for or experiencing homelessness.
- **Homeless Services Continuum (Families)** – services include intake at the Virginia Williams Family Resource Center, crisis intervention and prevention, emergency and temporary shelter, transitional housing, rapid rehousing, and permanent supportive housing for families in the District of Columbia who are homeless or at risk of homelessness;
  - **Homeless Services Continuum (Individuals)** – services include outreach and coordinated entry, crisis intervention and prevention, services targeted to Veterans, day center, low barrier shelter, temporary shelter, transitional housing, rapid rehousing, and permanent supportive housing to individuals in the District of Columbia who are homeless or at risk of homelessness;
  - **Homeless Services Continuum (General)** – provides security, food, management, emergency rental assistance, housing navigation, fixed costs (for shelter and housing facilities), supplies, equipment, and administrative support for the activities listed under the Homeless Services Continuum;
  - **Refugee Resettlement Program** – provides social services, cash, and medical assistance to eligible refugees and their families through sub-grant arrangements with community-based non-profit agencies;
  - **Strong Families Program** – provides comprehensive service delivery through case management and support services to families who are experiencing significant social, emotional, or other crises in order to deescalate and help stabilize the family;
  - **Community Services Block Grant** – provides assistance to low-income residents through a network of community action agencies and other neighborhood-based organizations in order to reduce poverty, revitalize low-income communities, and empower low-income families and individuals to become self-reliant; and
  - **Subsidy Transfer** – provides child care benefits for low-income families.

**Agency Management/Office of the Director** – provides executive management, policy direction, strategic and financial planning, human capital management, information technology, capital programs, legislative and community relations, and performance management. The Office of Program Review, Monitoring, and Investigation includes agency risk management, fraud investigation, homeless shelter monitoring, and a quality control division.

## **2. Mayor’s Proposed Fiscal Year 2019 Operating Budget**

### **Proposed Operating Budget Summary**

**Gross Funds:** The proposed budget is \$557,244,374, a decrease of \$362,973, or 0.1%, from the approved FY2018 budget. This funding supports 1,337.7 FTEs, an increase of 89.2 FTEs, or 7.1%, from the FY2018 approved level.

**Local Funds:** The proposed budget is \$382,982,000, an increase of \$17,714,000, or 4.8%, from the approved FY2018 budget. This funding supports 696.1 FTEs, an increase of 82.7 FTEs, or 13.5%, from the FY2018 approved level.

**Special Purpose Revenue Funds:** The proposed budget is \$1,032,000, a decrease of \$768,000, or 42.6%, from the approved FY2018 budget. This funding supports no FTEs, a decrease of 2.0 FTEs or 100% from the FY2018 approved level.

**Total Federal Resources:** The total proposed budget is \$170,305,000, a decrease of \$17,366,000 or 9.3% from the FY2018 approved budget. This funding supports 620.6 FTEs, an increase of 8.5 FTEs or 1.4% from the FY2018 approved level.

**Federal Payments:** There is no proposed budget, which represents no change from the FY2018 approved budget. No FTEs are supported with this funding.

**Federal Grant Funds:** The proposed budget is \$152,925,000, a decrease of \$3,497,000, or 2.2%, from the FY2018 approved budget. This funding supports 429.2 FTEs, an increase of 28.4 FTEs, or 7.1%, from the FY2018 approved level.

**Federal Medicaid Payments:** The proposed budget is \$17,381,000, a decrease of \$13,869,000, or 44.4%, from the FY2018 approved budget. This funding supports 191.5 FTEs, a decrease of 19.8 FTEs or 9.4% from the FY2018 approved level.

**Intra-District Funds:** The proposed budget is \$2,924,000, an increase of \$57,000, or 2.0%, from the FY2018 approved budget. This funding supports 21.0 FTEs, which maintains the FY2018 approved level.

## Committee Analysis and Comments

***Homeward DC:*** The Mayor’s proposed FY2019 budget maintains the strategic investments made since FY2016, and includes increased investments to further the District’s Strategic Plan to End Homelessness, *Homeward DC*. Specifically, the proposed budget includes more than \$23 million for new housing solutions, prevention and diversion services, and a 24-hour Drop-In Center for youth. More specifically, new investments include \$2 million for 100 new units of targeted affordable housing (TAH) for families and \$1.3 million for 70 new units for individuals; \$1.6 million for 50 new units of permanent supportive housing (PSH) with services for families and \$6 million for 250 new units for individuals; and \$6.6 million for 100 new units of rapid rehousing (RRH) assistance for families and \$1 million for 100 new units for individuals.

At the agency’s budget oversight hearing, Director Zeilinger testified that there are 642 families in emergency shelter today compared to 1,055 at this time two years ago.<sup>13</sup> This represents a reduction of almost 40 percent. The director further noted that the imminent closure and replacement of DC General will result in dramatic improvements to the experience families confront when in need of emergency shelter.<sup>14</sup> With this, the proposed budget indicates a one-time reduction of \$10.5 million for hotels. Director Zeilinger clarified that it costs more to run DC General than hotels. Accordingly, the savings from the closure will be reallocated, as needed. Also, the agency continues its decreased reliance on hotels as demonstrated in recent years. Finally, there will be swing space available at a location in Southeast. To this end, there is an emphasis on connecting families to housing opportunities specific to their needs as well as development around coordinated housing placement and progressive engagement. In order to achieve this goal, there will be reliance on a variety of housing solutions, including RRH for families.

It is the belief of the agency that RRH is a necessary tool which allows for an assessment and tailoring of services for families with housing as a platform.<sup>15</sup> Certainly, such a housing option is not best suited for everyone. While some feel it is overly relied upon in need of right-sizing, the agency consistently pushes back on this charge, highlighting the usefulness of RRH as a single option amongst others. The continued investment in RRH has proven disconcerting to those who would rather see an immediate shift to a more robust investment in TAH or PSH. To this end, the Committee agrees that both TAH and PSH require additional resources.

In light of the aforementioned shortages, the Committee will transfer an additional \$597,300 in funding for PSH for individuals (approximately 25 units) and an additional \$214,416 in funding for TAH for individuals (approximately 12 units) to the DC Housing Authority. The Committee encourages the Council to work together to address the remaining FY2019 funding gaps, particularly as related to housing for families. Further, the Committee emphasizes that in filling this gap, the Council take into consideration

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<sup>13</sup> *FY19 Budget Oversight Hearing: Department of Human Services*. Written testimony of Laura Zeilinger, Director, Department of Human Services. April 12, 2018.

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

potential capacity limitations for the agency, service providers, as well as the market itself. All three facets of the system must work in tandem for truly successful outcomes.

***Comprehensive Plan to End Youth Homelessness:*** As part of the Interagency Council on Homelessness (ICH) working group and in partnership with community stakeholders, the agency developed and the ICH adopted the District’s first-ever comprehensive plan to end youth homelessness—*Solid Foundations DC: Strategic Plan to Prevent and End Youth Homelessness* (“Youth Plan”).<sup>16</sup> The Youth Plan complements *Homeward DC*, which addresses homelessness amongst adults and families. Last year, the Committee filled a \$3.3 million gap in funding to fully implement Year 1 of the Youth Plan. This allotment provided for additional beds, PSH units, housing slots, and Aftercare slots.

In order to move forward with Year 2 of the Youth Plan, the proposed budget in FY19 includes \$1.75 million in new investments, including \$500,000 for a 24-hour Drop-In Center, \$660,000 for crisis shelter beds for Transition-Aged Youth, \$250,000 for five additional transitional housing beds and \$300,000 for ten PSH units with supportive services. The proposed budget also adds \$1.35 million to continue the aforementioned FY18 investments made by the Council. Even with the major enhancements, which the Committee highly values, concerned stakeholders testified to the critical needs that remain in order to more effectively work towards the goal of ending youth homelessness. With this, the Committee allocates \$300,000 in order to provide wraparound services at the Drop-In Center, including the provision of medical, dental, and behavioral health services onsite. This will promote relationship-building between the youth and providers as well as alleviate the burden of traversing the city to access various services at scattered locations. Further, \$720,000 is allocated to fund 16 additional transitional housing beds and \$210,000 for 7 additional PSH units with services.

***Emergency Rental Assistance Program (ERAP):*** The Mayor’s intention in the proposed budget was to reduce the ERAP program by \$1.765 million. Of this amount, \$765,000 represents a one-time enhancement allotted by the Council in the FY18 budget. The remaining \$1 million is a further cut from the FY18 Mayor’s proposed budget of \$6.5 million. Due to a drafting error, however, ERAP was reduced by \$588,660 instead. Through the Mayor’s errata letter, it was recommended that, to correct this error, ERAP should be reduced by \$1 million and transferred in the following manner: \$600,000 added to the FY18 budget within the Department of Forensic Sciences; \$100,000 to the Department of Motor Vehicles; and \$300,000 to budget of the Metropolitan Police Department. The Committee rejects this recommendation outright.

In FY17, 93 ERAP requests were denied due to a lack of funding. Even still, the budget was reduced in FY18, and further still in the FY19 proposal. The justification for the continued reduction in ERAP is that there are more efficient and effective ways to combat homelessness. At the budget oversight hearing, Director Zeilinger testified that many clients utilize ERAP repeatedly, citing that 73 percent of applicants have received

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<sup>16</sup> *Solid Foundations DC: Comprehensive Plan to End Youth Homelessness*. Available at [https://ich.dc.gov/sites/default/files/dc/sites/ich/page\\_content/attachments/Solid%20Foundations%20DC%20web%201.5.pdf](https://ich.dc.gov/sites/default/files/dc/sites/ich/page_content/attachments/Solid%20Foundations%20DC%20web%201.5.pdf)

ERAP funds three times in the last ten years.<sup>17</sup> Further, the director indicated that 25 percent of ERAP applicants are District of Columbia Housing Authority (DCHA) clients, arguing that there are other ways to address DCHA clients without using ERAP.<sup>18</sup> The suggestion being that a referral to prevention programs would be a sounder practice. It is clear the agency would like to prioritize resources for those who do not receive other housing assistance supports.

Under recently revised proposed regulations that are meant to clarify other types of assistance, Director Zeilinger predicted there may be more denials- but not necessarily due to a lack of funding. The guiding principles for the revisions include, a focus on ERAP for one-time housing emergencies; redirection of families who experience repeat visits to deeper intervention that align with the deeper need; continued service to same number of families; investment in programs that provide the best cost-to-outcome ratio; and proactive communications to clients and stakeholders. The goal is to implement the revised regulations at the beginning of FY19, preceded by a Community Review Process in Summer 2018.

The Committee appreciates a focus on more targeted and sustainable support to households at risk of homelessness, the increased investments to the Homeless Prevention Programs, as well as the expanded use of Local Rent Supplement Program (LRSP) funds to include coverage of application fees and security deposits. It is not the Committee's understanding, however, that the expanded inclusion of LRSP is a dollar for dollar match to the ERAP reduction. The reduction overall seems to be aspirational, leading to preemptive right-sizing, in that the previously discussed measures should theoretically result in less reliance on ERAP. To that end, the Committee hopes the agency's estimations are correct. Until that is clearly demonstrated, however, ERAP should not be reduced when the continued need is undeniable. With this, the Committee is allocating \$624,029 to ERAP, restoring the budget to FY18 levels plus an additional \$35,000.

***Interim Disability Assistance (IDA):*** IDA provides temporary cash benefits to adults with disabilities who have applied for federal disability benefits (Supplementary Security Income- SSI) but are awaiting eligibility determination. Once an applicant is approved for SSI, the federal government reimburses the District for the IDA benefit the individual received. These reimbursement dollars are critical as it supports the programs annual budget, and unspent funds are put into the SSI Payback Fund. The payback dollars provide benefits for future IDA applicants. In past years, however, funds were transferred out of the SSI Payback Fund for other purposes. This is coupled with the fact that the wait-time for federal benefit determination has dramatically increased in recent year, from 350 days in 2012, to almost 600 days in 2017.<sup>19</sup> It is estimated that 415 fewer residents will receive benefits in FY19 than in FY18.<sup>20</sup>

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<sup>17</sup> *Id.* at fn. 1.

<sup>18</sup> *Id.*

<sup>19</sup> *FY19 Budget Oversight Hearing: Department of Human Services.* Written testimony of Kate Coventry, Senior Policy Analyst, DC Fiscal Policy Institute. April 12, 2018.

<sup>20</sup> *Id.*

The Committee considers IDA to be a form of upstream assistance. Though the benefit itself can be modest, in practice it provides a vital lifeline for an already compromised population. Basic needs can otherwise be met and possibly prevent homelessness itself. With this, the Committee allocates \$1,000,000 to IDA.

***Implementation of Extended TANF Benefits:*** It was a long-term goal of the agency to develop a policy for customers who have been on TANF for more than 60 months. In addition to the agency's own analysis and findings in national studies, DHS convened a TANF Working Group in Summer 2016. This Working Group consisted of customers, advocates, providers, DC Councilmembers, and agency representatives. Over the span of two months, the Working Group addressed the following questions: (1) Which families should continue to receive TANF assistance past 60 months; (2) What amount of assistance should be provided and for what length of time; and (3) What conditions and requirements should be in place in order to continue receiving assistance beyond 60 months?<sup>21</sup> All working group members recommended a policy that was two-generational, incentivizing work participation for the heads of household while also keeping appropriate resources in the household to support the children.<sup>22</sup>

To this end, the Mayor's proposed budget for FY18 allocated \$8.1 million toward a policy that would eliminate the 60-month lifetime limit for benefits and instead provide a blended TANF grant representing a Child Enrichment Grant and a Parent Engagement Grant. Each grant would represent 50 percent of the total benefit. The Child Enrichment Grant would be provided regardless of parental engagement. The Parent Engagement Grant would be subject to work participation and sanction policies which could ultimately eliminate the parental grant altogether.

The Committee diverged on how much of the full TANF benefit should be dedicated to children and to what extent the agency should apply sanctions for non-participation. Ultimately, the Committee opted for an 80/20, preserving most of the benefit for the needs of the children, while the head of household is incentivized to earn the remainder of the full benefit through TANF programming. To support this amended policy, the Committee allocated an additional \$2.2 million to TANF programming as administered by the agency.

The funds utilized in FY18, to date, were to prepare the agency for full implementation, with the new benefit structure beginning on April 1, 2018. By all accounts, the transition was seamless and additional funds are anticipated in the next fiscal year. The Mayor's proposed FY19 budget allocated \$19.7 million in new investments, fully funding the policy, as well as a cost of living adjustment for families. Further, the agency will be

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<sup>21</sup> Barbara Poppe and Associates, DC Department of Human Services, Economic Security Administration. *Recommendations for Development of a TANF Hardship Extension Policy for Washington, DC*. Oct. 18, 2016. Available at:

<https://dhs.dc.gov/sites/default/files/dc/sites/dhs/publication/attachments/TANF%20Hardship%20Report.pdf>.

<sup>22</sup> *Id.* at p. 5.

enhancing services offered to families, shifting focus from basic job placement to career development. Resultingly, new performance-based contract in the TANF Employment Program (TEP) will reward vendors and customers for, amongst other milestones, completing education, training, and employment goals. Finally, the agency plans to work with the Urban Institute and Yale University to evaluate the policy's impact on child well-being and parent outcomes.

The Committee appreciates DHS' earlier and continued partnership in TANF reform. It fully supports the enhanced investments in the program and looks forward to what it hopes are better outcomes for children and parents.

***Domestic Violence:*** In January 2018, the Women's Taskforce of the Interagency Council on Homelessness released a report their Women's Needs Assessment Report.<sup>23</sup> The report is intended to, amongst other things, strengthen collaborations in the homeless and domestic violence systems and aid the District's efforts to focus resources more appropriately. Among many important findings, the report concluded that, "Nearly one-third of women in the study indicate that violence is the cause of their homelessness or housing instability."<sup>24</sup> Worth noting is that this represents almost three times the rate reported in the 2017 Point-in-Time Count.<sup>25</sup>

DHS plays a vital role in the District's ability to safely house survivors by funding domestic violence emergency shelters, transitional housing, counseling, and case management services. The entry point at the Virginia Williams Family Resource Center is a critical component of accessing services for families experiencing homelessness in the District. Previously, DHS provided funding for one trauma-informed Domestic Violence Community Housing Coordinator to be on-site at Virginia Williams. Due to service demands, the Committee allocated funds for a second coordinator of this kind who operated through a contract. The new staffer, employed by the District Alliance for Safe Housing (DASH), began in April 2018 with the contract ending at the end of this fiscal year on September 30, 2018. Fortunately, at the budget oversight hearing, Director Zeilinger spoke to the agency's support for this additional coordinator and indicated a commitment to securing funds for their continued service in FY19.

In further supporting this particularly vulnerable population, advocates expressed interest in domestic violence-specific transitional housing and shelter. They also support the creation of a flexible funding program that would aid survivors by paying for emergency expenses, including first month's rent or car repair. To this end, Director Zeilinger testified that the needs of domestic violence survivors are already being met. The agency's belief is that, if anything, there is a need for better assessment tools, not specific housing. Further, the director stated that it is harder to find matches for domestic violence-specific housing, thus, it is less efficient to fill. Finally, the director stated the Homeless Prevention Programs provide the type of flexible funding requested.

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<sup>23</sup> 2017 Women's Needs Assessment Report. The Women's Task Force of the District of Columbia Interagency Council on Homelessness.

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*



The Committee finds it unfortunate that there seems to be such a disconnect between the agency and advocates. While the aforementioned report was meant to offer guidance, it is apparent that it is being interpreted and digested quite differently by relevant stakeholders. While the Committee is unable to allocate funds to specific requests as outlined, it would support any contributions that can be made beyond the committee markup process.

***D.C. Healthcare Alliance Program Recertification:*** Last year, the Committee applauded the efforts of DHS to promote access to the Alliance program through new business process improvements and training of new English-Spanish bilingual ESA workers. Despite these efforts to make improvements, however, there were still exceedingly long lines, and visitors to ESA stations frequently lined up hours before the stations open in order to be seen. In opposition to recertification interviews taking place in community health organizations, Director Zeilinger indicated that ESA provides out-station field workers at twelve locations, including five which have an out-station worker five days per week. These field workers may process the Alliance recertification in addition to other ESA-related work. To supplement these out-station efforts to process Alliance recertification, the Committee reallocated three new FTEs for eligibility determination services in its FY18 budget report.

Since that time, Chairperson Nadeau’s bill, the “DC Healthcare Alliance Program Recertification Simplification Amendment Act of 2017,”<sup>26</sup> came back unsigned by the Mayor. Accordingly, the Mayor’s proposed budget does not include any funding to address the still broken Alliance recertification process. This piece of legislation would allow Alliance recipients to complete one bi-annual recertification interview by phone rather in-person at the service centers. Further, under two incorporated amendments, applicants who are hospitalized, disabled, or elderly are exempt from any required face-to-face interview and an annual reporting requirement was established to ensure the Council and public have access to clear and consistent data regarding the impact of Alliance’s eligibility procedures.<sup>27</sup>

The Committee continues to support full funding of this law, which has a not-insignificant cost of over \$30 million. While the Committee cannot allocate full funding on its own, it allocates \$200,000 toward funding certain portions of the annual reporting requirement provision of the law.<sup>28</sup> In addition, the Committee amends the applicability clause to ensure the face-to-face interview exemption under certain circumstances, which has no cost, can move forward now that the law is in effect.

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<sup>26</sup> D.C. Law 22-0035, effective December 13, 2017.

<sup>27</sup> *Id.*

<sup>28</sup> See Updated Fiscal Impact Statement in reference to Bill 22-194, Engrossed Bill that passed first vote on September 19, 2017. Available at <http://lims.dccouncil.us/Download/37695/B22-0194-Fiscal-Impact-Statement3.pdf>

### **3. Mayor’s Proposed Fiscal Year 2019-2024 Capital Budget**

#### **Proposed Capital Budget Summary**

The Mayor’s Fiscal Year 2019-2024 proposed capital budget includes the following proposals for the Department of Human Services:

***Short-Term Family Housing:*** In furtherance of the closure and replacement of DC General, the proposed capital budget includes an additional \$33 million to build 35 units of apartment-style Short-Term Family Housing (STFH), 15 units of PSH for seniors as well as upgrades to the Rita Bright Youth and Family Center in Ward 1. Further, the capital budget includes \$30.3 million to complete the STFH buildings in Wards 3, 5, and 6.

***Permanent Supportive Housing:*** The capital budget includes \$28 million to support the construction of 50 units of PSH for senior women. The site-based PSH will provides housing to a cohort of women who are currently residing at the Harriet Tubman Shelter and have been for a lengthy amount of time. These women have indicated that their preference would be to avoid entering scattered site housing, opting instead for a single building or site.

***Emergency Shelter Response System for Individuals:*** The capital budget includes \$74 million to upgrade, rehabilitate, and replace the District’s emergency shelter capacity for individuals. This total accounts for upgrades at Emery and Blair Men’s Shelters; rehabilitation of the New York Avenue Men’s Shelter; a complete replacement of the 801 East Men’s Shelter; and critical upgrades at various low barrier shelter sites including roof replacement at 1131 Spring Road Men’s Shelter and the installation of back-up generators at two sites.

#### **Committee Analysis and Comments**

The Committee supports the existing capital budget allotments as well as the enhancements for the Department of Human Services. Understandably, for some time the focus was on boosting housing options and prevention programming in the District – but it came at a cost in funds and attention to the ever-crumbling shelter system. This capital budget signals meaningful improvements to the system that will, hopefully, reduce encampments while providing dignified shelter space for those in need.

The Committee also applauds the continued work towards completion of the STFH sites and looks forward to the opening of the programs in Wards 4, 7, and 8 in Fall 2018. At the agency’s budget oversight hearing, Chairperson Nadeau asked several pointed questions regarding spending plans and timelines for completion. While Director Zeilinger was unable to fully respond at the time, she consulted with the Department of General Services (DGS) and followed up with a letter. The Director noted, in relevant part, “Both DHS and DGS share [Chairperson Nadeau’s] commitment to ensuring that these new Short-term Family Housing programs open on time and within budget – and

we continue to work with urgency to deliver on this commitment.”<sup>29</sup> In total, the Committee found the responses to be satisfactorily responsive and will continue to monitor progress moving forward.

#### **4. Committee Recommendations**

##### **a. Fiscal Year 2019 Operating Budget Recommendations**

The Committee recommends **approval** of the Mayor’s proposed FY 2019 operating budget for the Department of Human Services with the following changes:

##### **Local Funds**

1. *Reduce* CSG 11 (Regular Pay – Continuing Full Time) FTE Authority by 4, a reduction of \$263,504.19, and by program as follows:
  - a. In Program 100F (Agency Financial Operations), Activity 120F (Accounting Operations), *reduce* CSG 11 by 1 FTE, a reduction of \$77,702.25
  - b. In Program 100F (Agency Financial Operations), Activity 120F (Accounting Operations), *reduce* CSG 11 by 1 FTE, a reduction of \$36,066.94 from B22-756, “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”
  - c. In Program 2000 (Economic Security Administration), Activity 2040 (Eligibility Determination Services), *reduce* CSG 11 by 2 FTEs, a reduction of \$149,735
2. *Reduce* CSG 12 (Regular Pay - Other) FTE Authority by 1, a reduction of \$36,456.43, in Program 2000 (Economic Security Administration), Activity 2013 (Interim Disability Assistance) from B22-756, “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”
3. *Reduce* CSG 14 (Fringe Benefits – Current Personnel) by \$79,041.65 and by program as follows:
  - a. In Program 100F (Agency Financial Operations), Activity 120F (Accounting Operations), *reduce* CSG 14 by \$19,503.26
  - b. In Program 100F (Agency Financial Operations), Activity 120F (Accounting Operations), *reduce* CSG 14 by \$12,345.06 from B22-756, “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”
  - c. In Program 2000 (Economic Security Administration), Activity 2013 (Interim Disability Assistance), *reduce* CSG 14 by \$9,296.39 from B22-

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<sup>29</sup> Letter from Laura Zeilinger, Director, DC Department of Human Services, to Councilmember Brianne K. Nadeau, Committee on Human Services Chair, DC Council of the District of Columbia (on file with the Committee on Human Services).

756, “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”

- d. In Program 2000 (Economic Security Administration), Activity 2040 (Eligibility Determination Services), *reduce* CSG 14 by \$37,896.94
4. *Reduce* CSG 40 (Other Services and Charges) by \$76,000 and by program as follows:
  - a. In Program 2000 (Economic Security Administration), Activity 2030 (Case Management), *reduce* CSG 40 by \$31,000 from B22-756, “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”
  - b. In Program 2000 (Economic Security Administration), Activity 2040 (Eligibility Determination Services), *reduce* CSG 40 by \$45,000 from B22-756, “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”
5. *Reduce* CSG 41 (Contractual Services – Other) by \$12,000 and by program as follows:
  - a. In Program 1000 (Agency Management), Activity 1010 (Personnel), *reduce* CSG 41 by \$9,000 from B22-756, “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”
  - b. In Program 2000 (Economic Security Administration, Activity 2040 (Eligibility Determination Services), *reduce* CSG 41 by \$3,000 from B22-756, “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018”
6. *Increase* CSG 41 (Contractual Services – Other) by \$200,000 in Program 2000 (Economic Security Administration), Activity 2040 (Eligibility Determination Services); to fund the BSA subtitle, “Applicability Clause to the DC Healthcare Alliance Recertification Simplification Amendment Act of 2018”. Sections 7c and 7d(a) may now be implemented.
7. *Increase* CSG 50 (Subsidies and Transfers) by \$2,631,797 and by program as follows:
  - a. In Program 2000 (Economic Security Administration), Activity 2011 (Burial Assistance), *increase* CSG 50 by \$110,000; to enhance burial assistance on a recurring basis, better aligning the fund with the increased maximum per family allotment as established under the BSA subtitle, “Burial Assistance Program Increase Amendment Act of 2018”
  - b. In Program 2000 (Economic Security Administration), Activity 2013 (Interim Disability Assistance), *increase* CSG 50 by \$1,000,000; to enhance the program on a one-time basis to serve a greater number of clients in FY19
  - c. In Program 5000 (Family Services), Activity 5022 (Youth Services), *increase* CSG 50 by \$705,000; to provide 13 transitional housing beds for youth experiencing homelessness (\$585,000) and to provide 4 Permanent Supportive Housing units for youth experiencing homelessness (\$120,000)

- d. In Program 5000 (Family Services), Activity 5038 (Homeless Services Continuum- Individuals) *increase* CSG 50 by \$192,768; to provide enhancement for the services associated with 25 units of Permanent Supportive Housing for individuals experiencing homelessness
  - e. In Program 5000 (Family Services), Activity 5039 (Homeless Services Continuum- General), *increase* CSG 50 by \$624,029; to enhance one-time funding for ERAP and reverse the Mayor’s proposed FY19 reduction of \$588,660
8. *Accept* \$300,000 in one-time dollars from the Committee on Education to fund the addition of certain wraparound services at the youth 24-hour Drop-In Center
  9. *Accept* \$225,000 in recurring dollars from the Committee on Education to fund 3 additional units of Permanent Supportive Housing for youth experiencing homelessness (\$90,000) and 3 additional units of transitional housing beds for youth experiencing homelessness (\$135,000)

**b. Fiscal Year 2018 Capital Budget Recommendations**

The Committee recommends approval of the FY2019-2024 capital budget for the Department of Human Services as proposed by the Mayor.

**c. Policy Recommendations**

1. The Committee has heard from several concerned stakeholders that there simply is not enough data revolving around RRH for families. This is concerning particularly considering the contentiousness of the program. With this, the Committee recommends more robust data collection for families in the program. This exercise should go beyond a determination that the family has not reentered the homeless shelter system. While this is certainly one metric for “success,” it by no means represents the universe of possibilities.
2. Over the past several fiscal years, the agency has made clear their belief that ERAP is a misused program. While the Committee appreciates the proactive initiatives and budgeting in prevention programming and LRSP to better target ERAP funds, it would also prefer that DHS confirm the success of alternative solutions before reducing ERAP funding. To this end, the Committee recommends data collection and tracking of those who are serviced through prevention programs or LRSP, particularly when those individuals would have otherwise applied for and received ERAP. The Committee would like to see the proof that redirected clients can otherwise be successfully aided so as to confirm that ERAP reductions are indeed justified and in no way detrimental.

3. The Committee recommends further consideration of a Downtown Services Center which would be open 7 days a week. The \$2 million enhancement for day services is certainly a step in the right direction but this may be in service of both Anacostia and downtown. The Committee has heard consistently from stakeholders that the preference is to have a centrally located service site and, while there may be some level of need in Anacostia, it does not seem to rise to the level of need downtown. Further, if both areas are to be bolstered, it seems additional funding would be required. Once a plan is finalized, the Committee hopes there is an allocation of additional resources, as needed.

## **E. DEPARTMENT OF YOUTH REHABILITATION SERVICES**

### **1. Agency Mission and Overview**

The mission of the Department of Youth Rehabilitation Services (DYRS) is to improve public safety and give court-involved youth the opportunity to become more productive citizens by building on the strengths of youth and their families in the least restrictive, most home-like environment consistent with public safety.

In their efforts to successfully reunite committed youth with their families and the public, DYRS focuses on empowering court-involved young people and fostering accountability to their communities. DYRS is the local juvenile justice agency responsible for providing safe and stable secure residential and community-based programs to court-involved youth. Programming targeting committed youth is designed to expand opportunities to youth so that they can become more productive citizens and to reduce delinquent behavior. DYRS also provides detention and shelter services to detained youth who are placed by court order from the Superior Court of the District of Columbia.

The Department of Youth Rehabilitation Services operates through the following 3 divisions:

**Office of the Director-** provides executive leadership, direction and administration of agency-wide comprehensive services and programs including development and deployment of resources for agency operations and service delivery, direct reporting from internal integrity, general counsel, communications and inter/intra-governmental affairs to align the district and agency's strategies and achieve DYRS' goals.

This division contains the following 5 activities:

- **The Office of the Director** – provides executive leadership, direction and administration of agency-wide comprehensive services and programs to align the district and agency's strategies and achieve DYRS' goals;
- **Office the Chief of Staff** – provides senior-level coordination for planning organizing and developing agency policies, regulations, directives and procedures;
- **Communications and Public Affairs** – manages the agency's communications and public relations activities, including maintaining liaison with the Mayor's Office, District Council, members of the news media, advocates, community groups, and the public, while producing internal and external communications material and overseeing content on the agency website and social media;

- **Office of Internal Integrity** – takes responsibility for swift and competent internal investigations into allegations and indications of unprofessional and unlawful conduct by employees or contractors of the Department. Convenes and conducts disciplinary hearings at the New Beginnings Youth Development Center and the Youth Services Center for youth who have been administratively charged with major violations of the Comprehensive Disciplinary Code and served a Notice of Disciplinary Hearing, and
- **Office of the General Counsel**- responsible for reviewing legal matters pertaining to the agency and its programs, analyzing existing or proposed federal or local legislation and rules, managing the development of new legislation and rules, and coordinating legal services to the agency.

**Youth and Family Programs** – provides Community Services for court-ordered youth (including Supervised Independent Living Programs, Extended Family Homes, Residential treatment Facilities and Therapeutic Foster Care). Provides custodial care, supervision, services, support, and opportunities to youth committed to the care and custody of DYRS and care and custody of youth awaiting court processing who are placed in the secure detention facility (Youth Services Center) or shelter care by the Superior Court of the District of Columbia.

This division contains the following 5 activities:

- **Deputy Director for Youth Programs** – provides supervision and administrative support to youth and family empowerment, youth development services, residential programs, and health services administration to assure DYRS goals are met;
- **Youth and Family Empowerment** – ensures delivery of vital community-based support services and programs including DC YouthLink, workforce training, job placement services, educational support, electronic monitoring and community engagement focused on coordinating family outreach programming, parent support groups, parent orientations, and family engagement events, performance management and improvement;
- **Youth Development Services** – provides individualized case and care planning management and monitoring for all DYRS youth and families, including Pre-Dispositional Plan development and Youth Family Team meeting facilitation services;
- **Secure Programs and Services** – provides management oversight, supervision and administrative support to assure DYRS goals are met as related to detained and committed populations while managing all referrals to contracted residential services and tracks the utilization of contracted programs and services to inform planning and



resource allocation. Residential program staff is responsible for providing short term care in secure custody at the Youth Services Center for youth awaiting adjudication, disposition, or transfer to another facility. Youth Services Center provides 24-hour custody, care and supervision, and programs to support the basic physical, emotional, religious, educational and social needs for juveniles in secure custody. The New Beginnings Youth Development Center, located in Laurel, Maryland, provides 24-hour supervision, custody and care, including educational, recreational and workforce development services. The facility's six twelve-month rehabilitation program, modeled after the acclaimed Missouri Approach, services the most serious and chronic young offenders. The program prepares youth for community reintegration in the least restrictive environment consistent with public safety grounded in the principles of positive youth development and guided peer interaction that promote youth rehabilitation, and

- **Health and Wellness Services** – provides acute care services, immunizations, health and wellness education, behavioral health services, preventative and comprehensive medical services to all DYRS youth in secure care.

**Agency Management** – provides for supervision and administrative support to personnel services, training and professional development, risk management, contract compliance, information services, and research and evaluation functions to assure the achievement of operation and programmatic results.

This division contains the following 8 activities:

- **Personnel** – provides supervision and administrative support to ensure staffing goals are met and maintain in compliance with all applicable mandates, decrees and in line with District and Federal staffing and employment laws; and
- **Training** – supports the agency's mission by offering services to support the training and professional development of the agency's human capital resources; and
- **Contract Monitoring and Compliance** – ensures the timely delivery of quality community-based and residential services in safe and therapeutic settings with fiscal integrity; and
- **Property Management** – provides supervision and administrative support to sure that all physical property meets the needs of the agency to include regular maintenance and upkeep of five locations as well as providing warehouse operations for the receiving and distribution of goods; and

- **Information Management** – provides technical support for the agency’s automated information management and web-based operations system, including information systems technology, systems operations, and data base administration; and
- **Risk Management** – provides supervision and administrative support for the forecasting and evaluation of physical and potential financial risks together with the identification of procedures to avoid or minimize their impact; and
- **Fleet Management** – ensures that the fleet of assigned vehicles are scheduled, available, and maintained for the movement of staff and youth to District Government business related events (e.g. court, district meetings, etc.), and
- **Performance Management** – oversees and coordinates the assessment, monitoring, review, and evaluation of DYRS compliance with federal and local requirements, consent decrees, court orders, judicial mandates, departmental guidelines, and procedures.

## 2. Mayor’s Proposed Fiscal Year 2019 Operating Budget

### Proposed Operating Budget Summary

The Mayor’s Fiscal Year 2019 budget proposal for the Department of Youth Rehabilitation Services is \$96,914,063, a decrease of \$315,008, or 0.3 percent, from the current fiscal year approved budget. The proposed budget supports 567.5 FTEs, a revision from the 589.5 FTEs which the Mayor’s proposed budget cited as 22 of the FTEs were unfunded. This revision is still an increase from the 553.5 FTEs approved for FY18, an increase of 2.5 percent.

**Local Funds:** The Mayor’s proposed budget is \$96,914,063, a decrease of \$315,008, or 0.3 percent, from the FY18 approved budget of \$97,229,071. This funding supports 567.5 FTEs, which represents an increase of 2.5 percent from the FY18 approved level.

**Intra-District Funds:** The Mayor’s proposed budget is \$344,000, which bears no change from the FY18 approved budget. The funding does not support any FTEs, which is the same as in FY18.

### Committee Analysis and Comments

**Agency Accomplishments:** DYRS has become a national leader in providing the best continuum of care for court-involved youth and their families through a wide range of programs that emphasize individual strengths, personal accountability, family involvement and community support. The agency, led by Director Clinton Lacey, has accomplished a great deal for its committed youth in the last year. DYRS has seen a decline of 13 percent in its overall youth population. There was also a reduction in youth housed in secure residential facilities out-of-state. In FY17 nine percent of the committed

youth population was in a secure facility out-of-state. Thus far in FY18, only six percent of the committed youth population are in secured facilities out-of-state.

DYRS has changed its service delivery model by placing at the center of the rehabilitation model a greater emphasis on community placement of committed youth and their families with case management. The agency has focused on creating individualized care and treatment plans by working as a team with the youth, family and credible messenger.

DYRS has been able to make many savings with improvements in efficiency in FY18. The agency now provides its own training for restorative justice by having some of their employees certified as trainers so they may teach others within the agency and thus lessen training costs. There is a decreased reliance of contract services, including medical personnel by making permanent hires, thereby reducing costs. In addition, youth previously residing in out-of-state facilities are now receiving treatment in the District. These efforts, along with reductions of other expenses, has resulted in a tremendous savings without a compromise of services for youth.

Currently, the DYRS budget is comprised entirely of local funds. Director Lacey stated that DYRS is currently seeking federal funding to supplement the budget for FY19 to be able to better serve the youth population. If successful, the federal grants will enhance the agency's ability to deliver trauma informed care to youth in secured facilities and prevent youth from being sent out of the District and would support the community-based violence prevention and mentoring efforts. Funding will also be sought to supplement the agency's budget in serving certain DYRS populations. The Committee commends the efforts the agency is making to reduce the portion of local funding while leveraging federal dollars to expand programming to support the District's committed youth.

***Credible Messenger Expansion:*** DYRS began the Credible Messenger Initiative in the fall of 2016 to support its case management team and provide mentoring services for committed youth and families. This program brings together people with similar life experiences to engage with the youth, primarily to assist and mentor the youth with the goal of helping them transform their attitude and behavior to a more positive and productive outlook. Credible Messengers might be returning citizens who have demonstrated integrity and their own transformation, thereby understanding and relating to many of the challenges facing committed youth. Credible Messengers are identified by providers who screen and vet applicants before undergoing rigorous background checks, drug screening and a variety of clearances from several local and federal agencies.

Last year, DYRS matched 120 youth to Credible Messengers. The population has expanded dramatically and now every committed youth in the community is matched with a Credible Messenger. Youth in secured facilities are matched with credible messengers as the end of their time in the facility approaches.

Parents of committed youth express wide support for the Credible Messenger Program and the positive impact it has on their child and family relations. Both youth and their

families attribute Credible Messengers to connecting youth with support services and reinforcing positive communication skills and mutual respect. Testimony from several credible messengers indicate their ability to provide virtually round the clock assistance to youth and families by operating in teams.

***Restorative Justice Implementation:*** Restorative justice is a valuable tool as an alternative to punitive responses of wrongdoing. The program is designed to help youth re-integrate into the community and constructively address conflict. Restorative justice promotes avoiding conflict through the practice of self-discipline, empathy and accountability. Participation is voluntary and, according to the Credible Messengers, it helps youth address the hurt their actions have had on their family and community. Credible Messengers find the week-long training on how to conduct restorative justice circles helpful in engaging in the practice with the youth they mentor. In many instances, Credible Messengers note that the restorative justice training helps diffuse situations where tensions may escalate and trigger future conflict.

The Committee supports the growth of the both the Credible Messenger program and the use of restorative justice and encourages their increased scope. The Committee will continue to study the impact of the Credible Messenger program for its full potential effect on trends in recidivism of committed youth. The Committee will also monitor how restorative justice is used in the community, the frequency that it is employed and what is the result from engaging in restorative justice.

***Transfer of Title 16 Youth to DYRS Custody:*** The United States Attorney General has the discretion to charge a youth 16 years old or older as an adult for certain specified crimes such as murder, first-degree sexual abuse, burglary in the first degree, and robbery while armed, to name a few, under D.C. Code § 16-2301(3)(A). Further, once a youth has been charged as an adult, they are charged as an adult for any subsequent crime.<sup>30</sup> Youth charged as adults are referred to as “Title 16 Youths” and are placed in the custody of the Department of Corrections. The Comprehensive Youth Justice Amendment Act of 2016 (“CYJAA”), requires DYRS assume custody of youth under the age of 18 who are in the custody of the Department of Corrections by October 1, 2018.<sup>31</sup><sup>32</sup> There are between 20-25 youths in the custody by the Department of Corrections who are under the age of 18. DYRS plans to assume custody of these youth by October 1, 2018, as the law requires.

Director Lacey testified that DYRS initially plans to place Title 16 youth at New Beginnings, a secured residential facility in Maryland that provides 24-hour supervision, custody and care, educational, recreational and workforce development services for juveniles. DYRS intends to house the youth in two designated residential units currently undergoing renovation. Based on testimony provided by Director Lacey, it is unlikely that housing at New Beginnings will be ready by October 1, 2018. Should the renovations

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<sup>30</sup> D.C. Official Code § 16-2301(3)(B)

<sup>31</sup> The Comprehensive Youth Justice Amendment Act of 2016, effective April 4, 2017 (D.C. Law 21-238; codified in scattered cites in the D.C. Official Code)

<sup>32</sup> D.C. Official Code § 16-2313(2) and (3)

to these units not be complete by October 1, 2018, the Title 16 youth will be housed at Youth Service Center (“YSC”), a secure residential facility for detained male and female youth awaiting adjudication or disposition by the courts until facilities at New Beginnings are ready.

DYRS staff have begun training in preparation for the arrival of the Title 16 youth to ensure they are able to securely manage and address the perception that Title 16 youth are more dangerous or physically aggressive than the current population of youth that they manage. Several DYRS employees have expressed apprehension that DYRS has not fully prepared employees, especially those who perform security, for the transfer of the Title 16 youth into DYRS custody. They point to a lack of communication from DYRS leadership over areas such as where Title 16 youth will be placed, whether they will intermingle with the general youth population and what program changes will be made to accommodate the new group. They also feel that additional training for the staff and incoming population is needed. The Committee is concerned that not all staff members feel fully prepared to receive Title 16 youth, however, there is still time before the October 1, 2018 transfer deadline to engage in further training and address the concerns staff have raised.

***Adjusting to a Declining Population for Committed Youth:*** DYRS has had a five-year decline in the youth population served by the agency. This reduced population of committed youth reflects the successful use of diversion programs, including the Alternative to Court Experience program operated by the Department of Human Services.<sup>33</sup>

<b><i>DYRS Aggregate Committed Youth Population</i></b>					
<b>FY13</b>	<b>FY14</b>	<b>FY15</b>	<b>FY16</b>	<b>FY17</b>	<b>FY18 (as of 1/31/18)</b>
896	669	528	410	357	271

Due to the shrinking population of committed youth, there has been a reduced need for facilities and funding. As of January 31, 2018, the New Beginnings Youth Development Center housed 31 youth in its 66-bed facility. On the same day, the YSC, which is designed for 88 youth, held no more than 12. In prior years, the YSC has held as many as 156 young people at one time. While this is a snap shot of the number of youth held in the secured facilities, looking at different points in the year, the number has been far lower than its capacity. More youth have been returned to the District from treatment

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<sup>33</sup> Alternative to Court (ACE) is a collaboration with the Department of Human Services, Court Social Services (CSS), the Metropolitan Police Department (MPD), the Office of the Attorney General (OAG), the Department of Behavioral Health (DBH), and community-based service providers. Their mission is to divert youth who commit status offenses or low-level delinquency offenses to a program that connects the youth and their families to a range of individually tailored support and behavioral health services.

facilities out-of-state and more youth are now able to be placed in the community with support services and monitoring.

While the District cannot control the population of those initially brought into the custody of YSC, it has taken steps to move some youth into housing where they can wait for an opening for the appropriate housing placement that best suits their development plan. This effort has helped to reduce the number of those held at the YSC and brought it well below its stated capacity.

The CYJAA has also helped reduce the number of youth held at YSC. The law amended the standard that judges use to determine who is held in custody at the YSC prior to commitment. Previously, judges were allowed to hold youth to protect either 1) the person or property of others or 2) the youth. The amended law now provides that a child may be detained only if it is to protect others or their property from significant harm.<sup>34</sup> With this higher standard, there has been a dramatic decrease in the number of youth held at the YSC prior to their commitment, however, the Committee is concerned that, as of January 31, 2018, there are 271 youth committed for FY18, a number higher than expected at that point in the year. At this rate, the committed population is slated to increase compared to FY17. The Committee will continue to monitor this situation for potential drivers leading to a possible increase in the committed population.

***Reviewing the Placement of Persons in Need of Supervision (PINS):*** Persons In Need of Safety (PINS) are status offenders: youth who engage in variety of behaviors such as skipping school, running away from home, or not listening to parents, acts that are offenses due to only to the person being under 18.<sup>35</sup> DYRS is often tasked with housing youth who have committed status offenses despite its mission and programming being primarily geared toward youth involved in the delinquency system. The CYJAA requires that PINS youth no longer be housed in secure facilities. According to advocates, PINS youths are often victims of neglect and abuse. Their actions, such as running away from home, is often a manifestation of larger unaddressed issues that originate in the home, family or community.

While DYRS has adopted the Committee's prior recommendation that they be placed in therapeutic foster homes, before that can happen, they first must be detained and committed into DYRS custody. The act of detainment and commitment by a court can compound the trauma PINS youth face. A common issue raised by advocates for PINS youth is that they have not committed a crime and should not be treated as a criminal. Despite their placement with the agency, many advocates and family of PINS youth are pleased that the commitment to DYRS affords vitally needed wraparound services.

The Committee intends to examine agency placement within the Committee for Human Services for PINS youth beyond DYRS, including what role, if any, the judicial system

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<sup>34</sup> D.C. Official Code § 16-2310(a)

<sup>35</sup> D.C. Official Code § 16-2301(8)

should play; and what resources are necessary to ensure that the root causes and not the symptoms are being addressed.

***Accomplishments of Jerry M. Consent Decree:*** The Court recognizes the hard work DYRS has put in meeting goals set in the *Jerry M.* consent decree<sup>36</sup> which it has been operating under for more than 20 years. Of the original 12 goals set by the consent decree, DYRS has met 8. The remaining goals to be met are: 1) reducing critical incidents and assaults and improving staffing and supervision; 2) improving behavioral health; 3) upgrading fire safety components; and 4) improving medical services.

A draft report by the Special Arbiter submitted January 2018 finds that DYRS has met the supervision and staffing requirements requirement in the first goal. DYRS anticipates the corresponding portion of the first goal (staffing and supervision) being vacated. DYRS has increased efforts to meeting the goals outlined by the Court. Although DYRS plans to meet all the remaining *Jerry M.* goals in FY19, it will take longer for the Special Arbiter to review and certify the agency's accomplishments and close the matter. The Committee commends the agency's dedication and movement towards the goal of meeting all requirements set by the Consent Decree.

***Improving Mental Health Services in the Community:*** As part of ongoing requirements of the *Jerry M.* consent decree that DYRS improve the mental health services to committed youth, the agency indicated that it hired a high-level staff member tasked with improving services and helping the agency facilitate better mental health services for youth. Selections were also made for two youth mental health specialists at YSC. While there seems to be improved mental health services available for committed youth in secure facilities, once a youth is returned to the community, advocates indicated that there is a significant gap in time between a youth's request for mental health services, subsequent referral for treatment, and the actual mental health appointment.

The Committee heard testimony from committed and post-committed youth that they were able to receive mental health services at the Achievement Center if a mental health specialist was present, or if they were unavailable, requesting another one be provided. If a mental health worker was unavailable, youth are left to discuss their issues with sympathetic staff on site. The agency indicated awareness of the gap in mental health services in the community and expressed their commitment to improving services to the best of their ability. The Committee will provide resources for three additional mental health specialists to be available for youth placed in the community. Because of youth testimony that they often seek services at the Achievement Centers, the Committee recommends that the additional mental health specialists be placed at these locations to

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<sup>36</sup> In 1986, a class action lawsuit, *Jerry M. v. District of Columbia*, was filed on behalf of children who are or will be confined in juvenile detention facilities operated by the District of Columbia. Plaintiffs claimed the conditions in the District's juvenile detention facilities violated statutory and constitutional requirements. To resolve issues raised in the lawsuit, the parties entered into a consent decree that set accountability standards for services. The consent decree calls for a special arbiter who is responsible for oversight of the agency's compliance with the requirements of the consent decree.

address the mental health needs for the larger population of committed youth in the community.

***Addressing the Education Needs of Committed Youth:*** DYRS is charged with ensuring youth committed to its care receive an education comparable to any other student in the District. Youth at the New Beginnings facility benefit from small class sizes, a more regimented schedule and a lack of distractions that most youth in the community face which allows them to make greater strides in improving their education. To assist committed youth in the community, Georgetown Ask, a nonprofit affiliated with Georgetown University, offers tutoring services. The non-profit is operating at or close to capacity but believes that should a demand for their services increase, they are confident that they could expand services accordingly.

During the DYRS performance oversight hearing, advocates voiced concern that the agency did not ensure youth placed outside of the District were afforded the same level of classes as youth educated in the District. Committed youth outside of the District have been placed at schools that either do not offer the classes that are needed to count for graduation in the District or they are repeating unnecessary classes. Advocates ask that DYRS consider education compatibility when placing kids outside of the District so that they also have a meaningful way to earn credits and graduate timely.

Director Lacey addressed the concern that some of the out-of-District schools that committed youth attend are not providing the classes and credits that they will need to graduate and do not meet DCPS standards. Director Lacey stated that youth safety was one of the primary factors driving placement outside of the District, however, DYRS would also factor in District educational requirements when determining placement. DYRS intends to hire someone to better direct the education needs for committed youth in and out of secure facilities. The Committee is interested in possible changes to youth educational plans and placement and will monitor education advancement for those placed in the community.

***Comprehensive Youth Justice Amendment Act Implementation:*** While several requirements under CYJAA have been previously discussed, others remain. One such requirement calls for DYRS to evaluate the effectiveness of their rehabilitative services by collecting data from various District agencies on youth currently committed or committed within the last three years.<sup>37</sup> To facilitate the sharing of data, DYRS began collecting public safety data for youth and entered into Memoranda of Understanding or Agreements with other relevant agencies to collect the requisite data. The Committee is encouraged by the steady progress made on preparing for this evaluation and is supportive of the agency's mindfulness of securing the privacy of confidential information. Data for this study will be crucial to confirming to the root causes of systemic juvenile crime from the perspective of those in the system.

Finally, the CYJAA mandates that DYRS develop a manual for the families of youth residing in secure facilities that provides information on the operation of the facilities and

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<sup>37</sup> D.C. Official Code § 23-1515.04



government resources available to youth following confinement. The Committee reviewed a copy of the manual and heard testimony demonstrating receipt by families. Parents report that the manual is helpful in navigating the DYRS system and accessing support services offered.

The Committee commends DYRS for having met this requirement well ahead of schedule. In furtherance of this intention, DYRS also provides each youth with an Orientation Handbook unique to New Beginnings and YSC that provides an overview of facility operations and a listing of rights and expectations. The Committee encourages DYRS to communicate with families and youth in community through the DYRS newsletter, which goes out to youth, families and staff. DYRS recently launched a radio program on juvenile justice entitled, “Led by Love,” which will cover a broad range of topics relating to juvenile justice and the innovative work of the agency. The Committee supports the various tactics DYRS has employed to not only engage with committed youth, families and staff, but for the broader community in the District and the nation.

### **3. Mayor’s Proposed Fiscal Year 2019 Capital Budget**

#### **Proposed Capital Budget Summary**

The Mayor’s Fiscal year 2019-2024 proposed capital budget includes capital allotment for the Department of Youth Rehabilitation Services of \$4,435,995. DYRS began a capital improvement project in Fiscal Year 2018, the installation of the HVAC system at New Beginnings. The Committee notes that \$499,459.59 is encumbered for this project with \$674,271.39 spent to date. While currently on hold, this project is expected to be completed by the end of FY18. Considering the balance of funding after the HVAC replacement, DYRS would be left with a total of \$2,380,388.58 in unencumbered funds.

#### **Committee Analysis and Comments**

The Committee supports the existing capital budget allotments for the Department of Youth Rehabilitation Services. The agency has several projects that have been requested, however, none have been approved or funded. The requested projects are 1) a \$3,000,000 redesign of the YSC lobby that would allow for better screening of visitors and a parking study to determine how to best maximize parking spaces; 2) a \$2,300,000 YSC roof replacement that would address water issues that have weakened the roof; 3) the New Achievement Center lease at the 450 H Street NW which will expire in FY23; 4) YSC Secondary Pepco Feeder which will serve as a back-up power for the facility; and 5) Scheduled Capital Improvements the agency lists as unknown projects that may occur.

### **4. Committee Recommendations**

**a. Operating Budget Recommendations**

The Committee recommends **approval** of the Mayor’s proposed FY 2019 operating budget for the Department of Youth Rehabilitative Services with the following changes:

Local Funds

1. *Reduce* CSG 11 (Regular Pay – Continuing Full Time) by \$526,559, and by programs as follows:
  - a. In Program 1000 (Agency Management), Activity 1090 (Performance Management), *reduce* by \$66,588
  - b. In Program 7000 (Office of the Director), Activity 7010 (Office of the Director), *reduce* by \$123,179
  - c. In Program 9000 (Youth and Family Programs), Activity 9010 (Deputy Director for Youth Programs), *reduce* by \$122,568
  - d. In Program 9000 (Youth and Family Programs), Activity 9030 (Youth Development Services), *reduce* by \$107,112
  - e. In Program 9000 (Youth and Family Programs), Activity 9040 (Residential Services), *reduce* by \$107,112
  
2. *Reduce* CSG 11 (Regular Pay – Continuing Full Time) in the “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018” (B22-756) by \$526,559 and by program as follows:
  - a. In Program 1000 (Agency Management), Activity 1090 (Performance Management), *reduce* by \$66,588
  - b. In Program 7000 (Office of the Director), Activity 7010 (Office of the Director), *reduce* by \$123,179
  - c. In Program 9000 (Youth and Family Programs), Activity 9010 (Deputy Director for Youth Programs), *reduce* by \$122,568
  - d. In Program 9000 (Youth and Family Programs), Activity 9030 (Youth Development Services), *reduce* by \$107,112
  - e. In Program 9000 (Youth and Family Programs), Activity 9040 (Residential Services), *reduce* by \$107,112
  
3. *Increase* CSG 11 (Regular Pay – Continuing Full Time), Program 9000 (Youth and Family Programs), Activity 9030 (Youth Development Services) FTE Authority by 3 FTEs, an *increase* of \$235,088, to provide 3 FTEs for mental health specialists at the Achievement Centers
  
4. *Increase* CSG 14 (Fringe Benefits – Current Personnel) in Program 9000 (Youth and Family Programs), Activity 9030 (Youth Development Services), *increase* CSG 14 by \$66,295, to provide fringe benefits for the 3 FTEs for mental health specialists at the Achievement Centers

5. *Reduce* CSG 14 (Fringe Benefits – Current Personnel) by \$148,490 and by programs as follows:
  - a. In Program 1000, (Agency Management), Activity 1090 (Performance Management), *reduce* by \$18,778
  - b. In Program 7000 (Office of the Director), Activity 7010 (Office of the Director), *reduce* by \$34,736
  - c. In Program 9000 (Youth and Family Programs), Activity 9010 (Deputy Director for Youth Programs), *reduce* by \$34,564
  - d. In Program 9000 (Youth and Family Programs), Activity 9030 (Youth Development Services), *reduce* by \$30,206
  - e. In Program 9000 (Youth and Family Programs), Activity 9040 (Residential Services), *reduce* by \$30,206
  
6. *Reduce* CSG 14 (Fringe Benefits – Current Personnel) in the “Fiscal Year 2018 Revised Local Budget Emergency Adjustment Act of 2018” (B22-756) by \$148,490 and by program as follows:
  - a. In Program 1000 (Agency Management), Activity 1090 (Performance Management), *reduce* by \$18,778
  - b. In Program 7000 (Office of the Director), Activity 7010 (Office of the Director), *reduce* by \$34,736
  - c. In Program 9000 (Youth and Family Programs), Activity 9010 (Deputy Director for Youth Programs), *reduce* by \$34,564
  - d. In Program 9000 (Youth and Family Programs), Activity 9030 (Youth Development Services), *reduce* by \$30,206
  - e. In Program 9000 (Youth and Family Programs), Activity 9040 (Residential Services), *reduce* by \$30,206
  
7. *Reduce* CSG 40 (Other Services and Charges), by \$217,643, and by programs as follows:
  - a. In Program 1000 (Agency Management), Activity 1010 (Agency Management/Personnel), *reduce* by \$20,000
  - c. In Program 1000 (Agency Management), Activity 1030 (Property Management), *reduce* by \$100,000
  - c. In Program 7000 (Office of the Director), Activity 7020 (Office of the Chief of Staff), *reduce* by \$50,000
  - d. In Program 9000 (Youth and Family Programs), Activity 9030 (Youth Development Services), *reduce* by \$47,643
  
8. *Increase* CSG 40 (Other Services and Charges), Program 7000 (Office of the Director), Activity 7020 (Office of the Chief of Staff), by \$150,000 in local one-time funds for

the purpose of developing a strategic plan for young people at risk of becoming youth offenders

9. *Reduce* CSG 41 (Contractual Services Other), by \$176,760 and by programs as follows:
  - a. In Program 1000, (Agency Management), Activity 1010 (Agency Management/Personnel), *reduce* by \$41,760
  - b. In Program 1000, (Agency Management), Activity 1030 (Property Management), *reduce* by \$135,000
10. *Accepts* \$150,000 in one-time local funds from the Committee on Judiciary and Public Safety for the purpose of developing a strategic plan for serving youth offenders and young people at risk of becoming youth offenders, as required to fund the fiscal impact of Section 3(d) of B22-0451, the “Youth Rehabilitation Amendment Act of 2018”

**b. Capital Budget Recommendations**

The Committee recommends adoption of the Fiscal Year 2019-2024 capital budget for the Department of Youth Rehabilitation Services, as proposed by the Mayor.

**c. Policy Recommendations**

1. Given the continuing concerns about accessibility of mental health services in the community the Committee recommends that DYRS place the three mental health specialists at the Achievement Centers where committed youth can receive mental health services with less barriers to access. Further, the Committee recommends that the agency conduct a substantive review of medical and mental health services for youth placed in the community, including the number of youth referred to medical or mental health services, the length of time until services or treatment are received and the barriers that delay or prevent services or treatment.
2. The Committee recommends DYRS place youth out-of-district in school systems that allow them to meet the educational standards and graduation requirements of District of Columbia Public Schools. Director Lacey testified that the primary goal in placing a committed youth out of district is safety, however, he acknowledged that there were ways the agency could make improvements. While the Committee acknowledges that safety of committed youth is paramount, safety can be achieved without sacrificing the education for these youth will need for their long-term success after their commitment period has ended.

## F. OFFICE OF DISABILITY RIGHTS

### 1. Agency Mission and Overview

The mission of the Office of Disability Rights (“ODR”) is to ensure that every program, service, benefit, and activity operated or funded by the District of Columbia is fully accessible to, and usable by, qualified people with disabilities, with or without reasonable accommodations or modifications.

ODR is responsible for oversight of the District’s obligations under the Americans with Disabilities Act (“ADA”), as well as other federal and local disability rights laws. ODR provides technical assistance, training, informal dispute resolution, policy guidance, and expertise on disability rights issues to District agencies and disability community. ODR coordinates the ADA compliance efforts of all District agencies and works with agency ADA coordinators to ensure that the District is responsive to the needs of the disability community and employees with disabilities.

ODR operates through the following 2 programs:

**Disability Rights** – promotes the accessibility of District of Columbia government programs and services for individuals with disabilities by coordinating and overseeing a District-wide compliance program.

This program contains the following 6 activities:

1. **Operations** – provides overall direction, leadership, and coordination of, and guidance on, activities related to the centralized administrative support system; establishes procedures and protocols for unified operations within the agency; and assists in facilities management;
2. **Training and Technical Assistance** – provides ongoing training and technical assistance to the agency’s ADA coordinators and personnel;
3. **Public Information and Outreach** – provides information through published literature, and provides assistance and referrals to individuals who have questions about disability rights or are experiencing obstacles to receiving services;
4. **Evaluation and Compliance** – evaluates the District’s compliance with the ADA, section 504 of the Rehabilitation Act, and the disability rights provisions of the Human Rights Act; reports deficiencies to the Office of Human Rights; makes recommendations for addressing deficiencies to the Mayor; and coordinates, facilitates, and supports the Mayor’s Committee on Persons with Disabilities;
5. **Investigations** – provides informal dispute resolution into actions or inactions of agencies in alleged violation of the ADA, the District of Columbia Disability Rights Protection Act, and other disability-related civil rights legislation; and

6. **State Developmental Disabilities Council (“DDC”)** – houses the District of Columbia Developmental Disabilities Council (“DDC”) and the D.C. Commission on Persons with Disabilities (“DCCPD”). The DDC is a Mayoral appointed body established in accordance with the mandates of the D.C. Developmental Disabilities Basic State Grant Program. It is an independent, community-based advisory committee funded by the Administration on Intellectual and Developmental Disabilities, U.S. Department of Health and Human Services. It is charged with identifying and addressing the most pressing needs of people with developmental disabilities in the District. The DCCPD advocates on behalf of persons with disabilities and their families to promote inclusive communities and service delivery systems and to provide opportunities for public input, outreach, and education. The DCCPD also facilitates ODR’s collaboration with the Office of Human Rights, the Department of Disability Services, and all other agencies, boards, and commissions of the District of Columbia that affect the lives of residents with disabilities to comprehensively implement ADA compliance and training programs.

**Agency Management** – provides for administrative support and the required tools to achieve operational and programmatic results. This program is standard for all agencies using performance-based budgeting.

## 2. **Mayor’s Proposed Fiscal Year 2019 Operating Budget**

**Gross Funds:** The Mayor’s proposed FY2019 budget is \$2,063,576, an increase of \$38,000, or 1.9%, over the approved FY2018 budget. This funding supports 12.0 FTEs, which maintains the approved FY2018 staffing level.

**Local Funds:** The proposed budget is \$1,133,000, an increase of \$28,000, or 2.5%, over the approved FY2018 budget. This funding supports 9.0 FTEs, which maintains the approved FY2018 staffing level.

**Federal Grant Funds:** The proposed budget is \$638,000, an increase of \$10,000, or 1.6%, over the approved FY2018 budget. This funding supports 3.0 FTEs, which maintains the approved FY2018 staffing level.

**Intra-District Funds:** The proposed budget is \$293,000, which maintains the approved FY2018 budget. No FTEs are funded through the Intra-District funds because it is agency reimbursement for sign language interpretation, which ODR provides through contractors rather than government employees.

### **Committee Analysis and Comments**

The Committee is pleased that the Mayor’s proposed FY2019 budget for the Office of Disability Rights (“ODR”) reflects a continued commitment to ensuring compliance with federal and local disability rights laws, including the continuation of the Five-Year State Plan for fiscal years 2017 through 2021. The plan includes self-determination, advocacy, and leadership training; employment services and education; community living projects; and interagency cooperation on implementation of disability services.

Notable contracts to implement this plan for FY2019 include DC Advocacy Partners (\$75,000), Next Chapter Book Club (\$10,000), Family Ties (\$40,000), and Leadership, Mentoring, and Negotiation Training (\$45,000). Further, the Committee applauds ODR for its use of federally available funds and for its partnership with the Department of General Services to improve disability access to District government buildings.

**3. Committee Recommendations**

**a. Fiscal Year 2019 Operating Budget Recommendations**

The Committee recommends approval of the FY19 operating budget for the Office of Disability Rights as proposed by the Mayor.

**b. Policy Recommendations**

In the FY 2018 budget report, the Committee encouraged the agency to coordinate with the District of Columbia Public Charter Schools (“DCPCS”) to assess the compliance of public charter schools in the District with federal and local disability rights laws, and to create a plan for bringing any noncompliant public charter schools into compliance with such laws. Due to the turnover in leadership at ODR, this recommendation was not implemented. The Committee encourages new leadership to pursue this recommendation. An outline for the plan should be submitted to the Committee by December 1, 2018.

### **III. TRANSFERS TO OTHER COMMITTEES**

In addition to the changes recommended for agencies within its jurisdiction, the Committee has worked with other committees to identify funding needs and recommends transfers to support programs in those other committees as described below.

#### **DEPARTMENT OF BEHAVIORAL HEALTH**

The Committee recommends transferring the following amount to the Committee on Health:

- \$200,000 in one-time funds to the DEPARTMENT OF BEHAVIORAL HEALTH to fund B22-195, “Study of Mental Health and Substance Abuse in Immigrant Communities Act of 2017”

#### **DEPARTMENT OF SMALL AND LOCAL BUSINESS DEVELOPMENT**

The Committee recommends transferring the following amounts to the Committee on Business and Economic Development:

- \$114,000 in recurring funds to the DEPARTMENT OF SMALL AND LOCAL BUSINESS DEVELOPMENT to fund 1 FTE for the “Ward 1 Clean Team” and 2 FTEs for the “Mid-City Clean Team”
- \$17,500 in one-time funds to the DEPARTMENT OF SMALL AND LOCAL BUSINESS DEVELOPMENT to fund operational costs for the “Ward 1 Clean Team”

#### **DISTRICT OF COLUMBIA HOUSING AUTHORITY**

The Committee recommends transferring the following amounts to the Committee on Housing and Neighborhood Revitalization:

- \$579,229 in recurring funds to the DISTRICT OF COLUMBIA HOUSING AUTHORITY to provide for the housing costs of 25 new units of Permanent Supportive Housing for individuals experiencing homelessness
- \$214,416 in recurring funds to the DISTRICT OF COLUMBIA HOUSING AUTHORITY to provide for the housing costs of 12 new units of Targeted Affordable Housing for individuals experiencing homelessness



## **OFFICE OF HUMAN RIGHTS**

The Committee recommends transferring the following amount to the Committee on Judiciary and Public Safety:

- \$142,000 in recurring funds to the OFFICE OF HUMAN RIGHTS to fund a portion of the BSA subtitle, “Street Harassment Prevent Act of 2018,” including 1 new FTE and \$40k for outreach efforts

## **OFFICE ON RETURNING CITIZEN AFFAIRS**

The Committee recommends transferring the following amounts to the Committee on Housing and Neighborhood Revitalization:

- \$84,000 in recurring funds to the OFFICE ON RETURNING CITIZEN AFFAIRS to fund 1 new FTE to serve as an outreach specialist, supporting the contact of District residents in the Federal Bureau of Prisons six months prior to return

## IV. BUDGET SUPPORT ACT RECOMMENDATIONS

On Wednesday, March 21, 2018, Chairman Mendelson introduced, on behalf of the Mayor, the “Fiscal Year 2019 Budget Support Act of 2018” (Bill 22-0753). The bill contains one subtitle for which the Committee has provided comments. The Committee also recommends the addition of two new subtitles.

### A. RECOMMENDATIONS ON MAYOR’S PROPOSED SUBTITLES

The Committee provides comments on the following subtitle of the “Fiscal Year 2019 Budget Support Act of 2018”:

Title I, Subtitle B. Information Sharing for Program Evaluation and Improvement Amendment Act of 2018

#### 1. Title I, Subtitle B. Information Sharing for Program Evaluation and Improvement Amendment Act of 2018

##### a. Purpose, Effect, and Impact on Existing Law

The Youth Rehabilitation Services Establishment Act of 2004<sup>38</sup> provides that records pertaining to DYRS committed youth are to be privileged, released only for certain enumerated circumstances. However, subsection (b)<sup>39</sup> allows the disclosure of data to certain District government agencies in order to coordinate care, treatment, and rehabilitation services and to track trends. The law also provides that information shared be done in a manner that protects the privacy and security of the youth identified. The law prevents disclosure of data to those not designated in this subsection. The Chairperson of the Committee on Human Services, Members of the Committee on Human Services and the Mayor or their designees are permitted in subsection (c)<sup>40</sup> to gather the actual records of the youth in DYRS custody, if needed as part of their duties. The Metropolitan Police Department (MPD) is authorized to gather records for a youth in custody to investigate crime pursuant to subsection (d).<sup>41</sup>

This subtitle would amend D.C. Official Code 2-1515.06 to accomplish two distinct goals of allowing the Mayor to authorize disclosure of 1) DYRS data and 2) DYRS records with other District agencies including the Mayor, City Administrator, Deputy Mayor for Public Safety and Justice or their designees in order to design, administer, or evaluate policies or programs related to youth or young adults.

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<sup>38</sup> D.C. Law 15-335; D.C. Official Code 2-1515.06 (Effective April 12, 2005)

<sup>39</sup> D.C. Law 15-335; D.C. Official Code 2-1515.06(b)

<sup>40</sup> D.C. Law 15-335; D.C. Official Code 2-1515.06(c)

<sup>41</sup> D.C. Law 15-335; D.C. Official Code 2-1515.06(d)

**b. Committee Reasoning**

The Committee notes that this proposed subtitle is not germane to the budget. That said, the Committee recommends that the subtitle be stricken for other reasons. Currently, data can be shared with agencies charged with the care, treatment or rehabilitation of youth. The data currently provided by law should be helpful to meet the expressed goal of providing information to better design, administer and evaluate policies for this population of youth. Any further need to expand access to data and records beyond what is currently proscribed by the law should be explored by standalone legislation that goes through the complete legislative process, allowing input by the community and concerned parties.

## B. RECOMMENDATIONS FOR NEW SUBTITLES

The Committee on Human Services recommends the following new subtitles to be added to the “Fiscal Year 2019 Budget Support Act of 2018”:

1. Burial Assistance Program Increase Amendment Act of 2018
2. Applicability Clause to DC Healthcare Alliance Recertification Simplification Amendment Act of 2018

### 1. Burial Assistance Program Increase Amendment Act of 2018

#### a. Purpose, Effect, and Impact on Existing Law

On July 11, 2017, Councilmember Trayon White, along with Councilmembers Evans, Todd, Bonds, Cheh, Silverman, Gray, and McDuffie, introduced Bill 22-0409, the “Burial Assistance Program Increase Amendment Act of 2017”.<sup>42</sup> The bill amends the Burial Assistance Program Establishment Act of 1999 to increase the maximum amount of burial assistance offered through the Department of Human Services burial assistance program. The current maximum amount available per applicant is \$800. The bill amended the Act by doubling the maximum amount to \$1,600 per applicant. This subtitle incorporates an amended version of that bill, establishing a maximum amount of \$1,000 per applicant.

#### b. Committee Reasoning

A typical funeral checklist might entail the disposition of the remains, full-service burial or cremation, forwarding body to receiving body from another funeral home, and cemetery costs. An average casket could cost more than \$2,000, while some mahogany, bronze, or copper caskets sell for as much as \$10,000.<sup>43</sup> Often times, loved ones find planning and conducting a proper funeral cost-prohibitive. In response, the Department of Human Services Burial Assistance Program offers assistance to low-income residents to aid in funeral costs.

Burial assistance is subject to the availability of appropriations and is not an entitlement.<sup>44</sup> With this, the agency has established regulations indicating that the overall cost of the funeral must not be greater than \$2,000, excepting the need for an oversize casket in which case the total cost must not be greater than \$3,000.<sup>45</sup> Families must use a

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<sup>42</sup> See Bill 22-0409, the “Burial Assistance Program Increase Amendment Act of 2017”, available at <http://lims.dccouncil.us/Download/38591/B22-0409-Introduction.pdf>.

<sup>43</sup> Federal Trade Commission, Consumer Information, “Funeral Costs and Pricing,” available at <https://www.consumer.ftc.gov/articles/0301-funeral-costs-and-pricing-checklist#Calculating>.

<sup>44</sup> D.C. Official Code § 4-1001(b).

<sup>45</sup> Department of Human Services, “Important Information and Facts About Burial Assistance,” available at [https://dhs.dc.gov/sites/default/files/dc/sites/dhs/service\\_content/attachments/Burial%20Assistance%20Fact%20Sheet\\_1.pdf](https://dhs.dc.gov/sites/default/files/dc/sites/dhs/service_content/attachments/Burial%20Assistance%20Fact%20Sheet_1.pdf).

funeral home that is currently under contract with the District, of which there are currently seven.<sup>46</sup> DHS' Economic Security Administration (ESA) provides up to \$800 towards funeral services. The family is responsible for the balance of total cost, which can still be quite burdensome.

In Fiscal Year 2017, the agency served approximately 550 families through the program. Thus far, DHS has not denied applicants due to a lack of appropriations- but this is not because the fund balance is never depleted. To the contrary, when funds were fully spent in the past, the agency would pull from other programs to ensure assistance to all qualified families. Accordingly, the agency could expect massive spending pressures should the maximum amount of assistance double to \$1,6000 per family. And because the program is not an entitlement, the agency would have no requirement to service families when funds are exhausted.

Recognizing the spirit of the intent of the bill as introduced but also being mindful of allocation of funds and wanting to help all qualified families that apply for assistance, the committee raises the maximum amount to \$1,000. With this, the committee will also enhance the program in the four-year financial plan. Consequently, the agency should be able to continue its assistance of families without interruption while families benefit from much needed additional assistance.

**c. Section-by-Section Analysis**

Sec. 101. States the short title.

Sec. 102. Amends the Burial Assistance Program Reestablishment Act of 1999 to increase the maximum amount of burial assistance offered through the Department of Human Services burial assistance program.

**d. Legislative Recommendations for Committee of the Whole**

**TITLE I – AMENDATORY TITLE**

Sec. 101. Short title.

This subtitle may be cited as the “Burial Assistance Program Increase Amendment Act of 2018”.

Sec. 102. Section 1802(a) of the Burial Assistance Program Reestablishment Act of 1999, effective October 20, 1999 (D.C. Law 13-38; D.C. Official Code § 4-1001(a)), is

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<sup>46</sup> *Id.*

amended by striking the phrase “\$800” both times it appears and inserting the phrase “\$1,000” in its place.

e. **Fiscal Impact**

Funds are sufficient in the fiscal year 2019 through fiscal year 2022 budget and financial plan to implement the subtitle.

## 2. **Applicability Clause to DC Healthcare Alliance Recertification Simplification Amendment Act of 2018**

### a. **Purpose, Effect, and Impact on Existing Law**

On March 21, 2017, Bill 22-0194, the “DC Healthcare Alliance Program Recertification Simplification Amendment Act of 2017”, was introduced by Chairperson Nadeau, along with Councilmembers Grosso, Silverman, Cheh, R. White, Allen, and Bonds. The bill, which became law on December 13, 2017, facilitates enrollment in the DC Healthcare Alliance program by providing alternative methods of completing the mandatory recertification process. This subtitle removes the subject to appropriations language from the provisions of the bill that have no cost or are otherwise funded through this subtitle.

### b. **Committee Reasoning**

Pursuant to the Updated Fiscal Impact Statement, the only provisions of the law which had a cost were Sections 7b and 7d, the amended recertification protocol and the annual reporting requirement respectively.<sup>47</sup> Section 7c exempts certain face-to-face interviews. Further, “The majority of the cost of the bill comes from providing Alliance benefits to the 1,600 additional [presumed] enrollees.”<sup>48</sup> It is also indicated that, “Waiving face-to-face interviews for caregivers should not significantly increase enrollment numbers, according to the Department of Health Care Finance, which projects Alliance enrollment.”<sup>49</sup> The reporting requirements were initially estimated to cost \$200,000 in one-time funds. Upon deeper analysis, however, it was determined that most line items within the reporting requirement would be covered by that amount while others increase it to an amount yet to be confirmed. With this, the committee believes the provisions of the law which bear no cost and that can be implemented with \$200,000 should move forward in the implementation process.

### c. **Section-by-Section Analysis**

Sec. XXXX. States the short title.

Sec. XXX2. Amends Section 7d of the Health Care Privatization Amendment Act of 2001, effective December 13, 2017 (D.C. Law 22-35; D.C. Official Code § X-XXX), to separate reporting requirements into two groups. The first group (7d(a)) shall be implemented as of October 1, 2018. The second group (7d(b)) shall be implemented one year following the applicable date of the subsection.

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<sup>47</sup> Office of the Chief Financial Officer, “UPDATED Fiscal Impact Statement - DC Healthcare Alliance Program Recertification Simplification Amendment Act of 2017”, available at <http://lims.dccouncil.us/Download/37695/B22-0194-Fiscal-Impact-Statement3.pdf> .

<sup>48</sup> Id.

<sup>49</sup> Id.

Sec. XXX3. Amends Section 3(a) of the DC Healthcare Alliance Recertification Simplification Amendment Act of 2017, effective December 13, 2017 (D.C. Law 22-35; D.C. Official Code § X-XXX), to remove the subject to appropriations language from the provisions of the bill that have no cost or are otherwise funded.

**d. Legislative Recommendations for Committee of the Whole**

Sec. XXXX. Short title.

This subtitle may be cited as the “Applicability Clause to the DC Healthcare Alliance Recertification Amendment Act of 2018”.

Sec. XXX2. Section 7d of the Health Care Privatization Amendment Act of 2001, effective December 13, 2017 (D.C. Law 14-18; D.C. Official Code § 7-1409) is amended to read as follows:

“Sec. 7d. Reporting requirements.

“(a) Beginning October 1, 2018, and on an annual basis thereafter, the Mayor shall submit a public report to the Council that shall include, for each of the last 12 months, the following information:

“(1) The number of DC HealthCare Alliance enrollees required to recertify;

“(2) The number of DC HealthCare Alliance enrollees required to recertify who successfully completed recertification;

“(3) The number of DC HealthCare Alliance enrollees who did not recertify;

“(4) The number of DC HealthCare Alliance enrollees who re-enrolled in DC HealthCare Alliance within 30 days after termination and the number of enrollees who re-enrolled within 60 days after termination;

“(5) The number of DC HealthCare Alliance enrollees required to



recertify who completed interviews, whether face-to-face or over the telephone, disaggregated by interview type.

“(6) The number of recertification interviews conducted at each location where interviews are offered;

“(7) The number of requests made before, or during, an interview for an accommodation due to disability, disaggregated by interview type;

“(8) The number of requests made before, or during, an interview for service in a language other than English, disaggregated by interview type; and

“(9) The number of requests for waivers of face-to-face interviews that were:

(A) Made;

(B) Granted; and

(C) Denied, and the grounds for denial.”.

“(b) Beginning one year after the applicable date of this subsection, the Mayor shall submit a public report to the Council that shall include, for each of the last 12 months, the following information:

“(1) The average time enrollees waited in line at each location where interviews were offered in order to complete a face-to-face interview with an explanation of how the data was collected, with wait times measured both from the point the enrollee first checks in at the service center and from the point the enrollee gets in line outside the service center if there is a line to enter the service center;

“(2) The average time enrollees waited on the telephone before being served in order to complete interviews over the telephone;

Sec. XXX3. Section 3(a) of the DC Healthcare Alliance Recertification Simplification Amendment Act of 2017, effective December 13, 2017 (D.C. Law 22-35; 64 DCR 10929), is amended to read as follows:

“(a) New sections 7b and 7d(b) shall apply upon the date of inclusion of its fiscal effect in an approved budget and financial plan.”.

**e. Fiscal Impact**

This subtitle has a cost of \$200,000 in one-time funds. This accounts for the cost to implement Section 7d(a) of the underlying law. Such funds are allocated as follows:

CSG 41 (Contractual Services - Other), Program 2000 (Economic Security Administration), Activity 2040 (Eligibility Determination Services)

Section 7c of the underlying law has no cost.

## V. COMMITTEE ACTION AND VOTE

On Thursday, May 3, 2018, at 2:04 p.m. in Room 500 of the John A. Wilson Building, the Committee met to consider and vote on the Mayor's proposed Fiscal Year 2019 budget for the agencies under its jurisdiction, the provisions of the Fiscal Year 2019 Budget Support Act of 2018 referred to the Committee for comments, and the Committee's Budget Report. Chairperson Brianne K. Nadeau called the meeting to order and determined the existence of a quorum with Councilmembers David Grosso, Robert C. White, Jr., Brandon T. Todd, and Trayon White, Sr. present.

Chairperson Nadeau then provided a brief overview of the draft report and summarized the Committee's recommendations and comments.

Chairperson Nadeau next welcomed comments from other Members. Councilmember Robert C. White, Jr. was pleased to see a budget enhancement funding a new position at the Mayor's Office of Returning Citizens Affairs to start helping our returning citizens months before they come back to the District. He further voiced support for the enhancements made to the Burial Assistance Program and Safe Shores.

Councilmember Trayon White, Sr. highlighted specific areas of the report that he was pleased with, including investments in the Burial Assistance Program, Emergency Rental Assistance Program, Permanent Supportive Housing, Targeted Affordable Housing, as well as upgrading, rehabilitating, and replacing the District's emergency shelter capacity. Additionally, he expressed pleasure with the committee's investment in enhancements to address the issues of youth homelessness and domestic violence.

Councilmember Brandon T. Todd noted that the committee's enhancement of 22 units of Permanent Supportive Housing and 12 units of Targeted Affordable Housing compliments the Mayor's multimillion dollar investment in affordable housing. He further voiced his support for maintaining the Department of Human Services' capital budget, specifically acknowledging the importance of capital funding being made available to fix the roof at La Casa Transitional Rehabilitation Program. He also expressed support for the Applicability Clause to DC Healthcare Alliance Recertification Simplification Amendment Act of 2018 subtitle, which he sees as an important to helping increase the enrollment of Ward 4 citizens in the DC Healthcare Alliance.

Councilmember David Grosso applauded the Child and Family Services Agency on its implementation of the Temporary Safe Haven Redesign and the committee for allocating additional funding to Safe Shores. Further, he expressed support for the Disability Services Reform Amendment Act of 2018 and the creation of a formal complaints process within DDS. Then he expressed support for and interest in the results from the Direct Support Personnel Work Force Development working group convened by Councilmember Nadeau. Councilmember Grosso was concerned with the number of complaints he has received from constituents about late payments made by the Rehabilitation Services Administration in the Office of Disability Rights as well as the reduction of investment in domestic violence support. He was also concerned that the Mayor reduced the budget for the

Emergency Rental Assistance Program and commended the committee for filling the gap. As the Chairman of the Committee on Education, he was pleased that he could send \$300,000 of local recurring funding to the Committee on Human Services to support wraparound services at the 24-hour drop-in center and provide additional housing units for homeless youth. Finally, Councilmember Grosso acknowledged why the Committee struck the Mayor's proposed subtitle, "Information Sharing for Program Evaluation and Improvement Amendment Act of 2018," but he pointed out the need for interagency collaboration and coordination to improve educational outcomes for committed youth. After an opportunity for further discussion, Chairperson Nadeau then moved the Report with leave for staff to make technical, conforming, and editorial changes. The Members voted unanimously to approve the recommendations.

Chairperson Nadeau then provided a brief overview of the proposed subtitles and then moved the subtitles with leave for staff to make technical, conforming, and editorial changes. The Members voted unanimously to approve the subtitles.

Chairperson Nadeau then thanked her Committee staff and adjourned the meeting at 2:38 p.m.

## **VI. ATTACHMENTS**

- A. Wednesday, March 28, 2018 Fiscal Year 2018 Budget Oversight Hearing Witness List and Testimony.
- B. Thursday, April 12, 2018 Fiscal Year 2018 Budget Oversight Hearing Witness List and Testimony.
- C. Wednesday, April 18, 2018 Fiscal Year 2018 Budget Oversight Hearing Witness List and Testimony.