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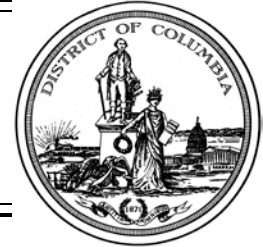
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# COMMITTEE ON HUMAN SERVICES

COUNCILMEMBER JIM GRAHAM, CHAIRPERSON  
FISCAL YEAR 2012 COMMITTEE BUDGET REPORT

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

**FROM:** Councilmember Jim Graham  
Chairperson, Committee on Human Services.

**DATE:** May 19, 2011

**SUBJECT:** Report and Recommendations of the Committee on Human Services on the Fiscal Year 2012 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 (FY) 2012 for the agencies under its purview, reports its recommendations for review and consideration by the Committee of the Whole. The Committee also comments on several sections in the Fiscal Year 2012 Budget Support Act of 2011, as proposed by the Mayor.

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# I. SUMMARY

## A. FISCAL YEAR 2012 AGENCY OPERATING BUDGET SUMMARY TABLE (Dollars in Thousands)

	FY09 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee	
<b>Child and Family Services Agency</b>							
Local Funds	252,427	206,400	191,596	191,596	0	191,596	
Dedicated Taxes	0	0	0	0	0	0	
Special Purpose	750	968	750	750	0	750	
Federal Funds	52,955	59,259	61,048	61,382	0	61,382	
Private Funds	366	198	17	17	0	17	
Intra-District	(16,787)	11,306	16,258	11,550	0	11,550	
<b>GROSS FUNDS</b>	<b>289,710</b>	<b>278,130</b>	<b>269,670</b>	<b>265,296</b>	<b>0</b>	<b>265,296</b>	
<b>Department of Disability Services</b>							
Local Funds	92,843	59,465	53,344	53,344	0	53,344	
Dedicated Taxes	0	0	0	0	0	0	
Special Purpose	7,394	5,437	6,200	6,900	0	6,900	
Federal Funds	24,526	27,791	29,051	31,707	0	31,707	
Private Funds	0	0	0	0	0	0	
Intra-District	380	650	0	0	0	0	
<b>GROSS FUNDS</b>	<b>125,143</b>	<b>93,343</b>	<b>88,595</b>	<b>91,951</b>	<b>0</b>	<b>91,951</b>	
<b>Department of Human Services</b>							
Local Funds	165,358	141,095	140,175	140,514	0	140,514	
Dedicated Taxes	0	0	0	0	0	0	
Special Purpose	2,656	620	2,150	1,075	0	1,075	
Federal Funds	150,124	177,885	158,224	167,461	0	167,461	
Private Funds	80	49	0	0	0	0	
Intra-District	11,630	15,042	16,136	10,766	0	10,766	
<b>GROSS FUNDS</b>	<b>329,849</b>	<b>334,691</b>	<b>316,685</b>	<b>319,816</b>	<b>0</b>	<b>319,816</b>	

<b>Department of Youth Rehabilitation Services</b>							
Local Funds	93,732	97,016	90,311	106,915	(11)	106,904	
Dedicated Taxes	0	0	0	0	0	0	
Special Purpose	0	0	0	0	0	0	
Federal Funds	23	3,380	258	0	0	0	
Private Funds	0	0	0	0	0	0	
Intra-District	588	452	278	278	0	278	
<b>GROSS FUNDS</b>	<b>94,343</b>	<b>100,849</b>	<b>90,847</b>	<b>107,194</b>	<b>(11)</b>	<b>107,182</b>	
<b>Children and Youth Investment Collaborative</b>							
Local Funds	19,100	10,602	4,625	3,000	0	3,000	
Dedicated Taxes	0	0	0	0	0	0	
Special Purpose	0	0	0	0	0	0	
Federal Funds	0	0	0	0	0	0	
Private Funds	0	0	0	0	0	0	
Intra-District	0	0	0	0	0	0	
<b>GROSS FUNDS</b>	<b>19,100</b>	<b>10,602</b>	<b>4,625</b>	<b>3,000</b>	<b>0</b>	<b>3,000</b>	
<b>Alcoholic Beverage Regulation Administration</b>							
Local Funds	190	400	0	279	460	739	
Dedicated Taxes	0	0	0	0	0	0	
Special Purpose	4,604	4,851	4,843	4,900	324	5,224	
Federal Funds	0	0	0	0	0	0	
Private Funds	0	0	0	0	0	0	
Intra-District	103	117	0	0	0	0	
<b>GROSS FUNDS</b>	<b>4,897</b>	<b>5,368</b>	<b>4,843</b>	<b>5,180</b>	<b>784</b>	<b>5,964</b>	
<b>Inter-Committee Funding Transfers (+ = Transfer-In; - = Transfer Out)</b>							
Local Funds							
Dedicated Taxes							
Special Purpose					-271		
Federal Funds							
Private Funds							
Intra-District							
<b>GROSS FUNDS</b>					<b>-271</b>		
<b>NET COMMITTEE ACTION</b>							
<b>Local Funds</b>	<b>623,650</b>	<b>514,978</b>	<b>480,051</b>	<b>495,648</b>	<b>449</b>	<b>496,097</b>	
<b>Dedicated Taxes</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Special Purpose</b>	<b>15,404</b>	<b>11,876</b>	<b>13,943</b>	<b>13,625</b>	<b>324</b>	<b>13,949</b>	
<b>Federal Funds</b>	<b>227,628</b>	<b>268,315</b>	<b>248,581</b>	<b>260,550</b>	<b>0</b>	<b>260,550</b>	
<b>Private Funds</b>	<b>446</b>	<b>247</b>	<b>17</b>	<b>17</b>	<b>0</b>	<b>17</b>	
<b>Intra-District</b>	<b>(4,086)</b>	<b>27,567</b>	<b>32,672</b>	<b>22,594</b>	<b>0</b>	<b>22,594</b>	
<b>GROSS FUNDS</b>	<b>863,042</b>	<b>822,983</b>	<b>775,264</b>	<b>792,434</b>	<b>773</b>	<b>793,207</b>	

**B. FISCAL YEAR 2011 AGENCY FULL-TIME EQUIVALENT TABLE**

	<b>FY09 Actual</b>	<b>FY 2010 Actual</b>	<b>FY 2011 Approved</b>	<b>FY 2012 Mayor</b>	<b>Committee Variance</b>	<b>FY 2012 Committee</b>	
<b>Child and Family Services Agency</b>							
Local Funds	552.9	620.0	601.0	601.2	(19.25)	581.95	
Dedicated Taxes	0.0	0.0	0.0	0.0	0.0	0.0	
Special Purpose	0.0	0.0	0.0	0.0	0.0	0.0	
Federal Funds	95.9	337.3	227.0	227.0	0.0	227.0	
Private Funds	0.0	0.0	0.0	0.0	0.0	0.0	
Intra-District	150.6	0.0	12.0	12.0	0.0	12.0	
<b>GROSS FUNDS</b>	<b>799.4</b>	<b>957.3</b>	<b>840.0</b>	<b>840.2</b>	<b>(19.25)</b>	<b>820.95</b>	
<b>Department of Disability Services</b>							
Local Funds	214.6	186.8	198.0	194.6	0.0	194.6	
Dedicated Taxes	0.0	0.0	0.0	0.0	0.0	0.0	
Special Purpose	0.0	0.0	0.0	0.0	0.0	0.0	
Federal Funds	169.2	228.6	208.8	206.2	0.0	206.2	
Private Funds	0.0	0.0	0.0	0.0	0.0	0.0	
Intra-District	0.0	0.0	0.0	0.0	0.0	0.0	
<b>GROSS FUNDS</b>	<b>383.7</b>	<b>415.4</b>	<b>406.8</b>	<b>400.8</b>	<b>0.0</b>	<b>400.8</b>	
<b>Department of Human Services</b>							
Local Funds	272.4	265.8	228.8	249.8	0.0	249.8	
Dedicated Taxes	0.0	0.0	0.0	0.0	0.0	0.0	
Special Purpose	0.0	0.0	0.0	0.0	0.0	0.0	
Federal Funds	474.8	595.4	605.8	581.2	0.0	581.2	
Private Funds	0.1	0.0	0.0	0.0	0.0	0.0	
Intra-District	16.3	16.9	24.0	11.0	0.0	11.0	
<b>GROSS FUNDS</b>	<b>763.6</b>	<b>878.1</b>	<b>858.5</b>	<b>842.0</b>	<b>0.0</b>	<b>842.0</b>	
<b>Department of Youth Rehabilitation Services</b>							
Local Funds	511.3	581.1	579.5	579.4	0.1	579.5	
Dedicated Taxes	0.0	0.0	0.0	0.0	0.0	0.0	
Special Purpose	0.0	0.0	0.0	0.0	0.0	0.0	
Federal Funds	0.0	0.0	0.5	0.0	0.0	0.0	
Private Funds	0.0	0.0	0.0	0.0	0.0	0.0	
Intra-District	0.0	0.0	0.0	0.0	0.0	0.0	
<b>GROSS FUNDS</b>	<b>511.3</b>	<b>581.1</b>	<b>580.0</b>	<b>579.4</b>	<b>0.1</b>	<b>579.5</b>	

<b>Children and Youth Investment Collaborative</b>							
Local Funds	0.0	0.0	0.0	0.0	0.0	0.0	
Dedicated Taxes	0.0	0.0	0.0	0.0	0.0	0.0	
Special Purpose	0.0	0.0	0.0	0.0	0.0	0.0	
Federal Funds	0.0	0.0	0.0	0.0	0.0	0.0	
Private Funds	0.0	0.0	0.0	0.0	0.0	0.0	
Intra-District	0.0	0.0	0.0	0.0	0.0	0.0	
<b>GROSS FUNDS</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	
<b>Alcoholic Beverage Regulation Administration</b>							
Local Funds	0.0	0.0	0.0	0.0	0.0	0.0	
Dedicated Taxes	0.0	0.0	0.0	0.0	0.0	0.0	
Special Purpose	33.6	43.4	44.0	48.0	(1.0)	47.0	
Federal Funds	0.0	0.0	0.0	0.0	0.0	0.0	
Private Funds	0.0	0.0	0.0	0.0	0.0	0.0	
Intra-District	0.0	0.0	0.0	0.0	0.0	0.0	
<b>GROSS FUNDS</b>	<b>33.6</b>	<b>43.4</b>	<b>44.0</b>	<b>48.0</b>	<b>(1.0)</b>	<b>47.0</b>	
<b>Inter-Committee Funding Transfers (+ = Transfer-In; - = Transfer Out)</b>							
Local Funds					0.0	0.0	
Dedicated Taxes					0.0	0.0	
Special Purpose					-2.0	-2.0	
Federal Funds					0.0	0.0	
Private Funds					0.0	0.0	
Intra-District					0.0	0.0	
<b>GROSS FUNDS</b>					<b>-2.0</b>	<b>-2.0</b>	
<b>NET COMMITTEE ACTION</b>							
Local Funds	1,551.2	1,653.7	1,401.3	1,625.0	(19.15)	1,605.85	
Dedicated Taxes	0.0	0.0	0.0	0.0	0.0	0.0	
Special Purpose	33.6	43.4	44.0	48.0	(1.0)	47.0	
Federal Funds	739.9	1,161.3	1,041.7	1,014.4	0.0	1,014.4	
Private Funds	0.1	0.0	0.0	0.0	0.0	0.0	
Intra-District	166.9	16.9	36.0	23.0	0.0	23.0	
<b>GROSS FUNDS</b>	<b>2,491.7</b>	<b>2,875.3</b>	<b>2,523.0</b>	<b>2,710.4</b>	<b>(20.15)</b>	<b>2,690.25</b>	

**C. FISCAL YEAR 2012 AGENCY CAPITAL BUDGET SUMMARY TABLE**  
(Dollars in Thousands)

Mayor's Proposed Fiscal Year 2011-2016 Capital Budget, By Agency								
Code	Project Name	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	6-Year
JA0	ELC-CMSHS –Case Management System	5,500	0	0	0	0	0	5,500
<b>Agency Total</b>		<b>5,500</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5,500</b>

Committee's Approved Fiscal Year 2011-2016 Capital Budget, By Agency								
Code	Project Name	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	6-Year
JA0	ELC-CMSHS –Case Management System	5,500	0	0	0	0	0	5,500
<b>Agency Total</b>		<b>5,500</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5,500</b>

**D. SUMMARY OF COMMITTEE BUDGET RECOMMENDATIONS**

CHILD AND FAMILY SERVICES AGENCY

*Operating Budget Recommendations*

- Based on specific information received from the D.C. Department of Human Resources, reduce staffing levels in CFSA within Grades 12 to 16 by a total of \$909,000 and 9 FTEs. This reflects an average salary plus fringe level of \$100,990 per year for positions in Grades 12 to 16 at the agency, resulting in an overall savings of \$600,000 after calculations for severance pay. Accordingly, the local fund reduction for CSG 11 is \$763,856 and CSG 14 is \$145,144. In addition, \$309,000 of these total funds are being redirected to CSG 13 to account for the severance pay required from these reductions. In order to achieve \$600,000 in savings, the agency will have to eliminate 9 FTEs. Since most of the individuals at CFSA holding positions that are within Grades 12 to 16 are in Program/Activity 2000, Agency Programs, and Program/Activity 3000, Community Services, this is where the Committee recommends that the reductions take place, with the further recommendation that 5 such FTEs be eliminated in Program/Activity 2000 and 4 such FTEs be eliminated in Program/Activity 3000. The Committee is giving discretion to the agency to determine which specific positions in this grade range and these Program/Activity categories will be eliminated. This reduction shall exclude case carrying social workers, supervisors of case carrying social workers, and the Ombudsman position.

The savings from this staff reduction will be used as follows:

- \$500,000 to CSG 50 in Program/Activity 7000 within the agency to restore funding for the CFSA MOU with the Department of Mental Health to support children's mental health services.
- \$100,000 to CSG 40 in Program/Activity 7010, Office of Clinical Practice, to assist the agency in providing tutoring services
- The Committee directs the agency to eliminate the following 10 funded vacant positions for a total of \$700,761 (CSG 11 by \$588,876 and CSG 14 by \$111,885):
  - Special Assistant (Community Services)
  - Research Develop Project Management Specialist (Policy and Planning)
  - Operations Research Analyst (Policy and Planning)
  - Residential Specialist (Clinical Practice)
  - Resource Development Specialist (Policy and Planning)
  - Secretary (Agency Programs)
  - Cash Management Specialist (Agency Financial Operations)
  - Clerical Assistant (Agency Management)
  - Clerical Assistants (Agency Programs)
  - Clerical Assistant (Agency Management)

The savings from this staff reduction will be used as follows:

- \$400,000 to CSG 50 in Program/Activity 7000 for continued support of the Family Treatment Court program, a partnership between CFSA and the Family Court, to provide drug treatment for women whose children are entering foster care due to either a direct or indirect result of the mother's drug use. As of August 4, 2011, the \$750,000 MOU between CFSA and DOH/APRA to provide substance abuse services for women with children who are the subject of a child neglect case before the Family Court will terminate.
- \$300,761 in local funds to CSG 50 in Program/Activity 4012, Grandparent Subsidy, to assist the agency in moving children and families from the Grandparent Caregiver Program waiting list.
- Reduce a specific position within Activity 120F, Accounting Operations, by ¼ FTE to reflect a technical adjustment recommended by the OCFO's Office of Budget and Planning. Currently, Position 24995 (Payroll Supervisor) is budgeted at ¾ filled.



## DEPARTMENT OF DISABILITY SERVICES

### *Operating Budget Recommendation*

- Approve Mayor's proposed FY 2012 budget for the Department of Disability Services

## DEPARTMENT OF HUMAN SERVICES

### *Operating Budget Recommendations*

- By a vote of 3-2, to approve Mayor's proposed FY 2012 budget for the Department of Human Services
- The Committee also recommends changing the Fund Detail on 31.5 budgeted positions in IDCR Organizational Code 1000 to Fund 8250 with respect to \$3,063,126 in Personnel Services and changing the Fund Detail on the fixed cost budget in Organization Code 1000 to Fund 8250 with respect to \$723,600 in Non-Personnel Services, Fixed Costs, to reflect a technical adjustment recommended by the OCFO's Office of Budget and Planning.

## DEPARTMENT OF YOUTH REHABILITATION SERVICES

### *Operating Budget Recommendations*

- Reduce CSG 11 by \$140,518 and CSG 14 by \$26,698 in local funds in Program/Activity 1000, Agency Management, by eliminating two vacant, non-direct service Program Analyst positions
- Increase CSG 11 by \$125,536 and CSG 14 by \$30,543 in local funds in Program/Activity 2000, Committed Youth Services, by the creation of create two new, direct service Case Manager positions in the Committed Services Program
- Reduce CSG 50 in the Residential Treatment Centers budget, Program/Activity 2000, Committed Youth Services, by \$1 million. The agency is committed to a residential treatment center utilization reduction plan proposed at the May 7 Budget Oversight Hearing.
- Reduce CSG 41 by \$54,000 for the Contractual Services contract Youth Empowerment Support (YES) IT application support, which is 30%.
- Increase CSG 50 by \$200,000 in Program/Activity 2000, Committed Youth Services, for Educational Services.
- Increase CSG 50 by \$824,000 in Program/Activity 2000, Committed Youth Services, to increase secured awaiting placement housing.

- Increase CSG 41 by \$30,000 in Program/Activity 4000, Health Services, for a formal assessment of the overall need for intensive substance abuse and alcohol treatment, recovery and relapse prevention programs at New Beginnings. The assessment should also include a thorough examination of reports of confiscation of drugs and alcohol found on the grounds of New Beginnings.
- Direct that \$2.25 million in CSG 50 in Program/Agency 2000, Committed Youth Services, be expended in the following manner:
  - \$1 million for the Youth/Family Focused Substance Abuse Treatment and Recovery Program
  - \$750,000 for the “Youth Offender Workforce Development Initiative” in Region 1 and Region 2
  - \$500,000 for Gang Intervention and Outreach
- Increase Position #90000001 by .10 FTEs, per the recommendation of the OCFO’s Office of Budget and Planning regarding a technical adjustment. This position was budgeted at 0.9 FTEs, and .10 FTEs was removed during a reallocation of positions within the cluster. The specific position should be at 1 FTE.

#### CHILDREN AND YOUTH INVESTMENT COLLABORATIVE

##### *Operating Budget Recommendations*

- Dedicate \$250,000 of Mayor’s proposed FY 2012 budget for the Children and Youth Investment Collaborative to continue FY 2011 competitive grants to support community-based targeted gang intervention and outreach

#### ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

##### *Operating Budget Recommendations*

- Reduce CSG 11 by \$67,000, CSG 12 by \$45,000 and CSG 14 by \$25,000 in special purpose revenue funds in Program/Activity 6010, Medical Marijuana, for a total of \$137,000 in personal services, by eliminating 2 FTEs associated with the Medical Marijuana Program.
- Reduce CSG 20 by \$16,000, CSG 40 by \$61,000, CSG 41 by \$42,000 and CSG 70 by \$15,000 in special revenue funds in Program/Activity 6010, Medical Marijuana, for a total of \$134,000 in nonpersonal services

- Transfer \$271,000 and 2 FTEs in special purpose revenue funds to the Committee on Health to be provided to the Department of Health to administer the Medical Marijuana Program
- Increase CSG 50 by \$540,000 in special purpose revenue funds in Program/Activity 3010, Investigations, for the Reimbursable Detail Subsidy Program by directing that the agency use \$540,000 of its Fiscal Year 2012 fund balance for this purpose
- Increase CSG 50 by \$460,000 in local funds in Program/Activity 3010, Investigations, for the Reimbursable Detail Subsidy Program with the revenue projected to be raised by enactment of the “Opening Hours Amendment Act of 2011”
- Increase CSG 11 by \$45,345 and CSG 14 by \$9,948 in special purpose revenue funds in Program/Activity 5000, Records Management, for a total of \$55,293, to support the addition of 1 FTE to serve as a Records Management Specialist, to be funded from the agency’s Fiscal Year 2012 fund balance

## II. AGENCY FISCAL YEAR 2012 BUDGET RECOMMENDATIONS

### A. INTRODUCTION

The Committee on Human Services is responsible for oversight of human service agencies of the District of Columbia government in addition to the agency charged with alcohol regulation. The following agencies fall within the purview of the Committee: the Child and Family Services Agency, the Department of Disability Services, the Department of Human Services, the Department of Youth Rehabilitation Services, the Children and Youth Investment Collaborative, and the Alcohol and Beverage Regulation Administration.

The Committee held public hearings to solicit public input and District government testimony on the proposed budgets for the agencies under its purview on the following dates.

<b>PUBLIC HEARINGS ON THE FY 2012 BUDGET REQUEST AND SUPPORT ACTS OF 2011</b>
<b>April 7, 2011</b> Department of Youth Rehabilitation Services
<b>April 11, 2011</b> Alcoholic Beverage Regulation Administration
<b>April 20, 2011</b> Child and Family Services Agency Alcoholic Beverage Regulation Administration (continuation)
<b>April 21, 2011</b> Department of Disability Services
<b>May 4, 2011</b> Child and Family Services Agency (continuation)
<b>May 5, 2011</b> Children and Youth Investment Collaborative
<b>May 6, 2011</b> Department of Human Services
<b>May 7, 2011</b> Department of Youth Rehabilitation Services (continuation)

The Committee received important comments and testimony from members of the public and District government officials during these budget oversight roundtables. ***The Committee conducted a total of 42 hours of hearings and heard from 191 witnesses, including 25 hours and 104 witnesses from May 4 to May 7.*** Copies of witness testimony are included in this report as *Attachments A, B, C, D, E, F, G and H.* A video recording of the hearings can be obtained through the Office of Cable Television or at *oct.dc.gov*. The Committee welcomes public input on the agencies and activities within its purview.

## B. CHILD AND FAMILY SERVICES AGENCY

Fiscal Year 2012 Operating Budget, By Revenue Type						
Fund Type	FY 2009 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee
Local Funds	252,427	206,400	191,596	191,596	0	191,596
Dedicated Taxes	0	0	0	0	0	0
Special Purpose	750	968	750	750	0	750
<b>General Fund Total</b>	<b>253,177</b>	<b>207,368</b>	<b>192,346</b>	<b>192,346</b>	<b>0</b>	<b>192,346</b>
Federal Payments	787	821	0	0	0	0
Federal Grant Funds	52,168	58,438	61,048	61,382	0	61,382
Federal Medicaid	0	0	0	0	0	0
<b>Federal Funds Total</b>	<b>52,955</b>	<b>59,259</b>	<b>61,048</b>	<b>61,382</b>	<b>0</b>	<b>61,382</b>
Private Grant Funds	310	137	0	0	0	0
Private Donations	56	61	17	17	0	17
Intra-District	(16,787)	11,306	16,258	11,550	0	11,550
<b>GROSS FUNDS</b>	<b>289,710</b>	<b>278,130</b>	<b>269,670</b>	<b>265,296</b>	<b>0</b>	<b>265,296</b>

(Dollars in Thousands)

Fiscal Year 2012 Full-Time Equivalents, By Revenue Type							
Fund Type	FY 2009 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee	
Local Funds	552.9	620.0	601.0	601.2	(19.25)	581.95	
Dedicated Taxes	0.0	0.0	0.0	0.0	0.0	0.0	
Special Purpose	0.0	0.0	0.0	0.0	0.0	0.0	
<b>General Fund Total</b>	<b>552.9</b>	<b>620.0</b>	<b>601.0</b>	<b>601.2</b>	<b>(19.25)</b>	<b>581.95</b>	
Federal Payments	0.0	0.0	0.0	0.0	0.0	0.0	
Federal Grant Funds	95.9	337.3	227.0	227.0	0.0	227.0	
Federal Medicaid	0.0	0.0	0.0	0.0	0.0	0.0	
<b>Federal Funds Total</b>	<b>95.9</b>	<b>337.3</b>	<b>227.0</b>	<b>227.0</b>	<b>0.0</b>	<b>227.0</b>	
Private Grant Funds	0.0	0.0	0.0	0.0	0.0	0.0	
Intra-District	150.6	0.0	12.0	12.0	0.0	12.0	
<b>GROSS FUNDS</b>	<b>799.4</b>	<b>957.3</b>	<b>840.0</b>	<b>840.2</b>	<b>(19.25)</b>	<b>820.95</b>	

Fiscal Year 2012 Operating Budget, By Comptroller Source Group (Gross Funds)							
Comptroller Source Group		FY 2009 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee
11	Regular Pay	56,058	55,597	54,992	52,965	(1,351)	51,614
12	Regular Pay - Other	201	630	389	622	0	622
13	Additional Gross Pay	1,642	3,578	0	0	309	309
14	Fringe Benefits	11,462	11,984	12,079	12,909	(257)	12,652
15	Overtime Pay	1,464	968	1,000	1,000	0	1,000
<b>Personal Services (PS)</b>		<b>70,827</b>	<b>72,757</b>	<b>68,459</b>	<b>67,497</b>	<b>(1,301)</b>	<b>66,197</b>
20	Supplies and Materials	319	290	344	341	0	341
30	Energy, Comm. and Building Rentals	137	285	245	735	0	735
31	Telephone, Telegraph, Telegram, etc.	1,155	869	1,306	1,303	0	1,303
32	Rentals – Land and Structures	7,718	7,528	7,599	7,933	0	7,933
33	Janitorial Services	0	173	56	315	0	315
34	Security Services	958	1,285	1,171	1,496	0	1,496
35	Occupancy Fixed Costs	0	42	72	289	0	289
40	Other Services & Charges	1,770	1,461	2,798	3,202	100	3,302
41	Contractual Services & Other	14,858	11,091	8,339	9,729	0	9,729
50	Subsidies & Transfers	191,134	181,866	178,684	171,741	1,201	172,942
70	Equipment and Equipment Rental	813	463	596	629	0	629
80	Debt Service	0	0	0	85	0	85
90	Expense Not Budgeted Others	22	19	0	0	0	0
<b>Nonpersonal Services (NPS)</b>		<b>218,884</b>	<b>205,373</b>	<b>201,210</b>	<b>197,799</b>	<b>1,301</b>	<b>199,099</b>
<b>GROSS FUNDS</b>		<b>289,710</b>	<b>278,130</b>	<b>269,670</b>	<b>265,296</b>	<b>0</b>	<b>265,296</b>

(Dollars in Thousands)

Agency Program		FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee
1000	Agency Management	29,753	28,528	31,117	(90)	31,027
100F	Agency Financial Operations	2,213	2,430	2,287	(65)	2,222
2000	Agency Programs	46,246	35,483	34,908	(414)	34,494
3000	Community Services	132,258	164,946	174,884	(377)	174,507
4000	Adoption and Guardian Subsidy Program	41,434	2,360	2,360	301	2,661
5000	Community Based Program	26,226	9,713	0	0	0
6000	Policy and Planning	0	6,054	5,689	(274)	5,415
7000	Clinical Practice	0	20,155	14,052	920	14,972
<b>GROSS FUNDS</b>		<b>278,130</b>	<b>269,670</b>	<b>265,296</b>	<b>0</b>	<b>265,298</b>

(Dollars in Thousands)

## 1. COMMITTEE ANALYSIS AND COMMENTS

### a. Agency Mission and Overview

The mission of the Child and Family Services Agency (CFSA) is to ensure the safety, permanence, and well-being of abused and neglected children and to strengthen troubled families in the District of Columbia.

The Child and Family Services Agency operates through the following 6 divisions:

**Agency Programs** – investigates reports of child abuse and neglect, and provides direct case management for families at home, as well as for children and youth in out-of-home care. The Agency Programs division 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 5 activities:

- **The Child Protective Services Administration (CPS)** – receives reports 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 Collaboratives. The services 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;
- **The In-Home and Permanency Administrations I and II** – these two activities serve families in-home through 10 In-Home and Permanency units recently co-located with community partners to provide community-based family support. Through the Partnership for Community-Based Services, CFSA social workers in these units team with staff in partner community agencies to provide a preventative and comprehensive



response to service needs. The In-Home and Permanency Administrations I and II also provide direct case management to youth in out-of-home care that are seeking to achieve permanency through reunification, guardianship or adoption;

- **The Out-of-Home and Permanency Administration** – provides permanency support, consultation, technical assistance, training and case management for children from the inception of concurrent permanency planning through finalization of adoption or guardianship. CFSA serves wards, children and youth committed by the D.C. Superior Court Family Court, in the District’s foster care system and in non-wards through independent adoptions for residents of the District of Columbia; and
- **Office of Youth Empowerment (OYE)** – provides permanency support, consultation, technical assistance, training and case management for older youth between the ages of 16-21 with a focus on appropriate permanence options or the establishment of a lifelong connection for youth with the goal of APPLA. OYE works to achieve permanence for older youth while at the same time providing life skills training, vocational and educational support and transitional assistance to help youth to prepare for independence after leaving foster care.

**Community Services** – establishes and sustains centers of excellence that achieve or support positive outcomes for children and families through best practices, superior customer services, and solid teamwork in its community-based prevention programs, recruitment, retention and licensing of foster parents, placement services for children, and quality child welfare programs in private contract agencies. Community Services is comprised of social workers and other professionals responsible for monitoring and oversight of services to children (and their biological and/or foster families) at every level of the child welfare continuum. This division contains the following 9 activities:

- **Prevention Services** – provides community-based prevention, supportive, and after-care services to families and at-risk children in the neighborhoods so that they can achieve safety, permanency, and well-being in the least restrictive setting, maximizing the use of informal and formal support systems; (note that some funding for this activity remains in Community-based Programs division);
- **Child Placement** – provides living arrangements for children who cannot live in their birth homes. By providing an array of placement options, Child Placement supports the safety, permanence and well-being of children and youth in the care of CFSA;
- **Contract Monitoring** – is responsible for monitoring family-based foster care and congregate care contracts. Through rigorous monitoring activities, Contract Monitoring seeks to improve contracted programs’ performance outcomes, instill continuous quality improvement and to ensure high quality services to children served by these agencies;

- **Family Licensing** – ensures that candidates seeking to provide foster or adoptive care are trained and licensed to provide appropriate care for children in need of temporary or permanent homes;
- **Family Resources** – provides foster and adoptive resource recruitment and support services to current and potential foster, kinship, and adoptive parents. Through various outreach and public education campaigns and activities, Family Resources ensures the availability of foster parents that are willing and able to meet the varied needs of children and youth in the care of CFSA. Foster parent support professionals provide the ongoing assistance necessary to ensuring safe homes that support the permanence and well-being of children and youth;
- **Health Services and Clinical Support** – provides health and clinical services support to social workers so that they can ensure the health and wellbeing of children and families; (note that funds for the activity will be used in conjunction with funds in the Clinical Practice division);
- **Adoptions 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 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. (Note that some funding for this activity remains in the Adoption and Guardian Subsidy division).

**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 structured progress reviews, child fatality review, quality service reviews, and ChildStat in order to

identify, both on a case-by-case and systemic level, areas of strength and need in line with best practices and child welfare standards.

**Clinical Practice** – provides (or contracts for the provision of) complete and comprehensive well-being services for children in CFSA’s custody. Clinical Practice coordinates and administers clinical and health services for children receiving foster care services from CFSA as well as innovative family support functions like Family Team Meetings (FTM). This division contains the following 2 activities:

- **Clinical 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 health services. Clinical specialists provide linkages and support in accessing resources within other District agencies and community providers; and
- **Nurse Care Management Services** – provides medical case management services to children in the custody of the CFSA. Nurse care managers work to ensure that children receive timely, necessary, and coordinated health care services.

**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. Additional information about the Agency Management division can be found in the Strategic Budgeting chapter.

**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.

**b. Mayor’s Proposed Fiscal Year 2012 Operating Budget**

**Proposed Operating Budget Summary**

**Local Funds:** The Mayor’s proposed budget is \$191,596,000, the same as the approved FY 2011 budget. This funding supports 601.2 FTEs, an increase of 0.2, or 0%, from the FY 2011 approved budget.

**Special Purpose Revenue Funds:** The proposed budget is \$750,000, the same as the FY 2011 approved budget.

**Federal Grant Funds:** The proposed budget is \$61,382,000, an increase of \$334,000, or 0.5%, from the FY 2011 approved budget. This funding supports 227 FTEs, the same as the FY 2011 approved budget.

**Private Donations:** The proposed budget is \$17,000, the same as the FY 2011 approved budget.

**Intra-District Funds:** The proposed budget is \$11,550,000, a decrease of \$4,708,000, or 29%, from the FY 2011 approved budget. This funding supports 12 FTEs, the same as the FY 2011 approved budget.

### **Committee Analysis and Comments**

The Committee has several concerns with the reductions proposed in the FY 2012 budget including: (1) the elimination of the Memorandum of Understanding (MOU) between CFSA and the Department of Mental Health (DMH); (2) the elimination of the MOU between CFSA and the Department of Health's Addiction Prevention and Recovery Administration (DOH-APRA); (3) the elimination of funding for tutoring services; and (4) the waiting list for the Grandparent Caregiver Program.

#### **Elimination of MOU with DMH**

The budget proposes to eliminate the \$2.5 million MOU between CFSA and DMH for children's mental health services. A variety of services and trainings were supported by this MOU: Diagnostic Assessment Reports; Psychological Evaluations (Assessment Center); Flex fund payments (i.e. non Medicaid reimbursable services and supports, including transportation, incentives/rewards to reinforce positive behaviors, family engagement in treatment, teaming, etc); Trauma Focused Cognitive Behavioral Therapy (TF-CBT) training; Functional Family Therapy (FFT) services; Functional Family Therapy (FFT) training; Parent Child Interaction Therapy (PCIT) training; and Child Parent Therapy Psychotherapy for Family Violence (CPT\_FV) training.

In response to the proposed cuts, the Court Monitor's report stated, "The impact of the loss of these funds threatens to derail the advances that have been occurring, although slowly, in building the District's mental health system capacity for children and families."<sup>1</sup> The agency has stated that in the absence of the MOU, existing local funds and current contracts will be utilized to ensure that youth will continue receiving services. However, the Committee is concerned that the agency has yet to identify a concrete plan to continue providing the services currently offered under this MOU. Further, it is unclear to the Committee the extent to which the agency has able determined the true impact of this elimination.

#### **Elimination of MOU with APRA**

The budget also proposes the elimination of a \$750,000 MOU between CFSA and APRA, which supports the implementation and monitoring of a substance abuse treatment program for CFSA-referred women with dependent children who are the subject of a child

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<sup>1</sup> Center for the Study of Social Policy, *LaShawn A. v. Gray* Progress Report for the Period July 1 – December 31, 2010, (May 2, 2011).

neglect case. This MOU is a component of a court-supervised, comprehensive treatment program known as the Family Treatment Court (FTC). A partnership between CFSA, APRA and the Family Court, the FTC provides immediate access to drug treatment for women whose children are entering foster care due to either a direct or indirect result of the mother's drug use. According to data provided by the agency, for FY 2011 year-to-date, there have been 234 substance abuse referrals for adults and adolescents combined. Given the need for comprehensive substance abuse treatment, the Committee opposes the loss of any dedicated funding for this purpose.

While achieving permanency through reunification, guardianship and adoption is one of the agency's stated core functions, the Committee is concerned that unmet mental health and substance abuse needs will impede the agency's ability to ensure permanency for children and youth in their care. The agency must begin to recognize the connection between substance abuse and mental health challenges and demonstrate a commitment to address these needs in an aggressive and consistent manner.

#### Elimination of Funding for Tutoring Services

The FY 12 budget also proposes the elimination of all funding support for tutoring services. There are approximately 145 CFSA-involved children and youth currently receiving tutoring services. CFSA is in the process of identifying community and school-based resources that will provide CFSA young people with tutoring services through after-school enrichment programs offered by local schools, community-based programs, and Supplemental Education Services (SES), which are supplemental academic services provided by a Title I school that has failed to make Adequate Yearly Progress for three consecutive years. The Committee supports the agency in efforts to identify and utilize community and school-based tutoring services available. However, many CFSA youth attend schools that are not providing after-school tutoring, SES or the structure of the after-school program is not conducive to meeting the specialized needs of many CFSA-involved youth who would require or benefit from one-on-one academic support. The Committee is concerned that the agency will be challenged to identify sufficient resources for all CFSA involved youth who need tutoring services.

#### Grandparent Caregiver Program Waiting List

The Committee is pleased that the proposed budget restores \$903,532 to the DC Grandparent Caregiver Program in order to maintain the FY 2011 funding level of \$3,757,000. This program provides financial support to grandparents who have taken the responsibility of caring for their children's offspring, an intervention which helps to keep these children out of foster care. It is important to note that the FY 2012 proposed funding level maintains the FY 2011 revised approved budget for the program, which included a 33% across the board subsidy reduction implemented in January 2011. Although the Committee acknowledges the administration's continued support of this program, the proposed FY 2012 allocation is not sufficient to address the 74 children and 54 families currently on the waiting list.

## 2. COMMITTEE RECOMMENDATIONS

### A. Fiscal Year 2012 Operating Budget Recommendations

The Committee approves the Mayor's proposed FY 2012 budget for CFSA with the following recommendations:

1. Based on specific information received from the D.C. Department of Human Resources, reduce staffing levels in CFSA within Grades 12 to 16 by a total of \$909,000 and 9 FTEs. This reflects an average salary plus fringe level of \$100,990 per year for positions in Grades 12 to 16 at the agency, resulting in an overall savings of \$600,000 after calculations for severance pay. Accordingly, the local fund reduction for CSG 11 is \$763,856 and CSG 14 is \$145,144. In addition, \$309,000 of these total funds are being redirected to CSG 13 to account for the severance pay required from these reductions. In order to achieve \$600,000 in savings, the agency will eliminate 9 FTEs. Since most of the individuals at CFSA holding positions that are within Grades 12 to 16 are in Program/Activity 2000, Agency Programs, and Program/Activity 3000, Community Services, this is where the Committee recommends that the reductions take place, with the further recommendation that 5 such FTEs be eliminated in Program/Activity 2000 and 4 such FTEs be eliminated in Program/Activity 3000. The Committee is giving discretion to the agency to determine which specific positions in this grade range and these Program/Activity categories will be eliminated. This reduction shall exclude case carrying social workers, supervisors of case carrying social workers, and the Ombudsman position.

The goal of this reduction is to address the agency's layered management structure and identify other areas where staffing efficiencies can be achieved. Savings from the vacancy eliminations below and the staff reductions will be directed to services for children and families involved in the child welfare system. The Committee is confident that the proposed adjustments are reasonable and conservative during this time of fiscal challenges.

The savings from this staff reduction will be used as follows:

- \$500,000 to CSG 50 in Program/Activity 7000 within the agency to restore funding for the CFSA MOU with the Department of Mental Health to support children's mental health services.
- Transfer \$100,000 to CSG 40 in Program/Activity 7010, Office of Clinical Practice to assist the agency in providing tutoring services

2. Transfer \$500,000 within the agency from Teen Services in CSG 50 and Program/Activity 2030, Agency Programs, to the second year of the RFP for Youth Transitional Living Support in CSG 50 in Program/Activity 2030.
3. Of the current 98 vacant funded CFSA positions, eliminate the following 10 funded vacant positions for a total of \$700,761 (CSG 11- \$588,876; CSG 14- \$111,885).
  - (391) Special Assistant; 3000 (Community Services), CSG 11 - \$92,395; CSG 14 - \$17,555
  - (524) Research Develop Project Management Specialist; 6000 (Policy and Planning), CSG 11 - \$85,105; CSG 14 - \$16,170
  - (12832) Operations Research Analyst; 6000 (Policy and Planning), CSG 11 - \$77,884; CSG 14 - \$14,798
  - (33058) Residential Specialist; 7000 (Clinical Practice), CSG 11 - \$67,600; CSG 14 - \$12,844
  - (3429) Resource Development Specialist; 6000 (Policy and Planning), CSG 11 - \$67,600; CSG 14 - \$12,844
  - (26726) Secretary; 2000 (Agency Programs), CSG 11 - \$34,706; CSG 14 - \$6,594
  - (11135) Cash Management Specialist; 100F (Agency Financial Operations), CSG 11 - \$54,633; CSG 14 - \$10,380
  - (10921) Clerical Assistant; 1000 (Agency Management), CSG 11 - \$37,539; CSG 14 - \$7,132
  - (17509) Clerical Assistant; 2000 (Agency Programs), CSG 11 - \$33,875; CSG 14 - \$6,436
  - (20210) Clerical Assistant; 1000 (Agency Management), CSG 11 - \$37,539; CSG 14 - \$7,132

The savings from this staff reduction will be used as follows:

- \$400,000 to CSG 50 in Program/Activity 7000 for continued support of the Family Treatment Court program, a partnership between CFSA and the Family Court, to provide drug treatment for women whose children are entering foster care due to either a direct or indirect result of the mother's

drug use. As of August 4, 2011, the \$750,000 MOU between CFSA and DOH/APRA to provide substance abuse services for women with children who are the subject of a child neglect case before the Family Court will terminate.

- Transfer \$300,761 in local funds to CSG 50 in Program/Activity 4012, Grandparent Subsidy, to assist the agency in moving children and families from the Grandparent Caregiver Program waiting list.
4. Reduce a specific position within Activity 120F, Accounting Operations, by  $\frac{1}{4}$  FTE to reflect a technical adjustment recommended by the OCFO's Office of Budget and Planning. Currently, Position 24995 (Payroll Supervisor) is budgeted at  $\frac{3}{4}$  filled.

## **B. Policy Recommendations**

1. The Committee directs that the agency conduct an analysis of their current operations. The analysis should explore the cost effectiveness of transitioning certain current agency functions to the private sector, assess current staffing levels, and examine the expenditures of the agency and private providers. The analysis, which should include recommendations to achieve efficiencies, should be submitted to the Committee by October 1, 2011.
2. The Committee directs that the agency develop a mechanism to track and report outcomes for youth referred to APRA, or its providers, for substance abuse services. The report should include the following information: number of youth referred for services; number of youth completed assessments; number of youth who enter into treatment; where and for how long are youth involved in treatment; and the successfulness of treatment. The report should be submitted to the Committee on an annual basis. The first report should be submitted to the Committee and made available to the public by December 1, 2011.
3. The Committee directs the agency to conduct quarterly Medicaid documentation compliance reviews using the Targeted Case Management documentation template developed by the Department of Health Care Finance. The purpose of these reviews is to ensure that documentation practices are aligned with Medicaid claiming requirements so that revenue maximized. A corrective action plan identifying areas of deficiency and a timeline for implementing any recommended corrective actions should be included in each review submitted to the Committee. The first report should be submitted to the Committee by July 1, 2011.
4. The Committee directs that the agency explore ways to provide more opportunities for teen mothers to actively participate in the educational, cultural and social development activities and programs provided through the Office of Youth Empowerment (OYE). The



Committee would like to see evidence of increased participation in OYE activities from this population of foster youth. The Committee also directs the agency to collaborate with community partners in developing specialized programming in an effort to address the unique needs of this population.

5. The Committee directs that the agency assess and develop a plan to streamline the various quality assurance review activities conducted by the agency. The assessment should focus on identifying when duplicative review and assessment functions can be consolidated into a more efficient quality assurance review process. This plan should include a way to systematically track all recommendations, when recommendations are implemented and outcomes regarding practice improvements. The plan should be submitted to the Committee by October 1, 2011.
6. The Committee directs that the agency provide an annual report on the Aftercare Program. The report should include the following information: program funding of each Collaborative, number of youth referred to each Collaborative, length of time prior to emancipation the referral was made to a Collaborative, and description of services provided. The Committee also directs the agency to work with the Collaboratives to develop a mechanism to track outcomes for youth supported through this program for up to two calendar years. The first report should be submitted to the Committee and made available to the public by December 1, 2011.
7. The Committee directs that the agency provide a status report on efforts to amend the Independent Living and Group Home regulations. The status report should identify the individuals involved in this process, include a list of proposed changes to the regulations, and provide a timeline in which changes will be reflected in the regulations. The status report should be submitted to the Committee by October 1, 2011.
8. The Committee directs that the agency provide a status report for each recommendation outlined in the Office of the Inspector General Report, "*Child and Family Services Agency Child Protective Services Administration Report of Inspection. April 2011.*" The status report, which should include a timeline by which recommendations will be implemented, should be submitted to the Committee by July 2011.
9. The Committee directs the agency to establish a review panel for the 2012 Youth Transition Services RFP process. The panel will consist of representatives from non-contracting organizations to work in collaboration with the agency to review applicants and make award recommendations, monitor program work and outcomes, and evaluate programs to ensure effectiveness.

## C. DEPARTMENT OF DISABILITY SERVICES

Fiscal Year 2012 Operating Budget, By Revenue Type							
Fund Type	FY 2009 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee	
Local Funds	92,843	59,465	53,344	53,344	0	53,344	
Special Purpose	7,394	5,437	6,200	6,900	0	6,900	
<b>General Fund Total</b>	<b>100,237</b>	<b>64,902</b>	<b>59,544</b>	<b>60,244</b>	<b>0</b>	<b>60,244</b>	
Federal Grant Funds	21,744	24,523	26,141	28,387	0	28,387	
Federal Medicaid	2,781	3,268	2,910	3,320	0	3,320	
<b>Federal Funds Total</b>	<b>24,526</b>	<b>27,791</b>	<b>29,051</b>	<b>31,707</b>	<b>0</b>	<b>31,707</b>	
Intra-District	380	650	0	0	0	0	
<b>GROSS FUNDS</b>	<b>125,143</b>	<b>93,343</b>	<b>88,595</b>	<b>91,951</b>	<b>0</b>	<b>91,951</b>	

*(Dollars in Thousands)*

Fiscal Year 2012 Full-Time Equivalents, By Revenue Type							
Fund Type	FY 2009 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee	
Local Funds	214.6	186.8	198.0	194.6	0.0	194.6	
<b>General Fund Total</b>	<b>214.6</b>	<b>186.8</b>	<b>198.0</b>	<b>194.6</b>	<b>0.0</b>	<b>194.6</b>	
Federal Grant Funds	146.9	202.4	181.8	180.2	0.0	180.2	
Federal Medicaid Payments	22.3	26.2	27.0	26.0	0.0	26.0	
<b>Federal Funds Total</b>	<b>169.2</b>	<b>228.6</b>	<b>208.8</b>	<b>206.2</b>	<b>0.0</b>	<b>206.2</b>	
<b>GROSS FUNDS</b>	<b>383.7</b>	<b>415.4</b>	<b>406.8</b>	<b>400.8</b>	<b>0.0</b>	<b>400.8</b>	

Fiscal Year 2012 Operating Budget, By Comptroller Source Group (Gross Funds)							
Comptroller Source Group		FY 2009 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee
11	Regular Pay	24,015	23,520	25,621	25,856	0	25,856
12	Regular Pay - Other	816	977	597	575	0	575
13	Additional Gross Pay	1,063	509	0	0	0	0
14	Fringe Benefits	4,858	5,078	5,099	5,720	0	5,720
15	Overtime Pay	167	242	120	120	0	120
<b>Personal Services (PS)</b>		<b>30,919</b>	<b>30,327</b>	<b>31,437</b>	<b>32,270</b>	<b>0</b>	<b>32,270</b>
20	Supplies and Materials	218	189	221	203	0	203
30	Energy, Comm. and Building Rentals	318	4	5	1	0	1
31	Telephone, Telegraph, Telegram, etc.	269	420	213	439	0	439
32	Rentals – Land and Structures	7,365	5,504	5,570	5,956	0	5,956
34	Security Services	261	24	34	126	0	126
35	Occupancy Fixed Costs	0	29	0	0	0	0
40	Other Services & Charges	2,416	2,731	3,350	3,415	0	3,415
41	Contractual Services & Other	5,707	5,294	3,737	4,223	0	4,223
50	Subsidies & Transfers	76,971	48,259	43,511	44,867	0	44,867
70	Equipment and Equipment Rental	699	561	517	452	0	452
<b>Nonpersonal Services (NPS)</b>		<b>94,224</b>	<b>63,016</b>	<b>57,158</b>	<b>59,680</b>	<b>0</b>	<b>59,680</b>
<b>GROSS FUNDS</b>		<b>125,143</b>	<b>93,343</b>	<b>88,595</b>	<b>91,951</b>	<b>0</b>	<b>91,951</b>

(Dollars in Thousands)

Agency Program		FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee
1000	Agency Management	14,352	13,750	15,022	0	15,022
100F	Agency Financial Operations	1,516	1,576	1,662	0	1,662
6000	Developmental Disabilities Administration	50,159	45,300	46,079	0	46,079
7000	Rehabilitation Services	27,315	27,969	29,188	0	29,188
<b>GROSS FUNDS</b>		<b>93,343</b>	<b>88,595</b>	<b>91,951</b>	<b>0</b>	<b>91,951</b>

(Dollars in Thousands)

## 1. COMMITTEE ANALYSIS AND COMMENTS

### a. 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.

The Department on Disability Services (DDS) operates through the following 4 divisions:

**Developmental Disabilities Administration (DDA)** – provides individualized services, supports and life planning to individuals with intellectual and developmental disabilities in order to lead self-determined and valued lives in the community. This division contains the following 3 activities:

- **DDA Service Planning and Coordination** – provides services to qualified individuals by coordinating available resources and opportunities in the community, assisting with the development of Individualized Service Plans (ISPs), and advocating for quality services to promote healthy lifestyles for each individual;
- **Quality Assurance** – examines and improves internal and external service delivery systems by conducting external provider reviews to ensure performance standards, federal and local regulations, quality frameworks issued by the Centers for Medicare and Medicaid Services, national best practices, and court mandates are met. Quality Assurance includes functional responsibility for incident management and enforcement, and clinical technical assistance to improve healthcare delivery; and
- **DDA Consumer Resources and Operations** – oversees the intake of all new applicants, the management of all providers for the safety of individuals supported by DDA and the management of the Home and Community Based Waiver, including technical assistance, service authorization, and management of consumer funds and coordination of activities carried out in D.C. Superior Court.

**Rehabilitation Services Administration (RSA)** – assists disabled persons achieve a greater quality of life by obtaining and sustaining employment, economic self-sufficiency, and independence. This division contains the following 4 activities:

- **RSA Client Services\ Vocational Rehabilitation Services** – assesses, plans, develops and provides vocational rehabilitation services to individuals with disabilities to enable them to prepare and engage in gainful and competitive employment;
- **Blind and Visual Impairment Services** – assists blind and visually impaired District residents obtain information they need to make informed choices by providing services that increase their opportunities;

- **Disability Determination Services** – administers Social Security Disability Insurance and Supplemental Security Income; and
- **Quality Assurance** – provides monitoring, compliance reviews, and evaluation of local and federal agencies, ensuring that RSA customers receive quality services.

**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.

**b. Mayor’s Proposed Fiscal Year 2011 Operating Budget**

**Proposed Operating Budget Summary**

**Local Funds:** The Mayor’s proposed budget is \$53,344,000, the same as the FY 2011 approved budget. This funding supports 194.6 FTEs, a decrease of 3.4 FTEs, or 1.7%, from the FY 2011 approved budget.

**Special Purpose Revenue Funds:** The proposed budget is \$6,900,000, a decrease of \$700,000, or 11.3%, from the FY 2011 approved budget.

**Federal Grant Funds:** The proposed budget is \$28,387,000, an increase of \$2,246,000, or 8.6%, from the FY 2011 approved budget. This funding supports 180.2 FTEs, a decrease of 1.6 FTEs, or 0.9%, from the FY 2011 approved budget.

**Federal Medicaid Payments:** The proposed budget is \$3,320,000, an increase of \$410,000, or 14.1%, from the FY 2011 approved budget. This funding supports 26 FTEs, a decrease of 1 FTE, or 3.7%, from the FY 2011 approved budget.

**Committee Analysis and Comment**

The Committee applauds the Mayor’s proposed FY 2012 budget for the Department on Disability Services (DDS). In the face of fiscal challenges and competing demands, the proposed budget maintains the same level of local funding for direct services as the FY 2011 budget. This decision by the administration and the efforts of the agency to maximize federal revenue opportunities and increase O Type funding will help to ensure that people with disabilities have the support necessary to lead meaningful and productive lives in our community.

It is important to note that the DDS proposed FY 2012 local funding level, which mirrors the FY 2011 level, is \$10.5 million less than the FY 2009 local funding allocation. In order to sustain the reductions that have occurred in the local budget over the last three years, the agency has employed several cost saving strategies including: aggressively managing rental costs, reducing administrative overhead costs, intensively supporting efforts to maintain Medicaid and Social Security eligibility, transitioning clients from non-Medicaid out-of-state residential settings to Medicaid eligible settings, reducing the number of FTEs, maximizing Medicaid and O Type revenue, and improving information management to manage budget forecasting.

The Committee is aware that while funding will remain stable leading into FY 2012, the demand for services and support will continue to increase. On average, 34 individuals are transitioned annually from family care to residential out-of-home care and this number is expected to rise. The Committee is concerned that the increasing demand for services will result in a waiting list in FY 2012. It is imperative that the agency moves swiftly and in collaboration with the advocacy community to develop waiting list criteria that will guide access to services when the demand increases.

The Committee is also concerned and will be monitoring the impact of the FY 2010 reduction in RSA's Maintenance of Effort (MOE) for the federal Vocational Rehabilitation Grant of \$2 million on the FY 2012 budget. This grant is funded through the Department of Education and provides support to states in covering vocational activities that support people with intellectual and developmental disabilities in their transition from school to work, obtaining higher education and employment, and in achieving independence. The agency, heading into the FY 2012, will receive the full Federal Grant allocation for RSA. However, the Department of Education makes quarterly payments and tests states' Maintenance of Effort in the last quarter of each fiscal year to determine if adjustments are necessary. At this point, it is not certain whether the federal government will take action on the District's FY 2011 reduction. Additionally, it is uncertain how the \$2 million MOE reduction will impact service delivery.

The FY 2012 Budget Support Act includes proposed language that would change the eligibility requirements for DDS Services. "The Intellectual Disability Services Medicaid Maximization Reform Act of 2011," would require DDS to maximize Medicaid revenues by requiring individuals receiving supports and services to become Medicaid eligible and maintain Medicaid eligibility or require individuals to make full payments to the provider for support and services. The Committee has several concerns regarding this language.

First, the proposed language places the burden for becoming and obtaining Medicaid eligibility solely on the individual in need of services. Second, there is concern regarding the impact this Act will have on those individuals who will not be able to meet Medicaid eligibility requirements because of immigration status. Third, the Act as written fails to provide an effective date by which people would have to become Medicaid eligible. While the Committee appreciates and encourages the agency's efforts to maximize federal dollars to assist in the provision of services, there are concerns about the unintentional negative consequences that could result from the changes in eligibility requirements.

The Committee is also concerned about the cuts being proposed to the TANF program in the FY 2012 budget. In the District of Columbia, individuals with disabilities and their families make up a disproportionate number of the TANF population. According to a report by the Urban Institute on the District's TANF caseload, more than one-third of TANF recipients are caring for a sick family member or a child with health or behavioral problems: 16% report having a physical health problem, 20.9% have mental illness, and almost have a learning disability. The Committee is concerned that without an exemption for those recipients who were caring for a sick family member or child during their first 60 months on TANF these families will be further destabilized by drastic reductions to their incomes. The Committee will be closely monitoring the impact of the proposed TANF cuts on the people with disabilities and their families.

## **1. COMMITTEE RECOMMENDATIONS**

### **a. Fiscal Year 2012 Operating Budget Recommendations**

The Committee approves the Mayor's proposed operating budget for the Department on Disability Services.

### **b. Policy Recommendations**

1. The Committee directs the agency to develop a process by which community input is obtained as policies to guide practice are developed. The Committee believes that it is important that the individuals the agency serves have an opportunity to participate in developing the policies that will affect their experience. The agency should provide a status report to the Committee on the implementation of this process by July 1, 2011.
2. The Committee directs the agency to develop a crisis plan to ensure that there are quality residential providers to serve residents with intellectual disabilities in physically accessible homes in the event that residents need to be quickly relocated due to safety concerns. The Agency should develop this plan and submit it to the Committee by October 1, 2011.
3. The Committee directs the agency to create a survey measuring the quality of service delivery. The survey should be administered to RSA and DDA clients and their parents and be developed in collaboration with the advocacy community. The survey and implementation plan should be submitted to the Committee by October 1, 2011.
4. The Committee directs DDS to establish an interagency agreement with the Office of the State Superintendent of Education (OSSE) regarding transition of youth with disabilities. A plan outlining the components of the agreement and timeline for implementation should be completed and submitted to the Committee by December 1, 2011.

5. The Committee directs the agency to develop, in collaboration with the advocacy community, requirements to guide the implementation of a waiting list for DDS services. Waiting list requirements should be submitted to the Committee and made available to the public by September 1, 2011.

## D. DEPARTMENT OF HUMAN SERVICES

Fiscal Year 2012 Operating Budget, By Revenue Type							
Fund Type	FY 2009 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee	
Local Funds	165,358	141,095	140,175	140,514	0	140,514	
Dedicated Taxes	0	0	0	0	0	0	
Special Purpose	2,656	620	2,150	1,075	0	1,075	
<b>General Fund Total</b>	<b>168,014</b>	<b>141,715</b>	<b>142,325</b>	<b>141,589</b>	<b>0</b>	<b>141,589</b>	
Federal Payments	0	6,528	10,000	0	0	0	
Federal Grant Funds	138,944	161,025	137,537	157,079	0	157,079	
Federal Medicaid	11,179	10,332	10,686	10,382	0	10,382	
<b>Federal Funds Total</b>	<b>150,124</b>	<b>177,885</b>	<b>158,224</b>	<b>167,461</b>	<b>0</b>	<b>167,461</b>	
Private Grant Funds	80	49	0	0	0	0	
Intra-District	11,630	15,042	16,136	10,766	0	10,766	
<b>GROSS FUNDS</b>	<b>329,849</b>	<b>334,691</b>	<b>316,685</b>	<b>319,816</b>	<b>0</b>	<b>319,816</b>	

(Dollars in Thousands)

Fiscal Year 2012 Full-Time Equivalents, By Revenue Type							
Fund Type	FY 2009 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee	
Local Funds	272.4	265.8	228.8	249.8	0.0	249.8	
<b>General Fund Total</b>	<b>272.4</b>	<b>265.8</b>	<b>228.8</b>	<b>249.8</b>	<b>0.0</b>	<b>249.8</b>	
Federal Payments	0.0	5.0	5.0	0.0	0.0	0.0	
Federal Grant Funds	356.2	448.4	453.1	435.6	0.0	435.6	
Federal Medicaid	118.6	142.0	147.6	145.6	0.0	145.6	
<b>Federal Funds Total</b>	<b>474.8</b>	<b>595.4</b>	<b>605.8</b>	<b>581.2</b>	<b>0.0</b>	<b>581.2</b>	
Private Grant Funds	0.1	0.0	0.0	0.0	0.0	0.0	
Intra-District	16.3	16.9	24.0	11.0	0.0	11.0	
<b>GROSS FUNDS</b>	<b>763.3</b>	<b>878.1</b>	<b>858.5</b>	<b>842.0</b>	<b>0.0</b>	<b>842.0</b>	



Fiscal Year 2012 Operating Budget, By Comptroller Source Group (Gross Funds)							
Comptroller Source Group		FY 2009 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee
11	Regular Pay	42,894	41,071	47,313	46,294	0	46,294
12	Regular Pay - Other	3,099	3,596	4,024	3,446	0	3,446
13	Additional Gross Pay	1,684	1,567	0	0	0	0
14	Fringe Benefits	9,529	9,625	10,331	11,161	0	11,161
15	Overtime Pay	1,098	684	628	394	0	394
<b>Personal Services (PS)</b>		<b>58,305</b>	<b>56,543</b>	<b>62,297</b>	<b>61,296</b>	<b>0</b>	<b>61,296</b>
20	Supplies and Materials	394	431	459	463	0	463
30	Energy, Comm. and Building Rentals	3,369	3,558	4,049	4,939	0	4,939
31	Telephone, Telegraph, Telegram, etc.	1,662	1,244	1,529	1,287	0	1,287
32	Rentals – Land and Structures	14,188	12,156	11,007	10,852	0	10,852
33	Janitorial Services	135	44	33	185	0	185
34	Security Services	5,230	1,327	1,584	1,318	0	1,318
35	Occupancy Fixed Costs	989	1,534	1,050	3,080	0	3,080
40	Other Services & Charges	2,442	2,611	3,277	4,133	0	4,133
41	Contractual Services & Other	6,328	10,547	7,769	6,136	0	6,136
50	Subsidies & Transfers	236,212	242,874	222,768	225,403	0	225,403
70	Equipment and Equipment Rental	595	1,822	860	725	0	725
<b>Nonpersonal Services (NPS)</b>		<b>271,544</b>	<b>278,148</b>	<b>254,387</b>	<b>258,520</b>	<b>0</b>	<b>258,520</b>
<b>GROSS FUNDS</b>		<b>329,849</b>	<b>334,691</b>	<b>316,685</b>	<b>319,816</b>	<b>0</b>	<b>319,816</b>

(Dollars in Thousands)

Agency Program		FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee
1000	Agency Management	16,070	17,058	14,919	0	14,919
100F	Agency Financial Operations	3,163	3,490	3,793	0	3,793
2000	Income Maintenance	211,560	190,702	197,935	0	197,935
5000	Family Services	103,898	105,436	103,168	0	103,168
<b>GROSS FUNDS</b>		<b>334,691</b>	<b>316,685</b>	<b>319,816</b>	<b>0</b>	<b>319,816</b>

(Dollars in Thousands)

## 1. COMMITTEE ANALYSIS AND COMMENTS

### a. Agency Mission and Overview

The mission of the Department of Human Services (“DHS”) is to coordinate and provide a range of benefits, goods and services that collectively create the enabling conditions for economically and socially challenged residents of the District of Columbia to enhance their quality of life and achieve greater degrees of self-sufficiency. DHS leads a coordinated and integrated community effort that recognizes and fulfills its responsibility to make easily accessible the resources and mechanisms that enable individuals and families to maximize their potential for self-sufficiency. Individuals and families respond by availing themselves of those resources and striving for self-sufficiency as a condition of receipt.

The Department of Human Services operates through the following 4 divisions:

**Income Maintenance Administration (IMA)** – 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. IMA also administers the Burial Assistance program, Interim Disability Assistance, and General Children’s Assistance. This division contains the following 10 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 support services to support social and economic self-sufficiency;
- **Cash Assistance (TANF)** – provides financial assistance to eligible individuals, with children under the age of 18, 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;

- **Case Management** – provides diagnostic, evaluation and plan development services to consumers, in order to determine the comprehensiveness of the consumer’s service needs and plan the treatment and support needed;
- **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 IMA’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 subsidized child care for the children of eligible TANF recipients.

**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 8 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;
- **Permanent Support Housing** – provides permanent housing and supportive services to chronically homeless individuals and families;
- **Homeless Services Continuum** – provides shelter, housing stabilization, and crisis intervention services to individuals and families in the District of Columbia who are homeless or at-risk of homelessness so that they can obtain and/or maintain permanent living arrangements;
- **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 and resolve the presenting issues;

- **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 childcare benefits for low-income families.

**Agency Management** – provides 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.

**b. Mayor's Proposed Fiscal Year 2012 Operating Budget**

**Proposed Operating Budget Summary**

**Local Funds:** The Mayor's proposed budget is \$140,514,000, an increase of \$339,000, or 0.2%, from the approved FY 2011 budget. This funding supports 249.8 FTEs, an increase of 21 FTEs, or 9.2%, from the FY 2011 approved budget.

**Special Purpose Revenue Funds:** The proposed budget is \$1,075,000, a decrease of \$1,075,000, or 50%, from the FY 2011 approved budget.

**Federal Payments:** The proposed budget is \$0, a decrease of \$10,000,000, or 100%, from the FY 2011 approved budget. This funding supports 0 FTEs, a decrease of 5 FTEs, or 100%, from the FY 2011 approved budget.

**Federal Grant Funds:** The proposed budget is \$157,079,000, an increase of \$19,541,000, or 14.2%, from the FY 2011 approved budget. This funding supports 435.6 FTEs, a decrease of 17.5 FTEs, or 3.9%, from the FY 2011 approved budget.

**Federal Medicaid Payments:** The proposed budget is \$10,382,000, a decrease of \$304,000, or 2.8%, from the FY 2011 approved budget. This funding supports 145.6 FTEs, a decrease of 2 FTEs, or 1.4%, from the FY 2011 approved budget.

***Intra-District Funds:*** The proposed budget is \$10,766,000, a decrease of \$5,370,000, or 33.3%, from the FY 2011 approved budget. This funding supports 11 FTEs, a decrease of 13 FTEs, or 54.2%, from the FY 2011 approved budget.

### **Committee Analysis and Comments**

The Mayor's overall proposed budget for DHS represents only a 1% increase over the approved FY 2011 budget, but several critical programs have been cut to fill in the District's budget. Those programs are: TANF (cut by a total of \$7 million); IDA (cut by \$1.5 million in local dollars and an additional \$2.5 million of federal re-payment money was taken into the general fund); Homeless Services (reduced by \$15 million) and Permanent Supportive Housing (reduced by \$11.7 million dollars). The cuts and reductions will result in a drastic reduction in assistance to individuals and families. This analysis will discuss each program and the impact of the cuts and reductions.

Temporary Assistance to Needy Families (TANF) – The proposed FY 12 budget for TANF cash assistance is over \$83 million (this figure does not include TANF job training funding). The budget calls for a \$7.9 million dollar reduction in TANF cash assistance: \$4.9 million in savings coming from reducing cash assistance to families who have received assistance for more than 60 months, and \$3 million in savings from implementing a harsher sanctions policy which penalizes families when the adult head of household does not meet the work requirements.

During fiscal year 2011, the Council passed the Mayor's proposed 20% reduction to TANF benefits for families who had received assistance for longer than 60 months effective April 1, 2011. This cut affected 6,550 families. According to the Mayor's proposed subtitle to the FY 2012 Budget Support Act, the "Temporary Assistance to Needy Families Amendment Act of 2011," the schedule of the additional reductions is as follows: 25% as of October 1, 2011; 41.7% as of October 1, 2011 and complete elimination as of October 1, 2013. For 6,550 families, these reductions will be added to a 20% cut in assistance that occurred on April 1, 2011. Together, the time limits and sanctions policies save \$7.9 million at the expense of further destabilizing families who are already living in deep poverty.

DHS has begun to undertake implementing a new model for the TANF Employment Program called the "Universal Services Delivery Model." This new model, to be implemented by October 1, 2011, represents a complete overhaul of the old work model, which did not help TANF recipients address their barriers to work such as low literacy, domestic violence or substance abuse. The Committee asked DHS to submit the new work model to the Council at the Performance Oversight Hearing on March 11, 2011 but has yet to receive the document. With only five months left before the implementation of the new work model and still not having received the format, the Committee is concerned whether DHS will have fully implemented the model and be ready to serve TANF recipients by October 1, 2011.

It has been suggested that the TANF policies proposed for FY 2012 were driven foremost by the need for savings. The need to help families obtain independence may not be a priority reflected in the proposed FY 12 budget because the Mayor is implementing TANF reductions and sanctions before the new re-design of the TANF Employment Program is fully in place to help clients address their barriers to work. The TANF policies in the FY 12 budget do not take into account the poor outcomes produced by the old TANF work model. Thus, the new TANF policies give no time for long-term recipients to take advantage of the new model, which was re-designed to better assist these families, so they can prepare themselves for a transition to self-sufficiency before rapidly reducing their assistance to zero dollars.

Interim Disability Assistance (IDA) -- The FY12 budget calls for the elimination of the IDA program -- a \$4 million cut<sup>2</sup> -- which serves as a lifeline for elderly and disabled individuals who have applied for SSI/SSDI benefits and are awaiting a decision on their appeals. Historically, this program has served approximately 2,900 people, but its funding has been cut in the last three years resulting in a caseload cap of 1,500 and a waitlist.

Today, the current caseload is 1,391 with an attrition rate of 50-70 people per month. As of October 1, 2011, more than 1,000 people will lose their only source of income (\$270 per month) and will be forced into further hardship. This population is not eligible for other benefits because they do not have minor children, are ineligible for unemployment benefits and are either too sick or too old to work. Totally eliminating this program creates a crisis for those in this population as they are either homeless or at risk for homelessness. The irony of the FY 12 elimination of this program is that the funding was shifted to homeless services. Unfortunately, given the tremendous reductions in homeless services the District, will be unable to provide shelter and/or housing for all those who need it.

Homeless Services -- The proposed FY 12 budget for Homeless Services is \$82.1 million. The projected shortfall in FY 12 in homeless services is \$19.1 million. There is a \$26.7 million loss in one time federal funding to the homeless services continuum (a loss of \$15 million in TANF contingency funds and a one-time federal payment of \$11.7 million). There is an additional loss of \$2.8 million in federal funds to the Rapid Re-housing Program (HPRP) and a \$4 million loss to Permanent Supportive Housing (PSH). The Mayor's proposed FY12 budget restores \$14.2 million to homeless services.

DHS claims that the \$4 million of the leftover money was "shifted" to the District of Columbia Housing Authority (DCHA) to provide HCVP vouchers to 175 families who are currently receiving PSH. However, there may be an assumption that the \$4 million dollars went to fill in the overall budget gap. With the \$82.1 million that is in the proposed FY 12 budget, the following services will not be funded: (1) operation of D.C. General outside of hypothermia season (leaving 300 or more families on the streets); (2) operation of shelter for single homeless individuals outside of hypothermia season (leaving 1,200 men and women on the streets); (3)

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<sup>2</sup> \$1.5 million in local money was eliminated and an addition \$2.5 million in federal reimbursements was taken and put into the General Fund.

transportation services outside of hypothermia season and (4) ancillary services (feeding programs and medical clinics).

The proposed FY 12 budget for Permanent Supportive housing is \$4 million less than FY 11. This will no doubt have an impact on the 818 individuals and 257 families served thus far in FY 11. The lack of available housing will have a further impact on those families and individuals who lose housing over the next few months due to funding cuts to HPRP (which currently serves 116 families with short-term rental subsidies and help with arrearages; this program will receive no funding in FY 12) and the Short-term Exit Assistance Program (STEAP currently serves 50 families by providing emergency assistance in the form of two months of full rent after which the tenant pays a portion based on the amount of the rent as the subsidy gradually recedes; this program will be cut by approximately \$500,000 in FY 12).

In conclusion, the Committee understands the difficult decisions that have to be made when balancing a budget in an economy that is slowly recovering for some and not recovering at all for many. The FY12 proposed budget, however, reflects unsound fiscal decisions as it relates to the welfare of low-income children and families. If passed as is, the human impact will devastate the city and further spending pressures will ensue in various city services as a result of neglecting the basic needs of poor families, children and homeless adults.

## **2. COMMITTEE RECOMMENDATIONS**

### **a. Fiscal Year 2012 Operating Budget Recommendations**

The Committee Chairman does not recommend approval of the Mayor's proposed FY 12 budget for the Department of Human Services for the reasons hereinafter described. The Chairman is interested in working with the full Council to find funds sufficient to avoid reduction and/or elimination of these DHS programs.

- (1) The elimination of Interim Disability Assistance (IDA) will save approximately \$3.2 million dollars but will leave IDA recipients without any source of income while they have no prospect of working again due to age and long-standing illness. DHS advises that the District a 41% rate of recovery in federal reimbursements. The year to date recovery is \$2.5 million, which has been recaptured and placed in the general fund. IDA recipients are arguably among the most vulnerable residents in the District because aside from their monthly \$270 benefit, they only receive up to \$200 per month in Food Stamps. This puts them at 50% of the federal poverty level. Some IDA recipients live in Shelter Plus Care, which requires 30% of the client's income to pay rent. To take away the monthly benefit of \$270 per month from this population will also take away their ability to pay rent and care for their personal needs resulting in the total destabilization of their lives. Eliminating IDA will cost the city more than it saves. For these reasons, the Committee Chairman cannot support the Mayor's proposed elimination of this program.

- (2) The \$7.9 million cut to TANF cash assistance is the result of benefit reductions and a harsher sanction policy. While the Committee agrees that self-sufficiency is a desirable goal for most TANF recipients, it is also true that adequate education and training must happen first to make the goal a realistic one. To that end, the Committee Chairman does not recommend approval of the Mayor's budget proposal which allows for further reductions to assistance without giving TANF recipients the necessary time or resources to take advantage of the new welfare-to-work program and plan for a long-term (and hopefully) permanent transition off of TANF. What DHS has planned is not yet in place. Notably, the 6,550 TANF families whose benefits were already reduced by 20% on April 1, 2011 will only have four months before another 25% reduction begins. The schedule of these reductions along with the lack of proper training and services in place makes this policy appear savings-driven and punitive.

With more than 31,000 children on TANF, the benefits reductions will have serious impact on families. It would be best to review the Human Impact Statement completed by the DC Auditor as required by the Fiscal Year 2011 Supplemental Budget Support Act of 2010. The Committee Chairman supports a goal-oriented approach that has the proper programs and services in place, a comprehensive assessment and orientation and gives families a reasonable time to utilize the services to their advantage while working towards independence. Therefore, the Committee Chairman does not recommend approval of the Mayor's proposed \$7.9 million reduction to TANF benefits.

- (3) According to the testimony of Acting Director David Berns given at the May 6, 2011 budget hearing, the Homeless Services Continuum has a \$19.1 million shortfall for FY 12 due to a loss of \$26.7 million in federal funds and a proposed Mayoral transfer of \$4 million from DHS to the general fund. The Mayor's restoration of \$14.2 million only amounts to a \$10 million restoration after taking into consideration the \$4 million cut to Permanent Supportive Housing. While the proposed budget says \$4 million dollars was "shifted" to DCHA to provide vouchers for 175 families, there is no evidence that DCHA is budgeted to receive the \$4 million from DHS. Thus, the \$4 million likely went to fill in the overall budget gap. Due to the shortfall, the following programs will not be funded in FY 12:

- Operation of D.C. General Family shelter capacity outside of the hypothermia season (approximately \$7.1 million)
- Operation of shelter for single homeless adults outside of hypothermia season (approximately \$10.3 million)
- Transportation services outside of the hypothermia season (approximately \$1.1 million)
- Outreach services outside of the hypothermia season (approximately \$200,000); Ancillary services (e.g. feeding programs, medical clinics, etc.) (approximately \$400,000).



The human impact of these reductions is as follows:

- Approximately 890 less emergency beds for men
- 313 less emergency beds for women
- 250 less hypothermia shelter units for families (including the 150 units at DC General)
- 292 less transitional beds for men
- 126 less transitional beds for women

These losses are scheduled to occur April 1, 2012 and until hypothermia season begins. In addition, 116 families will lose the rental subsidies they received through the Rapid Re-housing program, which will be unfunded in FY 12, and 15 families are currently staying in hotels and are waiting for capacity to open at D.C. General. With hundreds of families and individuals losing shelter or housing assistance, a crisis is imminent for the District.

- The Committee recommends approval of the Mayor’s proposed FY 2012 operating budget for DHS.
- The Committee also recommends changing the Fund Detail on 31.5 budgeted positions in IDCR Organizational Code 1000 to Fund 8250 with respect to \$3,063,126 in Personnel Services, and changing the Fund Detail on the fixed cost budget in Organization Code 1000 to Fund 8250 with respect to \$723,600 in Non-Personnel Services, Fixed Costs to reflect a technical adjustment recommended by the OCFO’s Office of Budget and Planning.

## E. DEPARTMENT OF YOUTH REHABILITATION SERVICES

Fiscal Year 2012 Operating Budget, By Revenue Type							
Fund Type	FY 2009 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee	
Local Funds	93,732	97,016	90,311	106,915	(11)	106,904	
General Fund Total	93,732	97,016	90,311	106,915	(11)	106,904	
Federal Payments	0	2,742	0	0	0	0	
Federal Grant Funds	23	638	258	0	0	0	
Federal Funds Total	23	3,380	258	0	0	0	
Intra-District	588	452	278	278	0	278	
<b>GROSS FUNDS</b>	<b>94,343</b>	<b>100,849</b>	<b>90,847</b>	<b>107,194</b>	<b>(11)</b>	<b>107,182</b>	

*(Dollars in Thousands)*

Fiscal Year 2012 Full-Time Equivalents, By Revenue Type							
Fund Type	FY 2009 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee	
Local Funds	511.3	581.1	579.5	579.4	0.1	579.5	
<b>General Fund Total</b>	<b>511.3</b>	<b>581.1</b>	<b>579.5</b>	<b>579.4</b>	<b>0.1</b>	<b>579.5</b>	
Federal Grant Funds	0.0	0.0	0.5	0.0	0.0	0.0	
<b>Federal Funds Total</b>	<b>0.0</b>	<b>0.0</b>	<b>0.5</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	
<b>GROSS FUNDS</b>	<b>511.3</b>	<b>581.1</b>	<b>580.0</b>	<b>579.4</b>	<b>0.1</b>	<b>579.5</b>	

Fiscal Year 2012 Operating Budget, By Comptroller Source Group (Gross Funds)							
Comptroller Source Group	FY 2009 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee	
11	Regular Pay	26,126	28,019	27,927	29,252	(15)	29,237
12	Regular Pay - Other	4,197	3,061	3,671	2,626	0	2,626
13	Additional Gross Pay	2,683	2,280	1,917	1,986	0	1,986
14	Fringe Benefits	6,940	7,394	6,916	7,756	4	7,760
15	Overtime Pay	4,162	3,571	3,707	2,658	0	2,658
<b>Personal Services (PS)</b>		<b>44,107</b>	<b>44,325</b>	<b>44,138</b>	<b>44,277</b>	<b>(11)</b>	<b>44,267</b>
20	Supplies and Materials	1,865	1,312	1,524	1,519	0	1,519
30	Energy, Comm. and Building Rentals	1,154	1,322	0	0	0	0
31	Telephone, Telegraph, Telegram, etc.	478	441	0	0	0	0
32	Rentals – Land and Structures	1,061	1,142	0	0	0	0
33	Janitorial Services	286	11	0	0	0	0
34	Security Services	160	0	0	0	0	0
35	Occupancy Fixed Costs	441	384	0	0	0	0
40	Other Services & Charges	1,544	1,693	1,027	927	0	927
41	Contractual Services & Other	7,940	7,559	2,868	2,401	(24)	2,377
50	Subsidies & Transfers	34,845	42,182	40,727	57,417	24	57,441
70	Equipment and Equipment Rental	462	477	563	653	0	653
<b>Nonpersonal Services (NPS)</b>		<b>50,236</b>	<b>56,524</b>	<b>46,708</b>	<b>62,917</b>	<b>0</b>	<b>62,917</b>
<b>GROSS FUNDS</b>		<b>94,343</b>	<b>100,849</b>	<b>90,847</b>	<b>107,194</b>	<b>(11)</b>	<b>107,184</b>

(Dollars in Thousands)

Agency Program		FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee
1000	Agency Management	15,483	11,855	11,675	(221)	11,454
100F	Agency Financial Operations	513	555	594	0	594
2000	Committed Youth Services	56,929	48,477	65,099	180	65,279
3000	Detained Youth Services	23,735	22,410	21,734	0	21,734
4000	Health Services	4,189	5,015	5,542	30	5,572
5000	Resource Management and Utilization Division	0	2,535	2,550	0	2,550
<b>GROSS FUNDS</b>		<b>100,849</b>	<b>90,847</b>	<b>107,194</b>	<b>(11)</b>	<b>107,183</b>

(Dollars in Thousands)

## 1. COMMITTEE ANALYSIS AND COMMENTS

### a. 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.

The Department of Youth Rehabilitation Services operates through the following 6 divisions:

**Committed Youth Services** – provides custodial care, supervision, services, support, and opportunities to youth committed to the care and custody of DYRS. The array of placement options managed by staff in this administration range from secure confinement, to residential and community placements, to home-based care. The administration assures that there is a case manager assigned to each committed youth. The administration also manages the operation of a secure facility for committed youth, the New Beginnings Youth Development Center, and non-secure, community-based facilities and programs. This division contains the following 6 activities:

- **Community Services** – provides services, support and opportunities to committed youth in their home and/or home-like community-based residential placements that offer expanded opportunities for pro-social development, growth and rehabilitation, while assuring public safety;
- **Committed Services-Secured** – the New Beginnings Youth Development Center, located in Laurel, Maryland provides 24-hour supervision, custody and care including residential, nutritional, educational, recreational, workforce development, medical, dental, and mental health services. The facility's six-to-twelve month rehabilitation program, modeled after the acclaimed Missouri approach, serves 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;

- **Food Services** – ensures that youth at New Beginnings Youth Development Center are provided meals that are nutritionally balanced, healthy, properly prepared, and served in pleasant surroundings. Meals are prepared and served daily and may include special diets. Culinary staff is responsible for menu planning, food preparation, maintaining an adequate food inventory at all times, operating a clean and sanitary work environment, and complying with the Federal Child Nutrition Breakfast/Lunch Reimbursement program;
- **Community Residential Programs** – manages and operates small, community-based group homes for committed youth in the District of Columbia. These programs include the Renaissance House, a non-secure community-based transitional living program serving up to six committed youth at one time, and the Exodus House, a nonsecure community-based home serving up to six committed youth awaiting placement in a nonsecure residential program;
- **Case Management** – provides individualized case and care planning, management and monitoring for DYRS youth and families so that they are provided with the supervision, services, supports, and opportunities that will foster their successful transition to adulthood and reduce their likelihood to recidivate; and
- **Program Management** – provides management oversight, supervision and administrative support to ensure DYRS committed services administration goals are achieved.

**Detained Youth Services** – provides for the care and custody of youth awaiting court processing who are placed in the secure detention facility (Youth Services Center) or shelter care by the D.C. Superior Court. The Administration also advocates for alternatives to secure confinement for youth who can be supervised in a non-residential setting and contracts for Intensive Third-Party Monitoring Services and an Evening Reporting Center as alternatives to detention. This division contains the following 4 activities:

- **Community Services** – provides community-based supervision services to youth awaiting court processing;
- **Detained Services Secured** – provides short-term care in secure custody at the Youth Services Center (YSC) for youth awaiting adjudication, disposition, or transfer to another facility. YSC provides 24-hour custody, care and supervision; prevents the protection of juvenile's legal rights; and provides programs, services and supports to meet the basic physical, emotional, religious, educational, and social needs for juveniles in secure custody. YSC also conducts diagnostic assessments to inform court processing and

dispositional planning and maintains a safe and humane environment, ensuring the level of security necessary to prevent escape, assault, and intimidation;

- **Food Services** – ensures that youth at YSC are provided meals that are nutritionally balanced, healthy, properly prepared, and served in pleasant surroundings. Meals are prepared and served daily and may include special diets. Culinary staff is responsible for menu planning, food preparation, maintaining an adequate food inventory at all times, operating a clean and sanitary work environment, and complying with the Federal Child Nutrition Breakfast/Lunch Reimbursement program; and
- **Program Management** – provides management oversight, supervision and administrative support to ensure DYRS detained services administration goals are achieved.

**Health Services** – provides for the design, development, coordination, delivery, and evaluation of a 24-hour comprehensive continuum of quality adolescent medical and behavioral health care services and supports DYRS in the two secure facilities and in the community-based shelters, group homes and transition centers. Upon release from secure care facilities, DYRS Health Services - both medical and behavioral health - work to ensure that appropriate community-based linkages for continuing care are established. This division contains the following 3 activities:

- **Primary Care** – provides acute care services, immunizations, health education, and preventive and comprehensive medical and dental services to all DYRS youth in secure care;
- **Behavioral Health** – oversees both mental health and substance abuse services and supports (i.e., co-occurring disorders). The behavioral health services program provides initial screening, comprehensive assessments and evaluations including both clinical interviews and the use of standardized instruments. While individual, group and family counseling are mainstays of the program, the program is heavily focused on a trauma informed agenda; and
- **Program Management** – provides management oversight, supervision and administrative support to ensure DYRS medical and behavioral health service goals are achieved.

**Resource Management and Utilization Administration** – is responsible for identifying, developing, resourcing, managing, brokering, and tracking utilization of the continuum of residential and non-residential community- based programs, services, supports, and opportunities provided to detained and committed youth under the department’s care and custody. The administration is also responsible for contract management (placement, utilization and monitoring), pre-dispositional case planning, scheduling and facilitating Youth Family Team

Meetings, program referral and placement, optimizing the use of Medicaid funds, and securing government and Private grant funding. This division contains the following 4 activities:

- **Youth Family Team Meeting** – schedules, coordinates, and facilitates initial and subsequent Youth Family Team Meetings to develop and modify appropriate Individualized Service Plans for all committed youth, specifically at the point of commitment to DYRS, prior to reentry, and to modify the service plans for youth placed in the community;
- **Pre-Dispositional Plan Development** – provides pre-dispositional case planning for adjudicated youth likely to be committed to the department to reduce lengths of stay in secure detention and delays in post-commitment placement. This is accomplished by determining which youth are likely to be committed and by conducting risk assessments to ascertain the appropriate level of restrictiveness;
- **Referral and Placement** – manages all referrals to contracted residential services and tracks the utilization of contracted programs and services to inform planning and resource allocation. The unit also closely tracks youth in residential placements to ensure timely review of progress and to reduce unnecessarily long lengths of stay, coordinates the department’s Interstate Compact functions, and is responsible for establishing a program that will enable DYRS to take full advantage of Federal Medicaid funds for placements and eligible services necessary for court-involved youth under the agency’s care and custody; and
- **Contract Management and Compliance Unit** – ensures the timely delivery of quality community-based and residential services in safe and therapeutic settings with fiscal integrity. To accomplish this, unit staff ascertain service and program needs; develop statements of work; oversee and manage contract solicitations in cooperation with the Office of Contracting and Procurement (OCP); develop and refine procedures and protocols for service provider compliance and progress in meeting contract standards and deliverables; submit annual contract evaluations to the OCP; and institute an effective monitoring system to ensure contracted program activities are meeting the needs of youth in the care and custody of DYRS.

**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.

**b. Mayor's Proposed Fiscal Year 2012 Operating Budget**

**Proposed Operating Budget Summary**

**Local Funds:** The Mayor's proposed budget is \$106,915,000, an increase of \$16,605,000, or 18.4%, from the FY 2011 approved budget of \$90,311,000. This funding supports 579.4 FTEs, a decrease of .01 FTE, or 0%, from the FY 2011 approved level.

**Federal Grant Funds:** The proposed budget is \$0, a decrease of \$258,000, or 100%, from the FY 2011 approved budget of \$258,000. This funding supports 0 FTEs, a decrease of 0.5 FTEs, or 100%, from the FY 2011 approved level.

**Intra-District Funds:** The Mayor's proposed budget is \$278,000, the same level as the FY 2011 approved budget.

**Committee Analysis and Comments**

The events of the week of April 18, 2011 have once again shone a bright light on systemic shortcomings that continue to plague the Department of Youth Rehabilitation Services. Tragically, lessons from past high profile cases such as the Lafonte Carlton case in January, 2009 and the South Capitol Street homicides in March 2010 have not brought about the serious administration and policy reforms that are needed at DYRS. Many of the challenges facing DYRS brought before the Committee in the March 16, 2011 performance oversight hearing and the April 7, 2011 and May 6, 2011 budget oversight hearings have been known to this Committee and the agency for a long time.

All agree DYRS has made progress in moving away from the cruelty and abuse of the former Youth Services Administration and the Oak Hill Youth Detention Center. Those days are gone forever. There is no doubt youthful offenders now have a better chance of receiving the support and services they need in turning their lives around and gaining the second chance at life that they deserve.

With the construction of the New Beginnings Youth Development Center and the Youth Services Center, and through partnerships with the See Forever Foundation/Maya Angelou School, a coalition of community-based service providers organized through Lead Entities, and a wide network of group homes, independent living programs and residential treatment centers, DYRS has broadened the universe of opportunities for juvenile and young adult offenders to rehabilitate and become contributing adults. There remain many questions on the effectiveness and capacity of many of these services.

Since 1986, the District has operated under the *Jerry M.* consent decree, a class action brought to force the District to provide effective juvenile rehabilitative services in a humane environment. In April 2004, a Special Arbiter was created to avoid receivership and ensure the District's progress towards the requirements of the consent decree.

The Court entered a comprehensive work plan which provides a blueprint for exiting the litigation. The work plan was recently revised and filed January 26, 2010. The work plan consists of 12 basic goals with corresponding performance indicators for each. For some indicators, a process for establishing baseline performance levels and setting interim performance levels, i.e. benchmarks.

With only a handful of the nearly 100 performance measurement indicators having been vacated, there remain many challenges ahead for DYRS. The agency is making some progress, but is still not fulfilling its mission to ensure the public's safety while providing effective rehabilitative services for juvenile and young adult offenders in the least restrictive environment.

The events of the week of April 18, 2011 expose challenges facing every aspect of the DYRS continuum of care, and the philosophical framework in which it is founded.

- April 18 – a 17-year-old brutally attacked and beat a security guard, leaving him for dead. Using the guard's pass card to bypass seven doors, dodging the view of twelve other security guards and twelve surveillance cameras, the youth used a ladder to scale a fence and steal the guard's car. After reviewing the young man's file, a number of prior incidents clearly sent warning signs that he was in crisis. No one does what that young man did to a guard that he has known for five months, without incident, completely out of the blue. The young man was captured two weeks later and is currently in D.C. Jail.

The Committee learned there were two previous attempts to escape New Beginnings in 2011 and two subsequent assaults on staff -- on April 29, a youth incited others to make verbal attacks and threats on a Youth Development Representative (guard) and later struck him with a rock, and on May 6 a youth assaulted a guard with a broom which required emergency treatment.

- April 19 – a 21 year old who just left DYRS supervision in July 2010 was found dead, shot in the head, in an alley on the 700 block of Columbia Road NW. He had just weeks ago escaped from Hope Village. He was under CSOSA supervision at the time of his death and essentially graduated from DYRS supervision to adult supervision. Among the 1,008 individuals currently committed to DYRS, 150 are in adult jails – approximately 100 of those are in D.C. Jail with an average stay of 205 days. (DYRS Testimony, April 7, 2011)
- April 20 – four DYRS committed youth escaped from a South Carolina residential treatment center – three were in custody the next day. The fourth was picked up one week later in Laurel, Maryland. The mother of the fourth escapee testified at the May 7 budget oversight hearing. Her son was first charged with attempted murder at the age of 14. On any given day, there is an average 250 DYRS committed youth placed in out-of-state residential treatment centers and other group home settings across the country.



- April 21 – two young men were shot in a drive-by shooting in the leg/ankles in broad daylight, in the peak of the afternoon, near the busy 14th and V Street NW intersection. Both are gang-identified -- one is currently under DYRS supervision and the other just left the system. The shootings were suspected to be a retaliation of a crew related shooting the previous week and general feuding between two Ward 2 gangs. One week after the shooting and having been released from the hospital, the young man that had just left DYRS was arrested on gun charges at 9<sup>th</sup> and T Streets NW.
- April 22 – three young men living in a Richmond, Virginia non-secure group home were on an evening pass. While out on the pass, they allegedly robbed a pedestrian. All three are facing adult charges in Virginia.
- April 22 – a young man living in a non-secure group home was given a weekend pass to spend the Easter weekend with his family. Within hours of arriving home, he asked his mother if he could visit friends. He was killed at 10:45 p.m. in Maryland.

The incidents illustrate several areas of ongoing concern which require immediate attention and are among the remaining *Jerry M.* performance measures and indicators. They include the following:

- shall operate secure facilities that are safe and humane;
- provide separate facilities for distinct populations;
- provide housing and services to youth in least restrictive setting consistent with public safety and protection of youth's individual needs;
- provide educational programs that meet basic public education requirements;
- provide behavioral health assessments and services to meet the basic behavioral needs;
- provide primary health care needs including medical and dental; and
- provide ongoing staff training.

DYRS must take immediate steps to improve security and revisit disciplinary sanctions within New Beginnings and throughout the DYRS system. DYRS Executive Management has yet to successfully integrate the idealized notion of positive youth development based interventions and support services appropriate for one set of non-violent offenders parallel to a system of behavioral interventions and restrictions for the more violent and troubled youth in the system. The current system is out of balance. Without appropriate balance among security, discipline, and access to quality educational programs and rehabilitative behavioral services, the positive outcomes of the reforms we all hoped for will be delayed even further.

In conclusion, we should not forget that the 1,008 youth and young adults make up only one-third of the total number of youth in the juvenile justice system. There are an additional 1,800 youth on probation by the Family Court and Court Social Services (CSS). In other words, the courts, and not the District government, have responsibility for 65 - 70 percent of young offenders. Not enough is known about these young people and the services they are receiving through CSS. How well are their mental health and substance abuse problems being diagnosed

and treated? Are they receiving all the federal social services they are eligible for? Are all possible diversion opportunities being explored to help avoid commitment to DYRS? These are all questions the Committee, DYRS, and Family Court must address, together.

## **2. COMMITTEE RECOMMENDATIONS**

### **a. Fiscal Year 2012 Operating Budget Recommendations**

The following modifications will help ensure better DYRS programs and responsiveness in the following areas:

- Vocational Training and Education;
- Addresses the Awaiting Placement population strain on entire DYRS system;
- Increases Lead Entity Workforce Development and Substance Abuse Treatment

#### **Reductions and Increases**

1. Reduce CSG 11 by \$140,518 and CSG 14 by \$26,698 in local funds in Program/Activity 1000, Agency Management by eliminating two vacant, non-direct service Program Analyst positions out of a total of 10 such Program Analyst position at the agency, as follows:
  - Position No. 37669, Program Analyst
  - Position No. 39851, Program Analyst
2. Increase CSG 11 by \$125,536 and CSG 14 by \$30,543 in local funds in Program/Activity 2000, Committed Youth Services, by the creation of two new, direct service Case Manager positions in the Committed Services Program. These two new Case Manager positions will help increase case management capacity and reduce the current case manager to youth ratio of 1:32
5. Reduce CSG 50 in the Residential Treatment Centers budget, Program/Activity 2000, Committed Youth Services, by \$1 million. The agency is committed to a residential treatment center utilization reduction plan proposed at the May 7 Budget Oversight Hearing.

In line with information obtained from DYRS indicates that this savings will be achieved by bringing youth back from out-of-state placements.
6. Reduce CSG 41 by \$54,000 for the Contractual Services contract Youth Empowerment Support (YES) IT application support, which is 30%.
7. Increase CSG 50 by \$200,000 in Program/Activity 2000, Committed Youth Services, for Educational Services.

In line with recommendations made by David Domenici, founder and principal of See Forever/Maya Angelou School at New Beginnings, the following programs will enhance the educational and vocational experiences at New Beginnings.

- Funding is to expand current education module being offered by See Forever/Maya Angelou to include modules in pre-carpentry, electronics, and other building trade skills. The modules will include responsible fatherhood practices; substance abuse awareness and education; gang awareness and how to manage conflict, mediation, identity outside of crew.
  - Funding will create specialized vocational training workshops and seminars to be held on the weekends.
8. Increase CSG 50 by \$824,000 in Program/Activity 2000, Committed Youth Services, to increase secured awaiting placement housing.
- Funding is to expand capacity to provide secured housing for awaiting placement population that is currently impeding full affect of rehabilitation efforts at New Beginnings.
  - Awaiting placement population, which currently consumes up to 20% of bed space at New Beginnings, has been a serious problem at New Beginnings since it opened.
  - The population, because of the uncertainty of its placement, is not included in the formal educational programs or model unit step process at New Beginnings. This uncertainty and lack of participation, too often disrupts the very positive educational and rehabilitative efforts offered at New Beginnings and Maya Angelou School.
  - This contract should be awarded no later than December 31, 2011.
9. Increase CSG 41 by \$30,000 in Program/Activity 4000, Health Services, for a formal assessment of the overall need for intensive substance abuse and alcohol treatment, recovery and relapse prevention programs at New Beginnings. The assessment should also include a thorough examination of reports of confiscation of drugs and alcohol found on the grounds of New Beginnings.
- A formal report and recommendations shall be included in the report.
  - The assessment shall be contracted out to an independent contractor with experience.

- The report, recommendations and action steps will be presented to the Committee by December 31, 2011.

10. Direct that \$2.25 million in CSG 50 in Program/Agency 2000, Committed Youth Services, be expended in the following manner:

- \$1 million for the Youth/Family Focused Substance Abuse Treatment and Recovery Program
- \$750,000 for the “Youth Offender Workforce Development Initiative” in Region 1 and Region 2
- \$500,000 for Gang Intervention and Outreach

The Lead Entities/Regional Service Coalition initiative was born of a philosophy that the community can care better for its youth than the government can. The community is better positioned to identify the most critical services that youth need and to select the most effective providers to deliver these services. Lead Entities are community-based organizations whose primary function is to refer DYRS youth to the human service provider within their assigned region and then provide support, coordination and oversight of the services that youth receive. DYRS has two Lead Entities. The Region 1 Lead Entity is East of the River Clergy Police Community Partnership (ERCPCP) and serves youth living in Wards 7 and 8 and Prince Georges County, MD. The Region 2 Lead Entity is Progressive Life Center and serves youth living in Wards 1 -6 and Montgomery County, MD.

The Lead Entities were first fully funded in January, 2010. Over an 18 month period Lead Entities will have spent approximately \$6.7 million.

The Committee is supportive of the Lead Entity concept and recognizes that it is in its early stages of offering services to a very unpredictable and at times, uncooperative population. However, the Committee strongly recommends that DYRS take a more active role in monitoring the Lead Entities and connecting existing DYRS case managers to the work of the Lead Entity / Service Coalition.

The Committee recognizes the need for Intensive Third Party Monitoring may be an important function of making sure a youth is held accountable to his / her responsibilities. But these services seem to duplicate the responsibilities of case managers. The Committee is also concerned that between 75 – 80% of the Lead Entity funding to date has been for Third Party Monitoring. More funding must be directed towards rehabilitation efforts. The Committee strongly recommends the agency continue to utilize electronic monitoring of individuals living in the community so that more effective use of funds for rehabilitation services is achieved.

With this in mind, the Committee directs the agency to invest Lead Entity funding to the following areas:

*Youth/Family Focused Substance Abuse Treatment and Recovery Program -- \$1 million*

In collaboration with the Alcohol Prevention and Recovery Administration (APRA) and Court Social Services, DYRS will establish a youth / family focused substance abuse treatment and recovery program for non-committed and committed youth. Special attention will be given to youth 16 years old and younger with identified substance abuse or alcohol abuse problems, whose families have a history of substance abuse problems and involvement with the juvenile justice system. APRA, in consultation with DYRS Behavioral Health Services and Court Social Services, will engage with DYRS and the Lead Entities in designing the substance abuse treatment and recovery program focusing on the youth and at the same time engaging family participation throughout the recovery process. The purpose of the program is two-fold:

- a diversion program to assist youth from deepening involvement in the juvenile justice system and preventing them from commitment to DYRS;
- a recovery and rehabilitation program to assist youth already committed to DYRS to address core issues of addiction and relationship between drug / alcohol usage and juvenile crime / violence.

DYRS reports there are currently 282 committed youth diagnosed with substance abuse problems. 16 have been referred to intensive inpatient substance abuse treatment while the remaining 266 require outpatient services. The majority of the 266 youth will be referred to Lead Entities. To date, the Lead Entities have not made satisfactory progress in making positive referrals to community based substance abuse treatment and recovery programs.

Three recent studies indicate the need for DYRS to take more aggressive and deliberate action on addressing substance abuse and alcohol abuse as significant contributors to youth related crime and violence. Effectively implemented, the treatment program can help reduce new commitments to DYRS and reduce recidivism rates among committed youth.

The Center for Substance Abuse Research April 11, 2011 report indicates an increase in chronic marijuana use presenting among juvenile arrestees in the District of Columbia. After dipping to a long time low of 49.6% in 2004, the study shows 54.3 % of juveniles are more recently testing positive for marijuana at the time of their arrest.

The Center for the Promotion of Mental Health in Juvenile Justice published a report entitled “*Psychiatric Disorder, Comorbidity and Suicidal Behavior in Juvenile Justice Youth*” in Criminal Justice and Behavior. The study provides further examination of substance abuse as youth progress deeper into the juvenile justice system. The study examined 10,000 juveniles in more than 50 jurisdictions. On the one hand the study revealed that substance abuse and mental health issues are not the main reasons youth come into contact with the juvenile justice system. However, both problems increase in prevalence as youth are not offered or do not take advantage of early diversion programs, pick up additional charges, and face prospects of secure confinement.

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) in March, 2011 issued a summary of a study of serious adolescent offenders entitled “*Pathways to Desistance*”. The study contains a number of findings that reinforce the DYRS commitment to positive youth development oriented programs in least restrictive environment. The study also shows substance abuse is a strong, prevalent predictor of offending. The study highlights several key findings and factors in developing an effective successful substance abuse treatment program:

- Adolescents who commit serious violent offenses are not necessarily on track for adult criminal careers. Two key factors help divert adolescents from that path:
  - Lower levels of substance abuse and alcohol abuse;
  - Greater stability in living conditions, both work and school.
- Incarceration and longer stays in detention centers *increase* chances of reoffending, especially among adolescents with lower level offenses. Youth that receive sustained community based supervision and services are more likely to attend school and work and less likely to reoffend.
- Substance abuse treatment for young offenders reduces substance use and non-drug related offending if the treatment is long enough and *if families* take part in the treatment with the offender.

The study concludes, “Given that community based supervision may reduce re-offending and promote pro-social attitudes and behaviors, and that continued substance abuse treatment may be needed to prevent longer term relapses, integrating substance abuse treatment into community based services may realize greater benefits in reducing serious adolescent offending while providing efficient and effective delivery of services”.

In February, the Chairman and several staff members of Committee members toured New Beginnings. In an open discussion with youth most admitted drug usage prior to entering New Beginnings. (Some even indicated drug usage while in New Beginnings, which is another topic) When asked what type of services will you need

when you return to the community, one young man stated “I will need a relapse prevention program”.

*Youth Offender Workforce Development Initiative” in Region 1 and Region 2 -- \$750,000*

This specialized workforce development initiative will provide year-round, on the job training and earnings for 20 young adults, ten from each Lead Entity Region. The program will include basic training and education in landscaping, horticulture, business management, recycling, graffiti removal and mural design, composting and other environmental science programs. The training will include the development of basic soft skills of employment such as timeliness, work etiquette, communication skills, conflict resolution and skill development. The program will be sensitive to grouping team members by neighborhood in order to help bridge and mediate potential neighborhood conflicts.

The teams will service business and entertainment corridors in both Regions. The specific neighborhoods and schedule will be determined in collaboration with the Department of Public Works and other ongoing cleaning efforts. The team will also develop a referral service in which requests for assistance, specifically from senior citizens, with lawn and leaf care, snow removal, hauling services and other emergency services can be made.

The teams will work in partnership with DYRS Workforce Development job coaches and the Lead Entity service coalition members. Each team member will be expected to remain in compliance with individualized learning plan and maintain contact and good attendance with all other service coalition members and DYRS case managers in order to remain eligible to work in the program.

Four phases of the program:

- Intake and application process and urinalysis test (random urinalysis ongoing during pilot)
- 160 hours of (life skill/ job readiness and on-site) training with stipends.
- Transition into eleven month work experience performing clean and green services in selected business and residential corridors and establish referral service.
- Last three months of the program team members will be working with job coaches on transitioning to unsubsidized work and other appropriate educational and vocational programs consistent with team member’s interests and accomplishments identified during the work experience.

Gang Intervention and Outreach -- \$500,000

Community based organizations and law enforcement have identified over 343 active crews and gangs throughout the District of Columbia. They estimate 2500 young people are estimated to be directly involved in gangs and crews, while an additional 8000 young people in the District are secondarily affected by gang/crew and community violence. One Lead Entity estimates nearly all of the DYRS of the committed youth that have been referred to the Lead Entity have connections, either directly or indirectly, to neighborhood crews.

In 2008, the District funded the creation of the Citywide Coordinating Council on Youth Violence Prevention (CCCYVP). The core mission and function of the CCCYVP is based on the following assumptions:

- Violence is preventable; the cycle of violence can be interrupted and redirected.
- Youth violence is not an isolated phenomenon. Youth violence most often encompasses broader neighborhood, family, social and economic dynamics requiring comprehensive and multi-dimensional responses.
- Successful strategies require strong partnerships across public and private sectors; law enforcement, community organizations, schools and families. Most importantly, youth.

CCCYVP has worked closely with the Metropolitan Police Department in establishing best practices in the following areas:

- evaluating critical incidents involving gangs / crews;
- developing a critical response protocol designed to prevent retaliatory violence;
- offering triage for victims of violence and their families and cohorts;
- offering triage to larger community during initial 72 – 96 hours after a critical incident.

The Lead Entities service coalition members are in key positions to work with existing CCCYVP core membership to be trained in best practices and implement the protocols that have shown to be effective in reducing gang / crew violence.

11. Increase Position #90000001 by .10 FTEs, per the recommendation by the OCFO's Office of Budget and Planning regarding a technical adjustment. This position was budgeted at .9 FTEs and .10 FTEs was removed during a reallocation of positions within the cluster. The specific position should be at 1 FTE.



## F. CHILD AND YOUTH INVESTMENT COLLABORATIVE

Fiscal Year 2012 Operating Budget, By Revenue Type							
Fund Type	FY 2009 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee	
Local Funds	19,100	10,602	4,625	3,000	0	3,000	
General Fund Total	19,100	10,602	4,625	3,000	0	3,000	
<b>GROSS FUNDS</b>	<b>19,100</b>	<b>10,602</b>	<b>4,625</b>	<b>3,000</b>	<b>0</b>	<b>3,000</b>	

(Dollars in Thousands)

Fiscal Year 2012 Operating Budget, By Comptroller Source Group (Gross Funds)							
Comptroller Source Group	FY 2009 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee	
50 Subsidies & Transfers	19,100	10,602	4,625	3,000	0	3,000	
<b>Nonpersonal Services (NPS)</b>	<b>19,100</b>	<b>10,602</b>	<b>4,625</b>	<b>3,000</b>	<b>0</b>	<b>3,000</b>	
<b>GROSS FUNDS</b>	<b>19,100</b>	<b>10,602</b>	<b>4,625</b>	<b>3,000</b>	<b>0</b>	<b>3,000</b>	

(Dollars in Thousands)

Agency Program	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee
1000 Children Investment Trust	10,602	4,625	3,000	0	3,000
<b>GROSS FUNDS</b>	<b>10,602</b>	<b>4,625</b>	<b>3,000</b>	<b>0</b>	<b>3,000</b>

(Dollars in Thousands)

### 1. COMMITTEE ANALYSIS AND COMMENTS

#### b. Agency Mission and Overview

The mission of the Children and Youth Investment Collaborative (“CYIC”) is to provide funds to the D.C. Children and Youth Investment Trust Corporation (“CYITC”), a not-for-profit organization that disburses grants to community-based providers, with the purpose of creating a seamless approach to the development of policy, planning and services for children, youth and their families.

The District's subsidy to the CYITC is shown as a single program in the District's financial system. The CYITC's goals are funded through the following grant competitions:

- **Out-of-School Time/Youth Development Programs** -- provide services, supports, and opportunities to children and youths during out-of-school hours, promoting academic achievement and positive youth outcomes, which can reduce negative behavior that correlates with unsupervised, unstructured time outside of school;
- **Older Youth Programs** – support youths between the ages of 14 and 24 years old, both those enrolled in school and those no longer connected to school, in the areas of academic support, college-going culture, job readiness, and community service;
- **Parent Center Programs** – provide support services to parents of young and adolescent children with parenting skills that help ensure their children are ready for and succeeding in school; and
- **Summer Programs** – provide enriching opportunities to ensure that children and youths aged 5 to 24 years old are safe and have opportunities to enhance their learning over the summer months. These funds include providing alternative services during late night hours.

**b. Mayor's Proposed Fiscal Year 2012 Operating Budget**

**Proposed Operating Budget Summary**

*Local Funds:* The Mayor's proposed budget is \$3,000,000, a decrease of \$1,625,000, or 35.1%, from the FY 2011 approved budget of \$4,625,000.

**2. COMMITTEE RECOMMENDATIONS**

**a. Fiscal Year 2012 Operating Budget Recommendations**

The Committee recommends approval of the Mayor's proposed FY 2012 budget for CYIC with the following change:

1. Dedicate \$250,000 in funding from the proposed FY 2012 budget for CYIC to competitive grants to support community-based targeted gang intervention and outreach to continue FY 11 competitive gang intervention and outreach grants.

## G. ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION.

Fiscal Year 2012 Operating Budget, By Revenue Type							
Fund Type	FY 2009 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee	
Local Funds	190	400	0	279	460	739	
Special Purpose	4,604	4,851	4,843	4,900	324	5,224	
General Fund Total	4,794	5,251	4,843	5,180	784	5,964	
Intra-District	103	117	0	0	0	0	
<b>GROSS FUNDS</b>	<b>4,897</b>	<b>5,368</b>	<b>4,843</b>	<b>5,180</b>	<b>784</b>	<b>5,964</b>	

(Dollars in Thousands)

Fiscal Year 2012 Full-Time Equivalents, By Revenue Type							
Fund Type	FY 2009 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee	
Special Purpose	33.6	43.4	44.0	48.0	(1.0)	47.0	
General Fund Total	33.6	43.4	44.0	48.0	(1.0)	47.0	
<b>GROSS FUNDS</b>	<b>33.6</b>	<b>43.4</b>	<b>44.0</b>	<b>48.0</b>	<b>(1.0)</b>	<b>47.0</b>	

(Dollars in Thousands)

Fiscal Year 2012 Operating Budget, By Comptroller Source Group (Gross Funds)							
Comptroller Source Group		FY 2009 Actual	FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee
11	Regular Pay	1,591	1,713	1,929	1,910	(22)	1,888
12	Regular Pay - Other	756	971	957	1,278	(45)	1,233
13	Additional Gross Pay	99	55	0	0	0	0
14	Fringe Benefits	449	519	564	699	(15)	684
15	Overtime Pay	105	147	66	66	0	66
<b>Personal Services (PS)</b>		<b>2,999</b>	<b>3,404</b>	<b>3,517</b>	<b>3,953</b>	<b>(82)</b>	<b>3,871</b>
20	Supplies and Materials	78	74	52	92	(16)	76
30	Energy, Comm. and Building Rentals	0	0	110	91	0	91
31	Telephone, Telegraph, Telegram, etc.	22	12	33	33	0	33
32	Rentals – Land and Structures	400	83	0	0	0	0
34	Security Services	7	0	116	116	0	116
35	Occupancy Fixed Costs	0	0	112	112	0	112
40	Other Services & Charges	1,095	246	250	546	(61)	485
41	Contractual Services & Other	177	243	135	177	(42)	135
50	Subsidies & Transfers	53	1,244	500	0	1,000	1,000
70	Equipment and Equipment Rental	65	62	20	60	(15)	45
<b>Nonpersonal Services (NPS)</b>		<b>1,898</b>	<b>1,964</b>	<b>1,326</b>	<b>1,227</b>	<b>866</b>	<b>2,093</b>
<b>GROSS FUNDS</b>		<b>4,897</b>	<b>5,368</b>	<b>4,843</b>	<b>5,180</b>	<b>784</b>	<b>5,964</b>

(Dollars in Thousands)

Agency Program		FY 2010 Actual	FY 2011 Approved	FY 2012 Mayor	Committee Variance	FY 2012 Committee
1000	Agency Management	1,776	2,145	2,458	0	2,458
2000	Licensing	680	730	748	0	748
3000	Investigations	2,821	1,847	1,529	1,000	2,529
4000	Adjudication	17	45	101	0	101
5000	Records Management	74	76	73	55	128
6000	Medical Marijuana	0	0	271	(271)	0
<b>GROSS FUNDS</b>		<b>5,368</b>	<b>4,843</b>	<b>5,180</b>	<b>784</b>	<b>5,964</b>

(Dollars in Thousands)

## 1. COMMITTEE ANALYSIS AND COMMENTS

### a. Agency Mission and Overview

The mission of the Alcoholic Beverage Regulation Administration (“ABRA”) is to support the public’s health, safety and welfare through the control and regulation of the sale and distribution of alcoholic beverages.

ABRA operates through the following 5 programs:

- **Licensing** – issues new and renewal licenses to liquor stores, grocery stores, restaurants, hotels, nightclubs, and other establishments that manufacture, distribute, sell, or serve alcoholic beverages in the District of Columbia, and works with Records Management to keep accurate and accessible paper and data records of all licensing program activities. This program provides customer services directly to the general public, the business community, ANCs, and community groups and associations.
- **Investigations** – conducts regulatory and voluntary agreement compliance inspections, underage compliance checks, and joint investigations as needed with the Metropolitan Police Department (MPD), Fire and Emergency Medical Services Department (FEMS), the Office of Tax and Revenue (OTR), the Department of Consumer and Regulatory Affairs (DCRA), and others; and conducts various inspections associated with the licensing and adjudicatory processes such as final, compliance, placard, special event, and financial audit investigations. All activities serve to strengthen the awareness of, and compliance with, the ABC laws and regulations of the District of Columbia.
- **Adjudication** – provides administrative support for the Alcoholic Beverage and Control (ABC) Board actions and adjudicatory hearings.
- **Records Management** – provides file, document and database information to ABRA staff, the ABC Board and the general public so that they can receive accurate information and files. The program also provides certification services, responds to and tracks Freedom of Information Act requests, and responds to subpoena requests.
- **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.

### b. Mayor’s Proposed Fiscal Year 2012 Operating Budget

#### Proposed Operating Budget Summary

**Local Funds:** The Mayor’s proposed budget is \$279,000, the same as the approved FY 2011 budget. This funding supports no FTEs

***Special Purpose Revenue Funds:*** The proposed budget is \$4,900,000, an increase of \$58,000, or 1.2%, over the FY 2011 approved budget of \$4,843,000. This funding supports 48 FTEs, an increase of 4 FTEs, or 9.1%, from the FY 2011 approved budget.

## **2. COMMITTEE RECOMMENDATIONS**

### **a. Fiscal Year 2012 Operating Budget Recommendations**

The Committee recommends approval of the Mayor's proposed FY 2012 budget for ABRA with the following changes:

#### **1. Medical Marijuana Program**

The Medical Marijuana Program was originally intended to be administered by ABRA. Towards that end, the Mayor increased ABRA's proposed FY 2012 budget by \$271,000 and 2 FTEs to support this program. However, the Mayor stated in his May 9, 2011 letter to the Council that this program will not be administered by ABRA but will be administered by the Department of Health, within the Health Care Licensing and Regulation Program.

Therefore, the Committee recommends reducing CSG 11 by \$67,000, CSG 12 by \$45,000 and CSG 14 by \$25,000 in special purpose revenue funds in Program/Activity 6010, Medical Marijuana, for a total of \$137,000 in personal services, by eliminating 2 FTEs associated with the Medical Marijuana Program. Also, the Committee recommends reducing CSG 20 by \$16,000, CSG 40 by \$61,000, CSG 41 by \$42,000 and CSG 70 by \$15,000 in special revenue funds in Program/Activity 6010, Medical Marijuana, for a total of \$134,000 in nonpersonal services.

The Committee also directs that \$271,000 and 2 FTEs in special purpose revenue funds be transferred to the Committee on Health to be provided to the Department of Health to administer the Medical Marijuana Program.

#### **2. Reimbursable Detail Subsidy Program**

The Mayor's proposed FY 2012 budget for ABRA contains no funding for the Reimbursable Detail Subsidy Program. This program, which was created in 2008, provides "an assignment of [off-duty] MPD officers to patrol the surrounding area of an establishment for the purpose of maintaining public safety, including the remediation of traffic congestion and the safety of public patrons, during their approach and departure from the establishment," but does not allow an officer to enter a licensee establishment unless there is evidence or allegation of a crime within the establishment. ABRA has entered into a memorandum of understanding with MPD

under which MPD will be reimbursed 50% of the cost incurred by licensees for hiring reimbursable details.

This program is an important part of ABRA's and the District's operations and needs to be maintained. Therefore, the Committee recommends increasing CSG 50 by \$540,000 in special purpose revenue funds in Program/Activity 3010, Investigations, for the Reimbursable Detail Subsidy Program by directing that the agency use \$540,000 of its Fiscal Year 2012 fund balance for this purpose.

In addition, the Committee has proposed a new subtitle in the Fiscal Year 2012 Budget Support Act of 2011, the "Opening Hours Amendment Act of 2011," which OCFO calculates would generate \$460,000 in revenue in FY 2012 and \$460,000 in each fiscal year from FY 2013 through FY 2015. This proposed subtitle also provides that the tax revenue generated by it be dedicated each year specifically to funding of the Reimbursable Detail Subsidy Program. Therefore, the Committee also recommends increasing CSG 50 by \$460,000 in local funds in Program/Activity 3010, Investigations, for the Reimbursable Detail Subsidy Program with the revenue projected to be raised by enactment of the "Opening Hours Amendment Act of 2011."

The Committee wishes to note, however, that the extent of this program in past years was too broad, covering too many non-evening hours and days of the week. The Committee expresses its intent that the Reimbursable Detail Subsidy Program herein be limited to the wee hours of only Friday and Saturday nights.

3. Records Management Specialist

ABRA informed the Committee that it needs to add a Records Management Specialist and that funding is available in ABRA's baseline budget for this position in Fiscal Year 2012 and in FY 2013 through FY 2016. Therefore, the Committee recommends increasing CSG 11 by \$45,345 and CSG 14 by \$9,948 in special purpose revenue funds in Program/Activity 5000, Records Management, for a total of \$55,293, to support the addition of 1 FTE to serve as a Records Management Specialist, to be funded from the agency's Fiscal Year 2012 fund balance.

### III. FISCAL YEAR 2012 BUDGET REQUEST ACT APPROPRIATION LANGUAGE RECOMMENDATIONS

On April 1, 2011, Chairman Brown introduced, on behalf of the Mayor, the “Fiscal Year 2012 Budget Request Act of 2011” (Bill 19-202). The Committee recommends the following adjustments.

#### **Economic Development and Regulation**

(12) Alcoholic Beverage Regulation Administration. — ~~\$5,180,000~~ \$5,964,000 (including ~~\$279,000~~ \$739,000 from local funds and ~~\$4,900,000~~ \$5,224,000 from other funds);

#### **Human Support Services**

(1) Department of Human Services. — ~~\$309,049,000~~ \$319,816,000 (including \$140,514,000 from local funds, \$157,079,000 from Federal grant funds, \$10,382,000 from Medicaid payments, and ~~\$1,075,000~~ \$11,841,000 from other funds);

(2) Child and Family Services Agency. — ~~\$253,745,000~~ \$265,296,000 (including ~~\$191,596,000~~ \$191,596,000 from local funds, \$61,382,000 from Federal grant funds, \$750,000 from other funds, and \$17,000 from private funds);

(11) Children Investment Trust Fund Subsidy Payment. — \$3,000,000 from local funds;

(14) Department of Youth Rehabilitation Services. — ~~\$106,915,000~~ \$107,182,000 (including \$106,904,000 from local funds and \$278,000 from other funds); provided, that amounts appropriated herein may be expended to implement the provisions of section 105(k) of the Department of Youth Rehabilitation Services Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-335; D.C. Official Code § 2-1515.05(k)); provided further, that of the local funds appropriated for the Department of Youth Rehabilitation Services, \$12,000 shall be used to fund the requirements of the Interstate Compact for Juveniles;

(15) Department on Disability Services. — \$91,951,000 (including \$53,344,000 from local funds, \$28,387,000 from Federal grant funds, \$3,320,000 from Medicaid payments, and \$6,900,000 from other funds);



## IV. FISCAL YEAR 2012 BUDGET SUPPORT ACT RECOMMENDATIONS

On April 1, 2011, Chairman Brown introduced, on behalf of the Mayor, the “Fiscal Year 2012 Budget Support Act of 2011” (Bill 19-203). The bill contains a number of subtitles for which the Committee has provided comments in addition to new subtitles that the Committee recommends.

### A. RECOMMENDATIONS ON BUDGET SUPPORT ACT SUBTITLES PROPOSED BY THE MAYOR

The Committee provides comments on the following subtitles of the “Fiscal Year 2012 Budget Support Act of 2011”:

1. Title IV, Subtitle C. Day Care Policy Amendment.
2. Title V, Subtitle A. Intellectual Disability Services Medicaid Maximization Reform.
3. Title V, Subtitle C. TANF Regulations Amendment.
4. Title VIII, Subtitle N. Off-Premise Alcohol Amendments.

#### 1. TITLE IV, SUBTITLE C. DAY CARE POLICY AMENDMENT.

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

The proposed subtitle would amend the Day Care Policy Act of 1979 to increase the number of children allowed in a child development home from five to six.

##### b. Committee Reasoning

This subtitle is more properly under the purview of the Committee of the Whole rather than the Committee on Human Services because it involves public education matters. The Committee on Human Services had requested that this subtitle be re-referred to the Committee of the Whole but this did not occur. Nonetheless, the Committee on Human Services is providing comments, analysis and a recommendation regarding this particular subtitle with the assistance of the Committee of the Whole.

This subtitle would align the District of Columbia Official Code with current District of Columbia Municipal Regulations and practice. Best practices in early education support this number of allowable children in a child development home. Failure to make this change could result in a large number of home providers being forced to stop providing greatly needed childcare for District residents.

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

Sec. 421. Short title.

Sec. 422. Amends subsection (3) of the Day Care Policy Act of 1979 to increase the number of children allowed in a child development home from five to six, as long as no more than two of the six children are younger than two years of age. It defines “child development home” as a private residence which provides a child development program.

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

The Committee recommends adoption of this subtitle as proposed.

**2. TITLE V, SUBTITLE A. INTELLECTUAL DISABILITY SERVICES  
MEDICAID MAXIMIZATION REFORM.**

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

The proposed subtitle would amend the Mentally Retarded Citizens Constitutional Rights and Dignity Act of 1978 (“Act”) to require that a person with mental retardation who is otherwise eligible to receive supports and services from the District pursuant to the Act must either pay the full cost of such supports and services directly to the provider or become Medicaid eligible and maintain Medicaid eligibility in order to receive supports and services from a Medicaid-eligible provider. This requirement would not apply to former residents of Forest Haven.

**b. Committee Reasoning**

The Committee has concerns with this proposed subtitle. First, the way the language is currently written, the burden for obtaining Medicaid eligibility is placed solely on the individual in need of services. Second, the Committee is concerned about the impact this subtitle would have on those individuals who will not be able to meet Medicaid eligibility requirements because of their immigration status. And, lastly, the Committee has concern about the lack of an identified transition period for individuals to either establish Medicaid eligibility or identify alternative payment source for their services.

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

Sec. 501. Short title.

Sec. 502. Amends the Mentally Retarded Citizens Constitutional Rights and Dignity Act of 1978, effective March 3, 1979 (D.C. Law 2-137; D.C. Official Code § 7-1301.01 *et seq.*), to provide that a person with mental retardation who is otherwise eligible to receive supports and services from the District pursuant to this act must either pay the full cost of such supports and services directly to the provider or become Medicaid eligible and maintain Medicaid eligibility in order to receive supports and services under this act from a Medicaid-eligible provider. This requirement shall not apply to a person who is a former resident of Forest Haven.

Sec. 503. Amends Section 105 of the Department on Disability Services Establishment Act of 2006, effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.05), by requiring an individual to become and maintain Medicaid eligibility for purposes of receiving supports and services from a Medicaid eligible provider or requiring the individual to make full payment directly to the provider for such supports and services. This requirement shall not apply to a person who is a former resident of Forest Haven.

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

The Committee recommends striking this subtitle in its entirety and inserting in its place the following subtitle:

**SUBTITLE A. INTELLECTUAL DISABILITY SERVICES MEDICAID  
MAXIMIZATION REFORM**

Sec. 501. Short title.

This subtitle may be cited as the “Intellectual Disability Services Medicaid Maximization Reform Act of 2011”.

Sec. 502. The Mentally Retarded Citizens Constitutional Rights and Dignity Act of 1978, effective March 3, 1979 (D.C. Law 2-137; D.C. Official Code § 7-1301.01 *et seq.*), as amended, is further amended as follows:

(a) Section 311 (D.C. Official Code § 7-1303.11) is amended by adding a new subsection (d) to read as follows:

“(d) Notwithstanding any other provision of this act, effective January 1, 2012, a person with mental retardation who is otherwise eligible to receive supports and services from the District pursuant to this act must either pay the full cost of such supports and services directly to the provider or become District Medicaid eligible and maintain District Medicaid eligibility in order to receive supports and services under this act from a District Medicaid-eligible provider. This requirement shall not apply to a person who is a former resident of Forest Haven; a person whose needs cannot reasonably be met by a District Medicaid provider; a person who is eligible for enrollment in the D.C. Healthcare Alliance; or a person whose representative payee for the purposes of Social Security benefits is the Department on Disability Services or a provider agency who is contracted with the District to provide supports and services for that person, if the reason the person lost Medicaid eligibility is due to a failure by the representative payee. The Department on Disability Services shall work with and support the person to become District Medicaid eligible and to maintain District Medicaid eligibility, and the person and his or her representatives, estate, or both shall fully cooperate in such efforts.”

(b) Section 501 (D.C. Official Code § 7-1305.01) is amended by adding a new subsection (c) to read as follows:

“(c) Notwithstanding the availability of an appropriation to carry out the purposes of this act in paragraphs (a) and (b), effective January 1, 2012, a District resident with mental retardation who is otherwise eligible to receive supports and services from the District pursuant

to this act must either pay the full cost of such supports and services directly to the provider or become District Medicaid eligible and maintain District Medicaid eligibility in order to receive supports and services under this act from a District Medicaid-eligible provider. This requirement shall not apply to a person who is a former resident of Forest Haven; a person whose needs cannot reasonably be met by a District Medicaid provider; a person who is eligible for enrollment in the D.C. Healthcare Alliance; or a person whose representative payee for the purposes of Social Security benefits is the Department on Disability Services or a provider agency who is contracted with the District to provide supports and services for that person, if the reason the person lost Medicaid eligibility is due to a failure by the representative payee. The Department on Disability Services shall work with and support the person to become District Medicaid eligible and to maintain District Medicaid eligibility, and the person and his or her representatives, estate, or both shall fully cooperate in such efforts.”.

(c) Section 504 (D.C. Official Code § 7-1305.04) is amended by adding a new subsection (d) to read as follows:

“(d) Notwithstanding the availability of an appropriation to carry out the purposes of this act, effective January 1, 2012, a District resident with mental retardation who is otherwise eligible to receive supports and services from the District pursuant to this act consistent with the recommendations included in the individual habilitation plan must either pay the full cost of such supports and services directly to the provider or become District Medicaid eligible and maintain District Medicaid eligibility in order to receive supports and services under this act from a District Medicaid eligible provider. This requirement shall not apply to a person who is a former resident of Forest Haven; a person whose needs cannot reasonably be met by a District Medicaid provider; a person who is eligible for enrollment in the D.C. Healthcare Alliance; or a person whose representative payee for the purposes of Social Security benefits is the Department on Disability Services or a provider agency who is contracted with the District to provide supports and services for that person, if the reason the person lost Medicaid eligibility is due to a failure by the representative payee. The Department on Disability Services shall work with and support the person to become District Medicaid eligible and to maintain District Medicaid eligibility, and the person and his or her representatives, estate, or both shall fully cooperate in such efforts.”.

Sec. 503. Section 105 of the Department on Disability Services Establishment Act of 2006, effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.05), is amended by striking the “and” at the end of paragraph (5), by striking the period at the end of paragraph (6) and adding a semi-colon and the word “and”, and by adding a new paragraph (7) to read as follows:

“(7) Maximize Medicaid revenues by requiring an individual to become District Medicaid eligible and maintain District Medicaid eligibility for purposes of receiving supports and services from a District Medicaid eligible provider or requiring the individual to make full payment directly to the provider for such supports and services. This requirement shall be effective January 1, 2012, but shall not apply to a person who is a former resident of Forest Haven; a person whose needs cannot reasonably be met by a District Medicaid provider; a person who is eligible for enrollment in the D.C. Healthcare Alliance; or a person whose representative payee for the purposes of Social Security benefits is the Department on Disability Services or a provider agency who is contracted with the District to provide supports and

services for that person, if the reason the person lost Medicaid eligibility is due to a failure by the representative payee. The Department on Disability Services shall work with and support the person to become District Medicaid eligible and to maintain District Medicaid eligibility, and the person and his or her representatives, estate, or both shall fully cooperate in such efforts.”.

### 3. TITLE V, SUBTITLE C. TANF REGULATIONS AMENDMENT.

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

The proposed subtitle would amend the District of Columbia Public Assistance Act of 1982 to reduce Temporary Assistance for Needy Families (TANF) benefits for an individual who has received such benefits for more than 60 months in the District of Columbia, whether or not consecutive, to:

- 25 percent of the FY 2011 amount on October 1, 2011;
- 41.7 percent of the FY 2012 amount on October 1, 2012; and
- 100 percent of the FY 2013 amount on October 1, 2013.

As a result, beginning FY 2014, TANF benefits would no longer be provided to any individual who had received TANF benefits for more than 60 months. The District uses all local funds to pay for these extended benefits.

#### b. Committee Reasoning

The Committee Chairman has concerns about this proposed subtitle. It will implement drastic reductions in cash assistance to families without first allowing them to benefit from the new welfare-to-work program. Long-term self-sufficiency is the goal of many TANF families but the lack of proper education and training, assessments and referrals and barrier-removing services has made the current work program a dismal failure. DHS is to be commended for adopting a new model but it is doubtful that the program will be fully implemented on time. In the meantime, thousands of families and tens of thousands of children will have their benefits cut by 25% and at least 6,550 families will have their benefits cut by a total of 40%. This subtitle implements a punitive time-limits policy whose only goal appears to be savings for the District rather than help families gain stability.

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

Sec. 521. Short title.

Sec. 522. Amends the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq.*), to provide that an individual who has received TANF benefits for more than 60 months in the District of Columbia, whether or not consecutive, shall receive a reduction to the current benefit amount as follows:

- (1) 25% of the fiscal year 2011 amount on October 1, 2011;
- (2) 41.7% of the fiscal year 2012 amount on October 1, 2012; and
- (3) 100% of the fiscal year 2013 amount on October 1, 2013.

Sec. 523. Provides that the payment levels in D.C. Official Code § 4-205.52 shall be amended to comply with the changes outlined in section 522.

Sec. 524. Provides that Subsections 7200.3 and 7200.4 of Title 29 of the District of Columbia Municipal Regulations shall be amended to comply with the changes outlined in section 522.

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

The Committee voted 3-2 to recommend approval of this proposed subtitle. Councilmembers Barry, Alexander and Brown voted for approval of it and Chair Graham and Councilmember Wells voted for disapproval.

**4. TITLE VIII, SUBTITLE N. OFF-PREMISE ALCOHOL AMENDMENTS.**

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

The proposed subtitle would (1) amend Alcohol Beverage Regulations to extend allowable hours for off-premise alcohol sales by two additional hours, to end at midnight – current law permits off-premise alcohol sales until 10 p.m. every day – and (2) amend the District’s tax code to increase sales tax on all off-premise alcohol sales from 9 percent to 10 percent. Both measures would be effective July 1, 2011. The Committee held a public hearing on both proposed measures on April 20, 2011, where it received testimony from ABRA and the public.

The Office of the Chief Financial Officer (“OCFO”) has certified that the first measure, extending the allowable hours for off-premise alcohol sales, is expected to increase General Fund revenue by \$2.37 million in Fiscal Year 2012 and \$9.46 million in the FY 2012 through FY 2015 financial plan period. OCFO has certified that the second measure, increasing the sales tax on all off-premise alcohol sales, is expected to increase General Fund revenue by \$2.89 million in Fiscal Year 2012 and \$12.47 million in the FY 2012 through FY 2015 financial plan period. Together, these proposed measures would increase General Fund revenue by \$5.26 million in FY 2012 and \$21.93 million during the four-year financial plan period.

**b. Committee Reasoning**

*Sales Tax Increase*

Although the Committee believes that any tax increase should be carefully considered before being implemented, especially with respect to consumer items, the Committee believes

that increasing the sales tax on alcohol sold for off-premises consumption by 1%, to 10%, is reasonable. On-premise establishments in the District, including restaurants and taverns, currently impose a sales tax of 10% on alcohol sold on the premises and Maryland recently passed legislation to increase its sales tax on off-premise alcohol sales later this year to 9%. Therefore, the Committee recommends approval of this particular proposal.

The Committee approved this portion of the proposed subtitle unanimously.

*Extending Allowable Hours of Sales*

By a vote of 3-2, the Committee approved the portion of this proposed subtitle regarding extending allowable hours of sale. Councilmembers Barry, Wells and Brown voted for approval of it and Chair Graham and Councilmember Alexander voted for disapproval.

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

Sec. 8131. Short title.

Sec. 8132. Amends the District of Columbia Official Code to provide that retailers can sell alcohol for off-premises consumption until midnight

Sec. 8133. Amends the District of Columbia Official Code to provide that the sales tax rate on alcohol sold for off-premises consumption shall be 10%.

Sec. 8134. Provides that this subtitle shall be effective July 1, 2011.

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

The Committee recommends approval of this proposed subtitle.

**B. RECOMMENDATIONS FOR NEW BUDGET SUPPORT ACT  
SUBTITLES**

The Committee on Human Services recommends the following new subtitles to be added to the “Fiscal Year 2012 Budget Support Act of 2011”:

1. Opening Hours Amendment.
2. Differential Response Amendment.
3. DYRS Committed Youth Amendment.

**1. Opening Hours Amendment.**

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

The proposed subtitle would allow restaurants, hotels, bars and other on-premise establishments to sell alcohol beginning at 8:00 a.m. on Sundays. Currently, on-premise establishments in the District can begin selling alcohol at 8:00 a.m. Monday through Saturday, but must wait until 10:00 a.m. on Sunday. The Office of the Chief Financial Officer calculates that enactment of this subtitle will generate \$460,000 in Fiscal Year 2012 and \$460,000 in each fiscal year in FY 2013 through FY 2015.

This proposed subtitle would also require that the revenue generated by enactment of it be dedicated to funding of the Reimbursable Detail Subsidy program

**b. Committee Reasoning**

The Committee believes that allowing on-premise establishments to sell alcohol beginning at 8:00 a.m. on Sundays would make such sales on these days in the District consistent with all of the other days of the week. The Committee held a public hearing on this proposed subtitle on April 20, 2011, where it received testimony from ABRA and the public. Many witnesses testified in favor of this proposal, including the DC Association of Beverage Alcohol Wholesalers; the DC Nightlife Association; Jack Jacobsen, Commissioner for ANC 2B04; the Distilled Spirits Council; and the Restaurant Association Metropolitan Washington.

In addition, ABRA Director Moosally testified at the Committee's April 20, 2011 public hearing that from an enforcement standpoint, it makes sense to have the starting hour that on-premise alcohol sales can begin on Sundays consistent with the other days of the week. Furthermore, more than half of the states in the United States currently allow alcohol sales at on-premise establishments to begin earlier than 10:00 a.m. on Sundays, including Virginia and Baltimore City in Maryland, which permit alcoholic beverages to be sold for on-premise consumption starting at 6:00 a.m. on Sundays.

The Committee voted to recommend this amendment.

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

Sec. [XX]. Short title.

Sec. [XX]. Amends the District of Columbia Official Code to provide that on-premise establishments can sell alcohol beginning at 8:00 a.m. on Sundays.

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

*Long Title:* To amend Section 7 of Title 25 of the District of Columbia Official Code to allow on-premise establishments to sell alcohol beginning at 8:00 a.m. on Sundays, and to dedicate the tax revenue generated by this Act to funding of the Reimbursable Detail Subsidy Program.



SUBTITLE [XX]. OPENING HOURS AMENDMENT

Sec. [XX]. Short title.

This subtitle may be cited as the “Opening Hours Amendment Act of 2012”.

Sec. [XX]. Section 25-723(b)(3) of the District of Columbia Official Code is amended to read as follows:

“(b)(3) 3:00 a.m. and 8:00 a.m. on Sunday.”.

Sec. [ XX]. Dedicated revenue.

The sales and excise tax revenue certified by the Chief Financial Officer as being generated each year by this act shall be used to fund the Reimbursable Detail Subsidy Program in the Alcoholic Beverage Regulation Administration.

**2. Differential Response Amendment.**

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

The proposed subtitle would give the Child and Family Services Agency (CFSA) the authority to refer a family for a family assessment in lieu of an investigation in response to reports of abuse and neglect that do not involve a child fatality, suspected sex abuse, or when CFSA suspects a child is at imminent risk or has experienced abuse or neglect that CFSA determines to be severe. OCFO’s initial estimate is that this proposed subtitle would have no negative fiscal impact.

**b. Committee Reasoning**

This alternative measure to investigations was originally enacted as part of the Families Together Amendment Act of 2010. At that time, the Act was enacted subject to applicability upon the inclusion of its fiscal effect in an approved budget and financial plan. This subtitle would make it clear that CFSA has the funds within its current budget to begin the phase in program of using family assessments in lieu of an investigation in response to certain reports of abuse or neglect

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

Sec. [XX]. Short title.

Sec. [XX]. Amends the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.01 et seq.) to update the time period within which the Child and Family Services Agency must provide a written report to the Council detailing the progress of its activities under the act, to eliminate a specific deadline that

has occurred in the past, to clarify that CFSA is working towards a phase in of implementation of the requirements of the act,

Sec. [XX]. Authorize the Mayor to promulgate rules under this Act.

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

*Long Title:* To amend An Act To provide for the Care of Dependent Children in the District of Columbia and to Create a Board of Children’s Guardians to update the time period within which the Child and Family Services Agency must provide a written report to the Council detailing the progress of its activities under the act, to eliminate a specific deadline that has occurred in the past, to clarify that CFSA is working towards a phase in of implementation of the requirements of the act, and to authorize the Mayor to promulgate rules under this Act.

SUBTITLE [XX]. DIFFERENTIAL RESPONSE AMENDMENT

Sec. [XX]. Short title.

This subtitle may be cited as the “Families Together Amendment Act of 2011”.

Sec. [XX]. Section 104 of An Act To provide for the Care of Dependent Children in the District of Columbia and to Create a Board of Children’s Guardians, effective September 23, 1972 (D.C. Law 2-22; D.C. Official Code § 4-1301.04) is amended as follows:

(1) Subsection (e)(1) is repealed.

(2) Subsection (e)(2) is amended by striking the phrase “October 1, 2010” and inserting the phrase “December 15, 2011” in its place.

(3) Subsection (e)(2)(A) is amended by striking the phrase “toward full implementation of this alternative to investigation; and” and inserting the phrase “to phase in full implementation of this alternative to investigation;” in its place.

(4) Subsection (e)(2)(B) is amended by striking the period at the end and inserting a semi-colon.

(5) A new subsection (e)(2)(C) is added to read as follows:

“(e)(2)(C) Whether additional funding will be needed in Fiscal Year 2013 for expanded implementation.”.

Sec. [XX]. Section 601 of An Act To provide for the Care of Dependent Children in the District of Columbia and to Create a Board of Children’s Guardians, effective September 23, 1972 (D.C. Law 2-22; D.C. Official Code § 4-1306.01(d)(1)) is amended by striking the phrase “September 24, 2010” and inserting phrase “the effective date of the Families Together Amendment Act of 2011” in its place.

### **3. DYRS Committed Youth Amendment.**

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

The proposed subtitle would provide the Department of Youth Rehabilitation Services a framework in which to bring youth and young adults committed to DYRS closer to home for rehabilitation services and increase capacity to secure Medicaid reimbursements for in-patient and out-patient rehabilitation services.

Approximately 52% of the DYRS committed population is receiving services in out-of-state residential treatment centers, psychiatric residential treatment facilities, and therapeutic group homes. DYRS has budgeted \$37,743,376 of local funds for residential placements in FY 12; approximately 35% of the agency's budget. OCFO's initial estimate is that this proposed subtitle would have no negative fiscal impact.

#### **b. Committee Reasoning**

At the February 16, 2011 Performance Oversight Hearing, the Committee requested the agency to develop a comprehensive plan to reduce the heavy reliance on residential placements located 100 miles from the District. The plan was to include working with other District agencies and advocacy organizations to build community capacity to provide in-patient and out-patient substance abuse, alcohol detox and treatment, and mental health programs. Keeping youth and young adults close to home during rehabilitation allows for greater access to family members and allows the family to be more involved with the youth's rehabilitation process. Studies have shown the more involvement with families during the rehabilitation process the more sustained the rehabilitation can be.

On March 14, 2011 the agency responded to the Committee's request. At the time, there were 141 committed youth in facilities more than 100 miles. The agency enumerated a three point plan to bring about the reductions: 1) decrease the total number of youth placed outside the District; 2) increase the number of youth receiving services that are reimbursable through Medicaid; 3) increase the supervision, supports and other services available to youth and families in order for them to safely reside in their local community.

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

Sec. [XX]. Release a "Request for Information" concerning establishing in-patient drug treatment programs within 50 miles of the District. A report summarizing the results and action items from the "Request for Information" will be delivered to the Committee by December 16, 2011.

Sec. [XX]. Conduct a study of the youth in Psychiatric Residential Treatment Facility (PRTF) and Residential Treatment Center (RTC) placements to get a clear and in-depth picture of who they are and what they need. Evaluate that population based on demographic characteristics, offense history and risk profile, behavioral health issues, substance abuse issues,

past community-based service provision, reason for current placement and other factors. This analysis will be used to match community-based intervention with this population. A report summarizing the results and action items from the study will be delivered to the Committee by December 16, 2011.

Sec. [XX]. Work with DMH on an application for the federal “Money Follows the Person” program as an approach to bringing youth home from residential placement with the community-based supervision, services and supports necessary to meet their behavioral and other needs. Under this four year program 85% of supervision, services and supports required to place the youth in the community are paid for by the federal government. At the end of the program, if certain benchmarks are met, the services provided through the program are made Medicaid eligible permanently. This program is 6-9 months from implementation (if approved). However, we are committed to working with DMH to begin implementation immediately, focusing on the first cohort of youth placed in residential longer than 180 days. The agency will provide the Committee quarterly reports on the status of “Money Follows the Person” including Medicaid funds sought and received.

Sec. [XX]. The agency will provide the Committee a quarterly report on progress towards increasing the number youth placed in PRTF and RTC within 100 miles of the District.

Sec. [XX]. The agency will provide the Committee a quarterly report on progress indicating total reduction of use of residential placements.

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

*Long title:* To require the Department of Youth Rehabilitation Services to issue a report summarizing the results and action items from the “Request for Information” concerning establishing in patient drug treatment programs within 50 miles of the District to the Council by December 16, 2011; to require that Department of Youth Rehabilitation Services to conduct a study of the youths in Psychiatric Residential Treatment Facility and Residential Treatment Center ; and to require that Department of Youth Rehabilitation Service to issue quarterly reports on the status of the Money Follows the Person program.

**SUBTITLE [XX]. INCREASE LOCAL CAPACITY TO SERVE DEPARTMENT OF YOUTH REHABILITATION SERVICES.**

Sec. [XX]. Short title.

This subtitle may be cited as the “Increase Local Capacity to serve Department of Youth Rehabilitation Services Committed Youth Act of 2011”.

Sec. [XX]. Report on Department of Youth Rehabilitation Services plans to reduce residential placements outside the District.

Department of Youth Rehabilitation Services (“DYRS”) shall issue a report summarizing the results and action items from the “Request for Information” concerning establishing in patient drug treatment programs within 50 miles of the District to the Council by December 16, 2011.

Sec. [XX]. Report on Department of Youth Rehabilitation Services youths in Psychiatric Residential Treatment Facility and Residential Treatment Center.

(a) DYRS shall conduct a study of the DYRS youth in Psychiatric Residential Treatment Facility (“PRTF”) and Residential Treatment Center (“RTC”) . The study shall evaluate the following:

- (1) The population based on demographic characteristics of youth;
- (2) The offense history of the youths;
- (3) The risk profile of the youths;
- (4) The behavioral health issues;
- (5) The substance abuse issues;
- (6) The past community-based service provision;
- (7) The reason for current placement; and
- (8) Other factors that DYRS determines to be significant .

(b) DYRS shall issue a report summarizing the findings of the study, which shall include action items. This report shall be issued to the Council by December 16, 2011.

(c) DYRS shall provide to the Council a quarterly census report on DYRS youth placed in TRTF and RTC. The report shall include the following:

- (1) The name of the center;
- (2) The location of the center;
- (3) The number of miles the center is located outside of the District;
- (4) The daily rate that the center is charging the District.

Sec. [XX]. Quarterly report on status of Medicaid eligibility.

Beginning February 1<sup>st</sup>, DYRS shall issue quarterly reports on the status of the Money Follows the Person program. The report shall include the following:

- (1) The number of applications submitted for Medicaid;
- (2) The number of applications approved for Medicaid; and
- (3) The amount of money obtained from Medicaid.

## **V. COMMITTEE ACTION AND VOTE**

On Thursday, May 12, 2011, at 2:45 p.m. in the Council Chamber, Room 500, of the John A. Wilson Building, the Committee on Human Services met to consider and vote on the Mayor’s Fiscal Year 2012 Budget Request for the agencies under its purview, the provisions of the Fiscal Year 2012 Budget Support Act of 2011 referred to the Committee on Human Services, and the Committee’s report. Chairperson Graham determined the presence of a quorum consisting of himself and Councilmembers Tommy Wells, Marion Barry, Yvette Alexander and Michael Brown.

Chairperson Graham provided an overview of the report and changes to the Mayor's proposed budget as recommended by the Committee before opening the meeting for discussion. Chairperson Graham then discussed the proposed FY 2012 budget in turn for each agency under the purview of the Committee.

Chair Graham began by discussing the proposed budget for the Child and Family Services Agency (CFSA). He stated that the Committee's recommendations for CFSA will restore funding for grandparent caregivers, mental health treatment for children and substance abuse treatment. Chair Graham stated that they would also create a pilot program for differential response using existing funding. He said that the staffing reductions would address the agency's layered, top-heavy management structure and that savings from the vacancy eliminations and reductions would be directed to the critical services and programs of the agency.

Councilmember Wells said that he supports cutting vacancies at CFSA, since the agency has already been able to operate with 100 vacancies. He said that he did not see evidence that cutting these vacancies would affect the agency's ability to comply with the requirements of the *LaShawn* lawsuit. Councilmember Barry said that the Mayor's proposed budget is a very difficult one because the cuts fall hardest on the most vulnerable in the city.

Chair Graham then moved for approval of the Mayor's proposed budget for CFSA with the recommendations contained in the Committee's draft report. The Committee voted unanimously to approve.

Chair Graham next discussed the Mayor's proposed FY 2012 budget for the Department of Disability Services (DDS). He moved for approval of the Mayor's proposed FY 2012 budget for DDS. The Committee voted unanimously to approve.

Chair Graham then discussed the Mayor's proposed FY 2012 budget for the Children and Youth Investment Collaborative (CYIC). He said that the Committee's draft recommendation is that \$250,000 of the funding in the proposed budget for CYIC be dedicated to continue a competitive grant program to support community-based targeted gang intervention and outreach. He also said that the agency must improve its private fundraising efforts. Councilmember Barry said that the Trust's budget has been reduced by 65% in the last two years, which results in pain for the community. He said he would vote for the Mayor's proposed budget for CYIC but did not agree with the proposed funding reduction. Chair Graham moved for approval of the Mayor's proposed FY 2012 budget for CYIC. The Committee voted unanimously to approve.

Chair Graham next discussed the Mayor's proposed FY 2012 budget for the Department of Youth Rehabilitation Services (DYRS). He said that the Committee's draft recommendations regarding this proposed budget would redirect \$2.2 million for the lead entities to develop substance abuse treatment, workforce development, and gang intervention; remove DYRS youth from out-of-state facilities for a savings of \$1 million; relocate 20% of youth at New Beginnings who are awaiting placement; and expand vocational trainings at Maya Angelou and New Beginnings.

Councilmember Barry said that he is interested in putting a certain mile cap on how far a residential treatment center (RTC) can be from the District. He said that the District needs to do evaluations of the RTCs to which we are sending young people to do better evaluations of those programs. He also expressed concerns about the out-of-state facilities and the support youth receive from DYRS once they return to the community.

Councilmember Brown said that he is supportive of more mental health, mentoring and educational support services being offered through Lead Entities. He stated that he wants substance abuse treatment recovery programs to explicitly include mental health services. Councilmember Wells said that the Committee's solution to the placement problem is terrific and will also improve the operations of New Beginnings. Chair Graham then moved for approval of the Mayor's proposed FY 2012 budget for DYRS with the recommendations contained in the Committee's draft report. The Committee voted unanimously to approve.

Chair Graham then discussed the Mayor's proposed FY 2012 budget for the Alcoholic Beverage Regulation Administration (ABRA). He stated that the Committee was recommending sending \$271,000 to the Committee on Health to be provided to the Department of Health to administer the medical marijuana program that the Mayor had moved from ABRA to DOH. He also stated that the Committee was recommending increasing ABRA's special purpose revenue funds by \$540,000 to fund the Reimbursable Detail Subsidy Program, with money to come from ABRA's FY 2012 fund balance, and that the Committee was also authorizing the increase of ABRA's local funds budget by \$460,000 with the revenue projected by the OCFO to be raised by inclusion of the new proposed subtitle the "Opening Hours Amendment Act of 2011." Lastly, he stated that the Committee was recommending adding an FTE to ABRA's budget for a Records Management Specialist, at ABRA's request. Chair Graham moved for approval of the Mayor's proposed FY 2012 budget for ABRA with the recommendations contained in the Committee's draft report, and the Committee approved it unanimously.

Chair Graham mentioned the Mayor's proposed new subtitle to the Budget Support Act regarding sales of alcohol for off-premises consumption. He stated that it was the recommendation in the Committee's draft report to approve the portion of this subtitle that would increase the sales tax on alcohol sold for off-premises consumption but to disapprove the portion of the proposed subtitle that would extend the allowable hours that stores could sell alcohol for off-premises consumption until 12 midnight. Chair Graham said that there are issues in Ward 1 with the consumption of alcohol and the spillover effects in the neighborhoods around Ward 1 regarding this issue. Councilmember Alexander thanked Chair Graham for considering the concerns of her constituents in Ward 7 regarding extending the evening hours for stores to sell alcohol and said that Ward 7 already has enough problems regarding this issue.

Councilmember Brown then asked to have this latter recommendation brought up for a vote. Chair Graham moved in the alternative for approval of the portion of the Mayor's proposed subtitle to the BSA that would extend the allowable hours of sale and the Committee approved this by a vote of 3-2. Councilmembers Brown, Wells and Barry were recorded as voting in favor of this portion of the proposed subtitle and Chair Graham and Councilmember

Alexander were recorded as voting against it. The Committee also voted unanimously to approve the portion of the Mayor's proposed subtitle that would increase the sales tax on alcohol sold for off-premises consumption.

The final agency that Chair Graham discussed was the Department of Human Services (DHS). Chair Graham said that the Mayor's proposed FY 2012 budget for DHS is the most troubling and difficult of all of the agencies under the Committee's purview because the cuts affecting programs are deep and profound and would result in a huge impact to people. He discussed the human impact of the \$19.1 million reduction in homeless services and the shortfall which will result the elimination of virtually all homeless services except during the hypothermia season. He also mentioned the \$7.9 million cuts in Temporary Assistance to Needy Families (TANF) and the \$4 million cut to Interim Disability Assistance (IDA).

With the cuts to homeless services, Chair Graham said that would be a loss of 890 emergency beds for men and 313 emergency beds for women, a loss of more than 250 shelter units for families at D.C. General, more than 120 emergency beds for men and women outside of hypothermia season and no cooling services during the sweltering hot months in the District. He also discussed the elimination of IDA, resulting in more than 1,000 District residents using their sole source of income while awaiting the resolution of SSI benefits. Chair Graham stated that that this would be a very large reduction of cash assistance to TANF families who have been receiving benefits for 60 months or more, whether consecutively or not. He said that for 6,550 families and 14,600 children, the majority of whom are below the age of 10, such benefits will be reduced by almost 50% after October 1 and that the victims are the children. Chair Graham said that he doesn't have a sense that there is a real training and independence program that can help move families from dependence to independence.

Chair Graham stated that the Committee's draft recommendation was that the Mayor's proposed FY 2012 budget for DHS not be approved but that, for procedural reasons, he would move the motion in the affirmative and thereafter vote against it. He then moved for approval of the Mayor's proposed FY 2012 budget for DHS and asked for discussion.

Councilmember Barry said that he represents one of poorest constituencies in the United States, one with high unemployment, health issues and many households headed by women. He said that he is figuring out how not to cut these budgets, that there is no debate about the cut in homeless services here and that he can't even imagine how one cannot find the funds for non-hypothermia days. He said that he will never vote for a permanent cut in homeless services and that it is unbelievable that the Mayor couldn't find funding for the IDA program. He said that he would be voting in favor of the Mayor's proposed budget for DHS because there would be nothing for the agency if he didn't, but that he would be doing so with the understanding that the full Council will find the \$30 million to fund the cuts to human services in this proposed budget.

Councilmember Brown said that some of these cuts are about survival, not just budget cuts. He said that he understand Chair Graham's position regarding the proposed budget for DHS but that he will vote for it because the Council will have a second bite at the apple at the COW at restoring these cuts.



Councilmember Alexander made specific comments with regards to TANF. She called TANF a form of institutional slavery and said that there were residents in her ward who were too dependent on TANF as a source of income. Councilmember Alexander commented that the District needed to help lift families up and break the cycle of welfare dependence.

Councilmember Wells said that he would be joining Chair Graham in voting against the Mayor's proposed budget for DHS. He said that homeless shelters are the one place that homeless people can get a meal and that if we take a shelter and meal away from these 1,200 people, the impact upon the city would be great. He also commented on the impact of the cuts saying that the District may revert back to the 1990s when there were tent cities in the parks downtown.

Chair Graham then moved for approval of the Mayor's proposed FY 2012 budget for DHS. The Committee voted 3-2 to approve this proposed budget. Councilmembers Brown, Barry and Alexander voted to approve it and Chair Graham and Councilmember Wells voted to disapprove it.

#### Fiscal Year 2012 Budget Request Act Recommendations

Chairperson Graham moved the Committee's Fiscal Year 2012 Budget Request Act recommendations for approval, with leave for staff to make technical and conforming changes to reflect the Committee's actions. The Committee members voted to approve the recommendations, as follows:

Member in favor: Chair Graham and Councilmember Wells, Barry, Alexander and Michael Brown

Members opposed:

Members voting present:

Members absent:

The Committee's Fiscal Year 2012 Budget Request Act recommendations are adopted by a vote of 5-0.

#### Fiscal Year 2012 Budget Support Act Recommendations

Chairperson Graham moved the Committee's Fiscal Year 2012 Budget Support Act recommendations for approval, with leave for staff to make technical and conforming changes to reflect the Committee's actions. The Committee members voted to approve the recommendations, as follows:

Member in favor: Chair Graham and Councilmember Wells, Barry, Alexander and Michael Brown.

Members opposed:

Members voting present:

Members absent:

The Committee's Fiscal Year 2012 Budget Support Act recommendations are adopted by a vote of 5-0.

Fiscal Year 2012 Committee Budget Report

The Committee's approach in its markup was to consider each agency budget separately. Thus, there was a 3-2 vote to approve the budget of the Department of Human Services. However, because of the various changes resulting from Committee action, the Chairman made a general motion to approve the Committee's Fiscal Year 2012 Budget Report, with leave for staff to make technical and conforming changes to reflect the Committee's actions. The Committee members voted to approve the general recommendations, as follows:

Member in favor: Chair Graham and Councilmember Wells, Barry, Alexander and Michael Brown.

Members opposed:

Members voting present:

Members absent:

The Committee's Fiscal Year 2012 Budget Report is adopted by a vote of 5-0.

Chair Graham adjourned the meeting at 4:10 p.m.

## **VI. ATTACHMENTS**

- A. April 7, 2011 FY 2012 Budget Oversight Hearing Witness List and Testimony
- B. April 11, 2011 FY 2012 Budget Oversight Hearing Witness List and Testimony
- C. April 20, 2011 FY 2012 Budget Oversight Hearing Witness List and Testimony
- D. April 21, 2011 FY 2012 Budget Oversight Hearing Witness List and Testimony
- E. May 4, 2011 FY 2012 Budget Oversight Hearing Witness List and Testimony
- F. May 5, 2011 FY 2012 Budget Oversight Hearing Witness List and Testimony
- G. May 6, 2011 FY 2012 Budget Oversight Hearing Witness List and Testimony
- H. May 7, 2011 FY 2012 Budget Oversight Hearing Witness List and Testimony