



# New York Public Welfare Association, Inc.

Founded in 1869

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June 23, 2016

The Honorable Charles E. Schumer  
United States Senate  
322 Hart Senate Office Building  
Washington, D.C. 20510-3203

The Honorable Kirsten Gillibrand  
United States Senate  
478 Russell Senate Office Building  
Washington, D.C. 20510-3205

Re: Families First Prevention Services Act H.R. 5456

Dear Senator Schumer and Senator Gillibrand:

We appreciate the great compassion and fiscal wisdom that you demonstrate in considering legislation that impacts vulnerable children and families. There are times when ideas that are inspired by deep empathy make their way through the legislative process without ever attracting the necessary fiscal resources and technical expertise that would turn the dream into reality. This is one of those times. When this happens, the dream quickly turns into a nightmare. In such circumstances, the children do not have access to the services that were hoped for and, instead, the system experiences dramatic losses in finances which lead to worse outcomes for children – something no one wants to see.

We understand the bill's good intentions in promoting preventive services but they are greatly outweighed by the unintended consequences of reducing IV-E funding for foster care. We would all prefer that children live with families rather than congregate care settings whenever possible. We want children to have all the help and support they need to be healthy and safe in our communities. Foster care is not punishment; foster care is providing a safe place for children who have been abused and neglected and giving them an opportunity to receive help.

We appreciate the fiscal support brought forward for Preventive Services, but it will be overshadowed by lost IV-E funding for congregate care. This legislative proposal would cost New York State roughly \$250 million without the federal dollars to cover the expense. Although well intentioned, the Families First Prevention Services Act would negate the good work being done on a local and state level on behalf of foster children. With this in mind, the New York Public Welfare Association (NYPWA) respectfully recommends that you **OPPOSE** this legislation as it is currently written.

The NYPWA is the professional organization of local departments of social services. Our members are responsible for investigating reports of child abuse and neglect and for seeking assistance from Family Courts to protect children—including children in foster care. Local DSS Commissioners, along with their state partners at the NYS Office of Children and Families Services (OCFS), have successfully worked to reduce the number

of children in foster care. Despite this success there are still occasions when placement into a congregate care setting represents the best option for a child on a temporary basis.

However, this new federal legislation dramatically limits Title IV-E congregate care funding—going as far as eliminating federal dollars after 21 days unless the program serving a child meets highly restrictive federal standards. The bill also requires increased assessment responsibilities which would lead to the loss of IV-E dollars if rigid timeframes are not met. Unfortunately, there are no additional federal monies associated with helping the state meet these added burdens. The promise of federal funding for optional preventive services may be intended to assist states—but federal constraints (time-limited funding, availability of evidence-based services, etc.) over how these funds are allocated comes up far short of what is needed to ensure that vulnerable foster children are cared for properly.

The New York Public Welfare Association **STRONGLY OPPOSES** H.R. 5456, as it will greatly impact the ability of New York State and its 58 county-run, local departments of social services (DSS) to best serve foster children. It also represents a major unfunded mandate on state and local child welfare systems which must absorb the loss of federal Title IV-E funding—as well as the costs associated with the bill's added administrative requirements.

Sincerely,

A handwritten signature in cursive script that reads "Sheila Harrigan".

Sheila Harrigan  
Executive Director