

1 BEFORE THE NEW YORK STATE SENATE FINANCE
2 AND ASSEMBLY WAYS AND MEANS COMMITTEE

2 -----

3 JOINT LEGISLATIVE HEARING

4 In the Matter of the
5 2019-2020 EXECUTIVE BUDGET ON
6 HUMAN SERVICES

6 -----

7 Hearing Room B
8 Legislative Office Building
9 Albany, New York

9 January 24, 2019
10 9:42 a.m.

11 PRESIDING:

12 Senator Liz Krueger
13 Chair, Senate Finance Committee

14 Assemblywoman Helene E. Weinstein
15 Chair, Assembly Ways & Means Committee

16 PRESENT:

17 Senator James L. Seward
18 Senate Finance Committee (RM)

19 Assemblyman William A. Barclay
20 Assembly Ways & Means Committee (RM)

21 Assemblywoman Ellen Jaffee
22 Chair, Assembly Children and Families
23 Committee

24 Senator Velmanette Montgomery
Chair, Senate Committee on Children
and Families

Assemblyman Andrew Hevesi
Chair, Assembly Committee on Social Services

24

1 2019-2020 Executive Budget
Human Services
2 1-24-19

3 PRESENT: (Continued)

4 Senator Roxanne Persaud
Chair, Senate Committee on Social Services

5
6 Assemblyman Harry B. Bronson
Chair, Assembly Committee on Aging

7 Senator Rachel May
Chair, Senate Committee on Aging

8
9 Assemblywoman Didi Barrett
Chair, Assembly Committee on Veterans' Affairs

10 Senator John E. Brooks
Chair, Senate Committee on Veterans,
11 Homeland Security and Military Affairs

12 Assemblywoman Nily Rozic

13 Senator Diane J. Savino

14 Assemblyman Simcha Eisenstein

15 Senator Sue Serino

16 Assemblywoman Patricia Fahy

17 Senator Brian A. Benjamin

18 Assemblywoman Tremaine Wright

19 Senator Leroy Comrie

20 Assemblyman Marcos A. Crespo

21 Senator Gustavo Rivera

22 Assemblywoman Inez E. Dickens

23 Senator Robert E. Antonacci

24 Assemblyman Al Taylor

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4 Assemblywoman Michaelle C. Solages

5 Assemblyman Billy Jones

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1 CHAIRWOMAN WEINSTEIN: So good
2 morning. If we can get started.

3 I'm Helene Weinstein, chair of the
4 New York State Assembly's Ways and Means
5 Committee and cochair of today's hearing.

6 Today we begin the second in a series
7 of hearings conducted by the joint fiscal
8 committees of the Legislature regarding the
9 Governor's proposed budget for fiscal year
10 2019-2020. The hearings are conducted
11 pursuant to the New York State Constitution
12 and the Legislative Law.

13 Today the Assembly Ways and Means
14 Committee and the Senate Finance Committee
15 will hear testimony concerning the Governor's
16 budget proposals for human services.

17 I will now introduce members from the
18 Assembly, and Senator Krueger, chair of the
19 Senate Finance Committee, will introduce
20 members from the Senate. And in addition,
21 our ranking Ways and Means member, Will
22 Barclay, will introduce members from his
23 conference.

24 So we have with us today, to my left,

1 Assemblywoman Jaffee, chair of our Children
2 and Families Committee; Assemblyman Andrew
3 Hevesi, chair of our Social Services
4 Committee; Assemblywoman Didi Barrett, chair
5 of our Veterans Committee; Assemblyman
6 Bronson, chair of our Aging Committee;
7 Assemblywoman Nily Rozic. And then on the
8 lower dais, Assemblyman Al Taylor,
9 Assemblyman Marcos Crespo, and Assemblywoman
10 Pat Fahy.

11 I see no minority members, just Will
12 holding up the fort for us.

13 Before introducing our first witness,
14 I just want to remind -- oh, yes, and Senator
15 Krueger to introduce Senators.

16 CHAIRWOMAN KRUEGER: Sorry.

17 CHAIRWOMAN WEINSTEIN: I did say you
18 were going to.

19 CHAIRWOMAN KRUEGER: I'm sorry.

20 Hi. Good morning, everyone. So I'm
21 Senator Liz Krueger, chair of the Finance
22 Committee. I'm joined by Senator Velmanette
23 Montgomery, the chair of the Children and
24 Families Committee; Senator Roxanne Persaud,

1 the chair of the Social Services Committee;
2 Senator May, chair of the Aging Committee;
3 Senator Brian Benjamin, chair of the Budget
4 and Revenue Committee; Senator Diane Savino,
5 chair of the Committee on Technology and
6 other related things, and I forget the three
7 words. Close enough.

8 SENATOR SAVINO: Amazon.

9 (Laughter.)

10 CHAIRWOMAN KRUEGER: Okay. And also
11 I'm joined by Senator Seward, the ranker for
12 Finance, and he'll introduce his members.

13 SENATOR SEWARD: Yes. Thank you,
14 Senator Krueger.

15 This morning we're joined by Senator
16 Bob Antonacci, member of our Finance
17 Committee.

18 CHAIRWOMAN WEINSTEIN: Thank you all
19 for being here with us.

20 So before introducing the first
21 witness, I'd like to remind all the witnesses
22 testifying today to keep your statement
23 within your allotted time limit so that
24 everyone can be afforded the opportunity to

1 speak.

2 And I want to remind witnesses that we
3 do have your submitted testimony that had
4 been emailed to us, and that will be made
5 part of the record, so there's no need to
6 actually read your testimony verbatim. The
7 more time we have for questions, the better.

8 And just to point out for members and
9 for witnesses who may have been here before,
10 we have some new countdown clocks. They have
11 nice green, yellow and red lights. When the
12 yellow light comes on, that means you have
13 one minute left. And when the red light
14 flashes and the bell rings, it's time to
15 leave the stage.

16 So thank you, and we're going to begin
17 our hearing -- I see that Senator Rivera has
18 joined us.

19 CHAIRWOMAN KRUEGER: Thank you.

20 CHAIRWOMAN WEINSTEIN: And we're going
21 to begin our hearing with the State Office of
22 Children and Family Services, Acting
23 Commissioner Sheila Poole.

24 Commissioner.

1 OCFS COMMISSIONER POOLE: Thank you.
2 Good morning, everyone. Chairwoman Krueger,
3 Chairwoman Weinstein, Senate Children and
4 Families Committee Chairwoman Montgomery,
5 Assembly Children and Families Committee
6 Chairwoman Jaffee, and distinguished members
7 of the Senate and Assembly, my name is Sheila
8 Poole, and I have the honor of being the
9 acting commissioner of the New York State
10 Office of Children and Family Services. And
11 I'm pleased to have this opportunity to
12 discuss this year's proposed state budgets
13 for OCFS.

14 This year's Executive Budget continues
15 funding for OCFS's core programs -- child
16 welfare, childcare, and juvenile justice --
17 while making strategic investments in new
18 programs to better serve New York's children
19 and families. The Executive Budget continues
20 funding for the Foster Care Block Grant at
21 \$383.5 million. The statewide number of
22 children in foster care continues to decline,
23 and it is at a record low of approximately
24 16,000 youth. The proposed budget maintains

1 New York's historic investment in uncapped
2 child welfare preventive services, which play
3 a significant role in contributing to
4 New York's declining number of children in
5 foster care, despite the devastating opioid
6 crisis facing our state and nation.

7 As many of you know, last year the
8 federal government enacted the Family First
9 Prevention Services Act. This new law will
10 require local social service districts and
11 foster care agencies to adopt and implement
12 new policies and practices encouraging more
13 placement with relatives and foster parents
14 and reducing reliance on the use of
15 institutional care. This act presents
16 tremendous opportunities, along with a number
17 of challenges for New York to comply with the
18 law.

19 An important strategy to assist OCFS
20 and our partners in preparing for these
21 changes is the proposed creation of a Family
22 First Transition Fund, a public-private
23 partnership that will create a flexible
24 system of funds for local social service

1 districts that will help them identify and
2 better support kinship and foster families.
3 The Governor's proposed budget calls for a
4 \$3 million investment in developing these
5 innovative solutions to recruit and better
6 support our foster and kinship families
7 across the state.

8 The Executive Budget also includes a
9 historic \$832 million in funding to access
10 quality childcare, the largest investment to
11 date.

12 The proposed budget includes funding
13 to implement the new market rates and to take
14 additional steps in order to comply with the
15 Child Care and Development Block Grant Act of
16 2014. We need the Legislature's support in
17 passing an Article VII bill that will provide
18 OCFS with the authority to enact required
19 background check and inspection requirements.
20 Failure to have this bill enacted will result
21 in a fiscal penalty to the state's federal
22 childcare funding.

23 As cochair of the Governor's Childcare
24 Availability Task Force, I am pleased to

1 report that work is underway in examining new
2 ideas for expanding access to affordable
3 childcare across our state. I am confident
4 that the group of providers, advocates and
5 childcare experts serving on the task force
6 will bring forth new and bold ideas. And I'd
7 like to acknowledge Assemblywoman Jaffee for
8 her participation as a member of the task
9 force.

10 In that spirit, the Executive Budget
11 proposal calls for the Regional Economic
12 Development Councils to develop
13 region-specific strategies to increase access
14 to reliable childcare. The budget also
15 proposes creating a tax credit for businesses
16 that provide child and dependent care for
17 families and their employees. To help
18 childcare workers improve their skills and
19 advance their careers, the Governor's
20 proposed budget proposes offering free
21 tuition in the form of a childcare worker
22 scholarship at SUNY and CUNY schools for
23 individuals who work in state-licensed
24 childcare facilities at least 20 hours a

1 week.

2 And to help eliminate childcare as a
3 barrier to advancing education and
4 comprehensive employment, the Governor has
5 proposed a pilot program on two-year SUNY and
6 CUNY campuses for up to 400 parents to
7 receive on-campus childcare and other
8 supports for three years. The program seeks
9 to transition parents to a four-year school
10 and promote college graduation.

11 The Governor's proposal increases
12 funding for after-school programs by
13 \$20 million. This includes \$10 million each
14 for the Advantage After-School Program and
15 the Empire State After-School Program. This
16 is on top of \$45 million invested in those
17 programs last year. The additional funding
18 for the Advantage After-School Program will
19 allow those not-for-profits to increase wages
20 for their after-school program staff. And as
21 we all know, after-school programs give
22 parents peace of mind while providing a safe
23 and nurturing environment for children to
24 spend their time after school.

1 The Governor's budget proposal
2 abolishes the requirement that domestic
3 violence survivors seeking shelter apply for
4 public assistance or pay a fee to receive
5 these services.

6 I am also pleased to report that a
7 group of Executive state agencies has been
8 working hard with stakeholders and advocates
9 on ways to streamline and enhance the state's
10 delivery of domestic violence services.

11 The enacted Raise the Age legislation
12 eliminated state funding for persons in need
13 of supervision, or PINS youth, in detention
14 and PINS placements effective January 1,
15 2020. This year's Executive Budget proposes
16 to ban these practices to improve outcomes
17 for children and eliminate an unfunded
18 mandate for counties. No child should be
19 placed in detention for noncriminal activity,
20 and it's my hope that this is the year that
21 New York will end this practice.

22 As you know, on October 1st of 2018
23 New York State achieved the momentous
24 accomplishment of removing all 16- and

1 17-year-olds from Rikers Island and
2 implemented Raise the Age for 16-year-olds.
3 The Executive Budget proposal builds upon the
4 successful implementation of the first phase
5 of Raise the Age, and it includes
6 \$200 million in funding to support the
7 implementation of Raise the Age for
8 17-year-olds as well as a reappropriation of
9 last year's funding. This funding supports
10 the Governor's pledge to provide 100 percent
11 of Raise the Age-related costs for counties
12 that are under the tax cap or those with
13 fiscal hardship.

14 Thank you again for the opportunity to
15 address you all today, and I look forward to
16 your comments and questions.

17 CHAIRWOMAN WEINSTEIN: Thank you,
18 Commissioner.

19 We're going right away to the Assembly
20 chair of Children and Families, Ellen Jaffee,
21 for 10 minutes of questions and answers.

22 ASSEMBLYWOMAN JAFFEE: Thank you.

23 Thank you, Commissioner, for joining
24 us today, for sharing this information. And

1 you've been so open. I'm pleased that you
2 attended our hearing regarding the issues of
3 the federal law that is going into effect,
4 and for sharing information.

5 The Executive has an appropriation of
6 \$130 million for the Child Care and
7 Development Block Grant and anticipates
8 receiving at least \$96 million for this
9 grant. How will the Office of Children and
10 Family Services utilize these funds, and how
11 much will go into implementation for
12 childcare subsidies, background checks,
13 training support? Because the language
14 really only requires no less than \$10 million
15 of these funds to be allocated for subsidized
16 childcare.

17 OCFS COMMISSIONER POOLE: Sure.

18 So the funding that is included in the
19 budget anticipates us being able to implement
20 the market rates continuing at the 69th
21 percentile, which holds New York among the
22 top, still, in the country. It will allow us
23 to implement the training provisions as part
24 of the health and safety requirements that go

1 along with the law.

2 We have funding set aside within that,
3 assuming that our Article VII bill passes
4 this year, that will allow us to take the
5 necessary steps to implement both the
6 background check requirements in addition to
7 the clearance requirements that we must --
8 we're out of compliance with now,
9 Assemblywoman, as you are aware of. So that
10 funding stream will set the course for us to
11 implement market rate and to do the early
12 steps of signaling to the feds our sincere
13 commitment to implementing CCDBG.

14 ASSEMBLYWOMAN JAFFEE: And we
15 hopefully will be able to move forward with
16 that legislation. We have attempted to do
17 that in the past. But I'd like to sit down
18 and review that as well.

19 We have been informed also that -- and
20 there are now conversations that the budget
21 includes an increase --

22 (Calls of "mic.")

23 ASSEMBLYWOMAN JAFFEE: It's not on?
24 Is this better? Can you hear me better?

1 Okay, sorry.

2 The Executive Budget includes an
3 increase, and it's a conversation that we've
4 had, of \$27 million for the childcare
5 subsidies, which as you know for several
6 years we've discussed this concern as to can
7 we provide sufficient funding within the
8 context of the childcare subsidies.

9 Can you provide more details on what
10 this increase supports? Will it go towards
11 increasing slots in childcare or others? And
12 what is the estimate, as well, as to how much
13 it would cost to provide all eligible
14 children with the childcare program?

15 ACTING COMMISSIONER POOLE: So that
16 funding is intended to help us implement the
17 market rate provision. So that will again
18 keep us at 69 percent. We did not want to
19 reduce our eligibility subsidy amount that we
20 provide to providers. And as we've discussed
21 the challenges that we face, Assemblywoman,
22 in here for a number of years now around
23 CCDBG, while the federal government has
24 provided states with initial funding to help

1 do some of the basic health and safety
2 provisions -- the things like the background
3 checks and inspections and the training
4 pieces that are provided -- you know, we have
5 not received the close to half a billion
6 dollars that it would take for New York State
7 to fully comply with the 12-month guarantee
8 and the graduated phaseout.

9 And so we know we have sort of an
10 infrastructure financing problem, like all
11 states do, in implementing the full
12 provisions of CCDBG. And that is why the
13 Governor recognized that we need a group of
14 folks to help us think very boldly and
15 differently about how do we tap into the
16 Regional Economic Development Councils, which
17 you yourself and others have raised here for
18 a number of years.

19 And as you heard me say in my
20 testimony, that that is now an expectation:
21 There has to be a nexus between business
22 startup and recognizing your workers can't
23 get to work unless they have access to
24 childcare.

1 So it's actually going to be the work
2 of that task force -- as you know, you're a
3 part of -- to really think very creatively
4 about bringing in other partners who can help
5 us. We don't expect that the feds -- we'd
6 welcome it, but we haven't received that kind
7 of infusion of the dollars needed to really
8 get us to full scale of meeting all the
9 subsidy need in New York State.

10 ASSEMBLYWOMAN JAFFEE: It's so
11 essential that -- the market rate, you know,
12 consideration. We need to increase that --

13 OCFS COMMISSIONER POOLE: Absolutely.
14 I agree.

15 ASSEMBLYWOMAN JAFFEE: -- perhaps to
16 75th percentile, the level recommended by the
17 federal government. But we do need to
18 certainly focus on increasing subsidies.
19 There are too many of our youth in
20 particularly difficult situations, and
21 enabling families to work, you know, it's a
22 -- as was noted, it's economic development,
23 assuring that families are working and
24 businesses have stability with their workers,

1 and then children are provided the background
2 and social skills and even academic ability
3 to move forward in a positive way. So the
4 childcare and providing the subsidies is so
5 very essential for their future and actually
6 the future of the state in so many ways.

7 And we do need to, you know, continue
8 to expand -- maybe include \$100 million to
9 offset the added expenses incurred by the
10 counties in many of the other issues
11 regarding, let's say, Raise the Age. How can
12 we provide, you know, more support? How many
13 youths are being transferred from adult to
14 youth facilities? That's another issue of
15 concern. So I'm hopeful that we can support
16 our communities with Raise the Age as well,
17 to support that.

18 There's a -- within -- the Executive
19 proposal contains Article VII language
20 prohibiting the use of detention and
21 placement for persons in need of supervision,
22 known as PINS. Is the intent of the PINS
23 youth in their homes -- what options are
24 there if the home setting is deemed unsafe

1 and there's no alternative option from a
2 relative? How do we respond to that?

3 OCFS COMMISSIONER POOLE: That's a
4 great question. So I would sort of first
5 start by setting the table about so what is
6 the PINS sort of picture across the state
7 right now.

8 So we've seen the number of PINS kids
9 fortunately drop, both those kids going into
10 detention as well as those kids penetrating
11 further downstream into placement. And so
12 PINS kids are kids who have not committed a
13 crime, they have not been arrested, and yet
14 our laws still allow them to be put into
15 detention. And detention is just that, it's
16 detention.

17 And so in the spirit of all the
18 criminal justice and youth justice reform
19 that our state has done, we believe and it
20 was sort of codified in the Raise the Age
21 legislation that there is a better way to
22 provide services to those kids who need
23 services.

24 So PINS kids, there's no doubt, right,

1 they've come to the attention of the system,
2 whether it's truancy or running away or other
3 sort of misbehaviors that teenagers engage
4 in. And so, you know, we have funded a
5 number of PINS reform efforts across the
6 state for a number of years now.

7 Also, Assemblywoman, by removing the
8 funding provisions for detention and
9 placement, you know, counties should have the
10 49 percent that they are required now -- it's
11 local outlay -- to put into detention, as
12 well as 50 percent of their share for
13 placement to potentially reinvest into
14 additional diversion services.

15 The other thing that is part of the
16 budget is the STSJP, Supervision and
17 Treatment Services for Juveniles Program.
18 Again, the funding is \$8.5 million, roughly.
19 We are opening up STSJP funding. Again, the
20 idea of that funding is you take money that
21 you used to spend on detention and we allow
22 you to reinvest it in detention alternatives
23 and PINS replacement services. So we believe
24 there are a lot of opportunities there.

1 I would also say that in the Executive
2 Budget -- not in OCFS's budget but in DCJS's
3 budget, there is a proposed \$10 million
4 investment for further youth services across
5 the state. So there is money -- there's
6 money there. Soon we at OCFS will be
7 announcing awards of \$5.5 million for a work
8 connection program for young people between
9 the ages of 14 and 24 -- again, to try and
10 reach those disconnected youth who haven't
11 achieved their high school diploma. We want
12 to get to those children, help them try and
13 create a better path to education and then to
14 jobs.

15 So again, I believe that we have a
16 number of funding streams available for
17 counties to tap into to fill in where there
18 might be gaps in their continuum of
19 alternative and diversion services.

20 ASSEMBLYWOMAN JAFFEE: Thank you. I'm
21 really running out of time, but we do want to
22 follow up actually with some questions and
23 discussions about survivors of domestic
24 violence, and also continue to discuss

1 increasing funding for our childcare
2 providers, our subsidies. We need to
3 continue to raise that level so that we can
4 assure that so many families and youth are
5 being cared for appropriately within the
6 context of childcare as well as our foster
7 care and kinship programs.

8 And my time is up. But thank you so
9 much, Commissioner.

10 CHAIRWOMAN WEINSTEIN: Thank you.
11 Before I go to the Senate, I just want to
12 introduce two members from the Assembly who
13 have joined us, Assemblywoman Dickens and
14 Assemblyman Eichenstein.

15 CHAIRWOMAN KRUEGER: Hi. We've also
16 been joined by Senator John Brooks.

17 And our first questioner will be
18 Senator Velmanette Montgomery.

19 SENATOR MONTGOMERY: Good morning,
20 Commissioner. Welcome. Thank you very much.
21 And I've been trying to read along with you
22 as you're presenting your comments. And so
23 if I may, I just wanted to ask you a couple
24 of questions related to the issues that you

1 raised.

2 First of all, you mentioned the Family
3 First Transition Fund, and it's \$3 million.
4 That's relatively small. But I'm just
5 curious, how will you handle that fund, and
6 is New York City part of that, will New York
7 City be eligible to receive funding for that
8 too?

9 OCFS COMMISSIONER POOLE: Yes. Yes.
10 So the intention of the fund is that we would
11 allow all counties to apply to us with a
12 plan. The intention of that fund is to
13 really create -- a lot of our funding
14 streams, because they are driven by federal
15 dollars, can sometimes be inflexible and not
16 allow sometimes the simplest of supports to
17 be able to be made available to localities
18 and to agencies. So the whole idea is to
19 create a relatively flexible pool of dollars
20 that will allow local departments of social
21 services and as well as foster care agencies
22 to help eligible potential kinship and
23 relative caregivers -- let's say that they
24 want to become a certified kinship foster

1 home but there's an element of their home
2 setting that doesn't quite meet the
3 requirements that would allow them to become
4 certified. The idea is that a county could
5 apply for a fund to allow them, let's say, to
6 install smoke detectors or fire extinguishers
7 or things that could help them cross the
8 threshold into becoming a certified foster
9 parent.

10 Because that's the whole idea of
11 Families First, is that we widen the net,
12 right, and that we do a better job of
13 supporting kinship as well as foster families
14 and serving New York's foster care children.
15 So we envision it to be an application
16 process so that counties come to us, right,
17 and say, This is how we plan to do it, and
18 this is how we believe this will help us
19 achieve the fundamental goals of Families
20 First.

21 SENATOR MONTGOMERY: And so you will
22 evaluate those plans, those applications, and
23 based on some standards that you're going to
24 set forth --

1 OCFS COMMISSIONER POOLE: Yes. Yes,
2 that's the idea.

3 SENATOR MONTGOMERY: And will we be
4 able to know what the counties are actually
5 proposing to do so that we can evaluate, to
6 some extent, how -- to what extent they are
7 absolutely following the guidelines and
8 promoting this program?

9 OCFS COMMISSIONER POOLE: Yes. Yes,
10 we will.

11 SENATOR MONTGOMERY: I appreciate
12 that.

13 The other area that I wanted to ask
14 you about, you talked about the Childcare
15 Availability Task Force. And of course my
16 assumption is that you will come up with some
17 recommendations, identify some areas and
18 whatnot.

19 OCFS COMMISSIONER POOLE: Absolutely.

20 SENATOR MONTGOMERY: When do you
21 anticipate that to be available for us to use
22 as some guide to what we do from here?

23 OCFS COMMISSIONER POOLE: Yes. Yes,
24 absolutely. So it is the intention, to your

1 very point, for the task force to develop
2 recommendations. We have not set a dead stop
3 for when that work is happening. I can tell
4 you, though, that there are five workgroups
5 underway right now, actually this afternoon.
6 We have a subcommittee meeting, so one of
7 them is around access and affordability,
8 another is around the workforce issue
9 affecting childcare providers, the other is
10 engaging the business community, another one
11 is on quality of care. So we've got
12 well-populated work groups working really
13 diligently to come up with those ideas and
14 recommendations.

15 There is obviously a sense of urgency,
16 right, knowing that we hear from every corner
17 of the state how important childcare is. So
18 I would expect certainly by this spring or
19 early summer that we have a robust set of
20 recommendations to be sharing with everyone.

21 SENATOR MONTGOMERY: Is there any way
22 to know -- I'm always very concerned about
23 the diversity of the representation, and
24 there are some pockets of the state --

1 communities, specifically -- that are often
2 not part of these kinds of discussions.

3 So it would be interesting to see to
4 what extent it's diverse and also regionally
5 as well as other -- you know, the areas of
6 the programs that are being served. And it's
7 --

8 OCFS COMMISSIONER POOLE: I think
9 that's an excellent point. And we can
10 certainly share, again, the members of the
11 task force. But there was a lot of care
12 taken, Senator, to make sure that childcare
13 in the North Country, right, is as
14 represented as childcare in Rockland County
15 and New York City as well. So I think we
16 have --

17 SENATOR MONTGOMERY: And Brooklyn.

18 (Laughter.)

19 OCFS COMMISSIONER POOLE: -- a good
20 representative across the state as well as
21 representing the diversity that we celebrate
22 in New York.

23 SENATOR MONTGOMERY: Great, thank you.
24 I appreciate that. And I'm happy that you're

1 doing it, because I have faith and confidence
2 in your doing that.

3 There was another area that I'm
4 curious about that the Governor has proposed
5 something -- I forget -- I'm not seeing what
6 he calls it. But it's some sort of pilot
7 program for CUNY and SUNY childcare, is
8 that -- and it's to serve 400 parents. But
9 we have SUNY and CUNY childcare. It is an
10 institutional program.

11 So I'm trying to figure out what is
12 this that we don't already have, and why
13 can't we add to what already exists? We know
14 that it's there. I think every SUNY campus
15 has one. I hope every CUNY campus has one.
16 And this goes back many years that the
17 Legislature and the Executive have supported
18 this. Why are we now doing a pilot, and what
19 is that all about? What's the purpose of
20 this? I'm missing something.

21 OCFS COMMISSIONER POOLE: I think,
22 Senator, it's intended to expand the
23 opportunities for those parents on the
24 SUNY/CUNY campuses.

1 SENATOR MONTGOMERY: I see. So this
2 is just a new group of parents who will now
3 be eligible for participation, is that what
4 we're talking --

5 OCFS COMMISSIONER POOLE: I believe
6 that was the intention, Senator.

7 SENATOR MONTGOMERY: Okay. I hope so.
8 Because I didn't understand, I didn't think
9 we wanted to create a new program that runs
10 beside something that already exists. So
11 thank you for that clarification.

12 And that's 10 million, is that -- do
13 you have a number for that?

14 OCFS COMMISSIONER POOLE: You know, I
15 don't want to misspeak, Senator. I'll have
16 to go back and check on the fiscal on that.

17 SENATOR MONTGOMERY: Okay. Okay, very
18 well. Thank you.

19 I guess let me just check my time.
20 I'm happy that you emphasize Raise the Age,
21 because that's a really big -- that is a
22 revolutionary transition, I think, or the
23 beginning -- not the beginning, but it's part
24 of the change in the way that we treat young

1 people in our state.

2 But Raise the Age is only one part of
3 it. I note that you say that the Governor
4 has proposed \$200 million in funding for
5 Raise the Age. Does New York City receive
6 any of that? Are we eligible for that in New
7 York City? Because I think we have the
8 largest Raise the Age program, do we?

9 OCFS COMMISSIONER POOLE: So the way
10 the Raise the Age law was enacted, Senator,
11 it has additional provisions that those who
12 are seeking reimbursement, the 100 percent
13 reimbursement that's offered as part of the
14 Raise the Age, those must be counties that
15 comply with the property tax cap or be able
16 to prove a fiscal hardship. So those were
17 agreements that were made as part of the
18 Raise the Age bill that was enacted.

19 And so, you know, to date New York
20 City has not submitted a Raise the Age plan
21 to the state. But there's nothing that would
22 preclude the city from submitting a plan.

23 SENATOR MONTGOMERY: Wow. So New York
24 City did not submit a plan. Is that because

1 there's particular problems that we have, or
2 how do they justify that?

3 OCFS COMMISSIONER POOLE: Senator, I
4 can't speak for New York City. I can just
5 tell you that --

6 SENATOR MONTGOMERY: You don't know.
7 I'll have to ask them.

8 OCFS COMMISSIONER POOLE: Yeah. And
9 again, there's no -- you know, they are free
10 to, any county who has not yet submitted a
11 plan -- there are a few others who have not
12 yet submitted a proposed plan, but they can
13 do that at any time.

14 SENATOR MONTGOMERY: Does that mean or
15 are you able to give us any idea where we
16 are, based on Raise the Age --

17 OCFS COMMISSIONER POOLE: Yes.

18 SENATOR MONTGOMERY: -- even though
19 they haven't submitted a plan? Or at least
20 statewide, you have plans.

21 OCFS COMMISSIONER POOLE: Sure. Yeah,
22 I'm happy to --

23 SENATOR MONTGOMERY: Can you tell us
24 anything about New York City at all?

1 OCFS COMMISSIONER POOLE: So I can
2 tell you about New York City and I can also
3 share, you know, just what we're seeing in
4 the early stages of implementation of Raise
5 the Age.

6 So it's only been, right, 90 days or
7 so since October 1st. So the first thing I
8 would say is that the intensive preparatory
9 work that we and counties have done across
10 the state I think really did lay a solid
11 foundation so that we are prepared for
12 16-year-olds who are coming into the system.

13 So we stood up additional specialized
14 secure detention. There are specialized
15 programs for Raise the Age youth. We opened
16 Raise the Age programs at OCFS for kids who
17 are ordered into my care and custody. There
18 are a number of counties who have submitted
19 Raise the Age plans that take advantage of
20 the 100 percent state funding to build
21 continuum of diversion services. And we've
22 talked about that, like let's use this
23 opportunity in Raise the Age not to build
24 beds -- I mean, we know we need some, but

1 we're missing the entire point if we don't
2 use the opportunity to strengthen
3 community-based services for young people.
4 Which we know are much more successful.

5 Since October 1st, we've had actually
6 about a 25 percent fewer number of
7 16-year-olds arrested than we anticipated
8 even when we did the projections and planning
9 for the implementation of Raise the Age.
10 Which is pretty amazing, considering that
11 already over the course of the past 10 years,
12 the arrest rate for 16- and 17-year-olds
13 across the state is down 70 percent, which is
14 phenomenal. And it's the kind of trend and
15 trajectory, you know, we all want to see
16 happen.

17 So we have only had two young people
18 actually process down, if they typically
19 start in the youth part. And there was a
20 strong presumption, as you will recall in the
21 way that Raise the Age was enacted, for young
22 people, unless they had a very serious felony
23 charge, was that they would process down
24 through Family Court. But in that process,

1 right, the Raise the Age law that you all
2 passed allowed probation for an additional
3 opportunity to engage the young person and
4 their families for diversion services.

5 And so what we are seeing, which is
6 really exciting, is exactly what we had
7 hoped, that a large number of those young
8 people who have been arrested -- and again,
9 many of those, you know, 93 percent are
10 nonviolent felonies -- but that they are
11 taking advantage of those adjustment services
12 before they come down and get placed.

13 Which is why right now, you know,
14 we've only seen two young people since
15 October penetrate through into an actual
16 placement. So that suggests -- am I out of
17 time?

18 CHAIRWOMAN WEINSTEIN: Finish your
19 sentence.

20 OCFS COMMISSIONER POOLE: So I think
21 early on we're seeing all the kinds of things
22 that we and all of you had hoped to see. You
23 know, we're working on approving the county
24 plans and making sure that they are getting

1 their money to pay for the kinds of services
2 that we hope to see.

3 SENATOR MONTGOMERY: A report coming
4 out soon? Soon? Soon?

5 CHAIRWOMAN WEINSTEIN: Thank you.

6 SENATOR MONTGOMERY: One word, can she
7 say one word? Report coming out soon that we
8 can evaluate, hold it up --

9 OCFS COMMISSIONER POOLE: Yes, we will
10 be.

11 SENATOR MONTGOMERY: -- pat ourselves
12 on the back?

13 OCFS COMMISSIONER POOLE: We will be
14 sharing good news soon.

15 CHAIRWOMAN WEINSTEIN: Thank you.

16 Assemblyman Alan -- Alan? Andrew
17 Hevesi.

18 (Laughter.)

19 CHAIRWOMAN WEINSTEIN: I served
20 with --

21 ASSEMBLYMAN HEVESI: I've been called
22 worse, trust me.

23 (Laughter.)

24 CHAIRWOMAN WEINSTEIN: I served -- I

1 know Alan, I know Alan Hevesi --

2 ASSEMBLYMAN HEVESI: You served with
3 Alan, it's okay.

4 CHAIRWOMAN WEINSTEIN: -- he's a
5 friend of mine.

6 ASSEMBLYMAN HEVESI: The kid will
7 start now. Good morning.

8 (Laughter.)

9 CHAIRWOMAN WEINSTEIN: Andrew Hevesi,
10 chair of our Social Services committee.

11 ASSEMBLYMAN HEVESI: Thank you. Good
12 morning, Commissioner.

13 OCFS COMMISSIONER POOLE: Good
14 morning.

15 ASSEMBLYMAN HEVESI: So let me
16 start -- I'm going to have to go pretty fast,
17 because there's a lot of meat in here. But
18 let me start by saying for about two or three
19 minutes you can relax, because I'm going to
20 go on a little bit of a rant, and it's not
21 about you.

22 But let me start by saying that you at
23 the OCFS and your staff are great. You guys
24 do really good work, but you do it in the

1 context of budget constraints that are just
2 decisions made without you. There is some
3 good stuff in this budget, and I appreciate
4 it. There's also some stuff -- there's some
5 gaps, and I'm going to want to talk to you
6 about those.

7 But to set the stage for this, I've
8 got to go back at the Governor's decision to
9 impose a 2 percent cap on state spending.
10 And again, this is not about you. And I've
11 been thinking about how to -- I do this every
12 year, and I'm going to do it every year as
13 long as the 2 percent cap is an issue. But I
14 want people to know I've been thinking about
15 how do you talk about this issue in an
16 appropriate way without getting too agitated
17 when the 2 percent cap is a lie? Our federal
18 government, our federal executive
19 administration lies all the time, and our
20 state government administration does the
21 same. The 2 percent cap is a lie. Anybody
22 who tells you that they are spending at 2
23 percent is lying to you. And I will tell you
24 how that happens.

1 So the Governor came into office and
2 he said he's going to spend at 2 percent.
3 Break the budget down into two pieces,
4 there's state operating expenditures at 65
5 percent, and then there's 35 percent for
6 capital expenditures. Let's talk about both,
7 because it's very important. And the reason
8 why I bring this up is not out of the blue,
9 but it directly affects how much we spend on
10 this budget table.

11 So let me go. The 35 percent that is
12 not counted under the 2 percent cap includes
13 capital expenditures. And we've been
14 spending like a drunken sailor on shore
15 leave, putting debt for our kids and
16 generations and generations. Every time you
17 turn around, the Governor has a new proposal
18 to build something. I'm not against building
19 infrastructure, but we are building and
20 building and building. And every year, the
21 next year, we will have to pay for that.
22 That will be baked into next year's budgets.
23 The outliers on that are huge, billions of
24 dollars. I have it here that since 2012 to

1 2017, \$4.9 billion have been added in capital
2 expenditures. Okay, I'm for that. It
3 doesn't count as spending.

4 Here's the thing that aggravates me
5 the most about the 2 percent cap. In
6 history, every governor in history counted
7 tax expenditures -- this is the second issue
8 -- tax expenditures, tax breaks, tax credits
9 and their operational cost. So the 65
10 percent that the Governor counts for his 2
11 percent cap -- every Governor used to count
12 tax expenditures. This Governor decided no,
13 not counting them. And then he started
14 giving tax breaks at huge amounts, billions
15 and billions of dollars. He just doesn't
16 count them. It's the equivalent of you going
17 home and saying, you know what, I want to
18 rein in my spending, continuing to spend but
19 saying you know what, I'm just not going to
20 count my car payment. It's absurd.

21 It leads back.

22 (Laughter.)

23 ASSEMBLYMAN HEVESI: And I know the
24 chairwoman wants to rein me in, but I need to

1 go just a little bit more.

2 Then you go back to -- there's another
3 piece. Look in the Governor's budget for
4 cost shifts. The only reason why we're
5 shifting money is to shift money out of the
6 stuff you count to the money you don't, from
7 the 65 percent that you count to the 65
8 percent you don't. So we've been spending at
9 6, 7, 8 percent in the last couple of years.
10 That's number one.

11 Now, what is the practical impact of
12 the 2 percent cap as it gets to this table?
13 And I will ask the question about how this
14 affects our budgets, because our budgets are
15 tight and sometimes they're shrinking. But
16 the 65 percent that we count as state
17 operations spending works this way.
18 Education and healthcare rise at rates of 4
19 percent automatically. We fight for that in
20 the Legislature every year. If those two,
21 the biggest parts of the budget, are rising
22 at 4 percent and we have a 2 percent cap,
23 guess what either gets zero or underfunded
24 every time? This budget table. The most

1 needy, the people who can't fight for
2 themselves, the kids, the homeless, human
3 trafficking victims, domestic violence
4 victims. That's the stage that we're in.

5 Now, I know there are some small
6 increases in here, but overall this budget
7 continues the lie of the 2 percent cap --
8 even though we're not spending at this level
9 -- but then uses that as a cudgel to make
10 sure that we don't spend on programs that
11 actually help people. Which leads us to this
12 budget. And thank you for letting me get
13 that out.

14 Okay. Here's the question. So first
15 I am glad that the childcare -- there's \$26
16 million more for childcare. I do appreciate
17 that, and I thank you for that. Are they
18 going to be used for subsidies?

19 OCFS COMMISSIONER POOLE: Yes, they
20 will go toward -- you know, the market rate,
21 right, which I mentioned earlier, goes
22 directly to assist with subsidies.

23 ASSEMBLYMAN HEVESI: Good. Thank you.
24 Is there any money for Close to Home?

1 OCFS COMMISSIONER POOLE: No.

2 ASSEMBLYMAN HEVESI: No. Is there any
3 money to restore the cuts to the Foster Care
4 Block Grant of two years ago of \$60 million
5 that we cut from this table?

6 OCFS COMMISSIONER POOLE: No. The
7 Foster Care Block Grant remains as I
8 mentioned in my testimony.

9 ASSEMBLYMAN HEVESI: Okay. In 2008,
10 the state cut its child welfare prevention
11 money back from the statutorily required
12 65 percent to 62 percent. That was a bad
13 budget time, I have no problem with that, we
14 were all in financial trouble. We're not in
15 financial trouble now. Has the state given
16 any thought to returning that to the
17 statutorily required 65 percent state
18 reimbursement to the localities?

19 OCFS COMMISSIONER POOLE: So the
20 current budget maintains it at 62 percent.

21 ASSEMBLYMAN HEVESI: Right. So we're
22 in good financial times, yet we're not
23 spending on the most needy New Yorkers.
24 That's my opining.

1 And then we now have estimates from
2 the Coalition for the Homeless that
3 62,333 kids have become homeless since
4 Governor Cuomo came into office, since 2011.
5 What are we doing to prevent more kids from
6 falling into homelessness?

7 OCFS COMMISSIONER POOLE: I am going
8 to defer that to my colleague at OTDA, whose
9 expertise is in homeless services.

10 ASSEMBLYMAN HEVESI: Okay.

11 OCFS COMMISSIONER POOLE: I will say,
12 though, Assemblywoman -- Assemblyman, rather,
13 that again the preventive service that we
14 have, at 6230A, I think does go a long way to
15 assisting families who come to the attention
16 of the child welfare system from hopefully
17 becoming homeless.

18 ASSEMBLYMAN HEVESI: Which I
19 appreciate. And I'll also note that in your
20 testimony it said "the historic uncapped
21 preventative services," except last year you
22 came here and proposed to cap them. Okay? I
23 just have to point that out.

24 OCFS COMMISSIONER POOLE: That is not

1 included in this year's budget.

2 ASSEMBLYMAN HEVESI: I know that's not
3 in this budget. But last year we had to
4 fight, as the Legislature, to make sure you
5 didn't cap preventative services for kids,
6 which we knew would have cost taxpayers money
7 because those kids would have gone to foster
8 care, plus more kids would have been abused.
9 That's just a fact, because historically that
10 happened in the '90s when this happened.

11 Let me now turn to the question that
12 you and I have talked about before, legally
13 exempt providers. You mentioned in your
14 testimony that you need Article VII agreement
15 from us. But the Article VII language you
16 gave for us does two things that I have a
17 real problem with. The first is for legally
18 exempt providers, everybody in the family has
19 to have a background check, right?

20 OCFS COMMISSIONER POOLE: Mm-hmm.

21 ASSEMBLYMAN HEVESI: Okay. And part
22 of the background checks are federal, they're
23 federal investigation, FBI, and there's some
24 other federal criminal background checks.

1 OCFS COMMISSIONER POOLE: Right.

2 ASSEMBLYMAN HEVESI: Because of
3 immigrants being afraid -- immigrants with
4 American citizen children are going to be
5 afraid of having somebody in that family take
6 a federal background check, right -- you've
7 got to understand they would be afraid that
8 the federal background check will then lead
9 them to possible deportation if it's referred
10 to ICE, which I'm sure it will be under the
11 current federal administration. How many
12 American citizen New York kids are going to
13 not receive childcare because their family is
14 afraid that somebody who has to go under a
15 background check is going to get deported?

16 OCFS COMMISSIONER POOLE: So I would
17 agree, Assemblyman, given the current federal
18 environment, which we could spend a lot of
19 time talking about, has a chilling effect on
20 families, right, feeling comfortable
21 accessing a lot of services in our human
22 services spectrum.

23 You know, the best response I have for
24 you is that New York State must comply with

1 the federal CCDBG Act.

2 ASSEMBLYMAN HEVESI: I agree.

3 OCFS COMMISSIONER POOLE: And I can't
4 change that federal law.

5 ASSEMBLYMAN HEVESI: I agree, but they
6 don't require that every family member get a
7 background check.

8 OCFS COMMISSIONER POOLE: Well -- and
9 again, we should have offline discussions.

10 ASSEMBLYMAN HEVESI: We will.

11 OCFS COMMISSIONER POOLE: I can have
12 my staff come and talk to you.

13 ASSEMBLYMAN HEVESI: Okay.

14 OCFS COMMISSIONER POOLE: I will tell
15 you that the language that is in our proposed
16 Article VII bill is the most narrow
17 interpretation of the federal definition of
18 relatives. And we did that intentionally,
19 for the very reasons that you just mentioned.

20 ASSEMBLYMAN HEVESI: Which I
21 appreciate. We will argue privately that we
22 have a more narrow definition that will fit,
23 so I'd ask you to go with ours and see if the
24 feds reject it. Because the last thing you

1 and I both want is American New York citizen
2 kids not getting childcare because their
3 family's afraid.

4 So we'll have the conversations
5 offline.

6 And I'm running out of time, so let me
7 go to the second piece of that Article VII,
8 okay, which is due process for legally exempt
9 providers. In your bill -- and correct me if
10 I'm wrong, but my understanding about legally
11 exempt providers is they're mostly poor
12 people, black and brown communities, people
13 of color primarily. You have set up a system
14 here where their due process rights -- if
15 OCFS says you can't provide childcare, their
16 due process rights are different from the
17 legally required background -- not background
18 checks, excuse me, due process for those
19 getting a fair hearing if OCFS says they're
20 not going to be able to provide childcare.

21 Why do we have a system for legally
22 exempt childcare providers that is different,
23 due process-wise, than everybody else?

24 OCFS COMMISSIONER POOLE: So that

1 system has been in place for a long time. So
2 the enforcement action that we take for
3 regulated providers is different than what we
4 take for legally exempt. And in fact because
5 of how much we count on legally exempt
6 providers, you know, when we have to
7 disenroll a legally exempt provider from
8 being able to receive subsidy because of very
9 serious health and safety issues, you know,
10 we allow them in a very short order, in a
11 shorter time than it would take for them to
12 actually go through a due process fair
13 hearing -- assuming that they have mitigated
14 the health and safety issue, we can re-enroll
15 them much more rapidly than we can currently
16 for our regulated providers.

17 ASSEMBLYMAN HEVESI: Madam Chairman,
18 one quick second --

19 CHAIRWOMAN WEINSTEIN: You can come
20 back for a second --

21 ASSEMBLYMAN HEVESI: Okay. I will
22 just tell you we're treating people of color
23 and poor people differently.

24 CHAIRWOMAN WEINSTEIN: Andrew --

1 Andrew.

2 ASSEMBLYMAN HEVESI: Yes, ma'am.

3 CHAIRWOMAN WEINSTEIN: So we've been
4 joined by two other Assemblywomen,
5 Assemblywoman Wright and Assemblywoman
6 Solages.

7 Senate.

8 CHAIRWOMAN KRUEGER: Thank you.

9 Senator Roxanne Persaud.

10 SENATOR PERSAUD: Thank you.

11 Good morning, Commissioner.

12 OCFS COMMISSIONER POOLE: Good
13 morning.

14 SENATOR PERSAUD: Thanks for being
15 here. It's always interesting listening to
16 you talk about your agency.

17 One quick question. You know, my
18 colleague asked a couple of questions about
19 the Family First Transition Fund. We just
20 wanted to know, is there a minimum that's
21 offered -- because it's only a \$3 million
22 pot. Is there a minimum that will be offered
23 to an agency?

24 OCFS COMMISSIONER POOLE: You know, we

1 haven't determined that yet, Senator. I
2 mean, we recognize it's a beginning. We are
3 actually using -- we're reinvesting some
4 federal incentive dollars that we have at
5 OCFS to be able to do that.

6 So again, we have two years to work
7 with it. We recognize it's a modest
8 beginning. But again, you know, I think we
9 would be more than willing to look within us
10 at OCFS to see if there's additional money
11 that we could support, providing that this
12 initial \$3 million achieves the kind of
13 outcomes that we'd like to see.

14 But no, we have not gotten to the
15 point yet -- this is still a proposal subject
16 to, you know, the passage of the budget. But
17 we would welcome any ideas that you have as
18 we craft a plan to implement it.

19 SENATOR PERSAUD: Thank you. We will
20 get back to you on that, because my
21 colleagues and I are going to be meeting with
22 you to have that discussion.

23 You talked about the Raise the Age and
24 how great the process was, we moved everyone

1 off. But we're seeing that with that move --
2 do you think -- you talked about the
3 planning, we have a solid plan. You know,
4 it's the perfect plan. But we're seeing,
5 with the move, the rise in violence at the
6 centers where the kids are being placed.
7 What do you attribute that to? And what can
8 the cities do to mitigate that issue?

9 OCFS COMMISSIONER POOLE: So I'm not
10 sure what facility, you know, you're
11 referring to, Senator. What I can speak to,
12 if you're referring to Horizons in New York
13 City --

14 SENATOR PERSAUD: Yeah.

15 OCFS COMMISSIONER POOLE: Okay. So
16 let's talk about that for a little bit. So,
17 you know, just to make sure everyone
18 understands, so Horizons was the facility
19 that the city stood up specifically and only
20 for the purpose right now of taking those
21 kids -- I think there were less than a
22 hundred -- off of Rikers and moving them in.

23 The first couple of weeks were bumpy.
24 Right? These were young people who were

1 being moved from an adult correctional
2 setting into a different setting, into a
3 juvenile facility. It is not Rikers prison.
4 And then the staff, right, the Department of
5 Corrections workers, which was the city's
6 plan, moved also to staff it from Rikers.

7 It was an adjustment period. Things
8 were bumpy and shaky in the early weeks there
9 at Horizons. But I can tell you that OCFS
10 and our partners at the State Commission of
11 Corrections, Senator, we've spent a lot of
12 time on the ground at the center, along with
13 the New York City partners of ACS and their
14 Department of Corrections, doing everything
15 that we can to stabilize the program.

16 And I can tell you that today -- and
17 we have, at OCFS and at the state level, very
18 carefully -- we see all the incident reports
19 that come to us from Horizons, that the
20 number of serious incidents has dropped
21 dramatically. And so --

22 SENATOR PERSAUD: Is that because you
23 had to reinstitute some of the provisions
24 that were taken away, like arming the

1 workers?

2 OCFS COMMISSIONER POOLE: Not at all.

3 No, not at all.

4 I think, quite contrary, what we know
5 at OCFS and learned this the hard way
6 ourselves over the years, is what makes a
7 good, safe, stable juvenile program are not
8 punitive measures, but it's programming.
9 It's investments in educational programs,
10 vocational programs, we have Credible
11 Messenger programs.

12 And so I think as the Horizons program
13 has matured in the past couple of months, the
14 city has pushed in a number of services that
15 I think have helped stabilize the program,
16 first and foremost.

17 And I think, secondly, the Department
18 of Corrections who have moved into Horizons I
19 think have adjusted to the difference in
20 working at Rikers and now work at Horizons.

21 I think you're also aware, Senator,
22 that it is the city's intention and plan,
23 which is underway now, to transition out the
24 corrections officers and have youth

1 development -- I believe that's the title --
2 youth development specialists who are ACS
3 employees take over the full staffing of the
4 program. And I know that that transition is
5 well underway.

6 SENATOR PERSAUD: Thank you. Back to
7 the youth that we moved, did you see -- you
8 know, you talked about we're reaping more
9 than we really expected. That's I think what
10 you said. You know, the benefits are greater
11 than we expected. You said really so.

12 OCFS COMMISSIONER POOLE: I'm sorry,
13 I'm having a hard time hearing you, Senator.

14 SENATOR PERSAUD: I know, my voice is
15 like -- you said we're reaping more than we
16 expected, the benefits of this Raise the
17 Age and moving --

18 OCFS COMMISSIONER POOLE: The Raise
19 the Age, yeah.

20 SENATOR PERSAUD: Is that really so?
21 And how do we get a comprehensive report
22 showing exactly that? Because some of the
23 things that we're seeing, it's not exactly
24 matching up to what you said.

1 OCFS COMMISSIONER POOLE: Sure. So I
2 want to clarify. I didn't say it was
3 perfect. Right?

4 SENATOR PERSAUD: No. But close to.

5 OCFS COMMISSIONER POOLE: I think we
6 have to take into consideration the magnitude
7 of the shift in policy and practice and
8 everyone having to adjust to applying a new
9 set of laws. And so, you know, I just want
10 to be clear that -- you know, say that when
11 bumps have come up, we've tried our best.
12 And we've had a good partnership with the
13 Office of Court Administration as well.

14 But we will. So the Raise the Age
15 Commission, we continue -- I cochair it with
16 Commissioner Green from DCJS, we've been
17 meeting regularly. And it is our intention
18 to be releasing a report soon about the early
19 implementation. We'll have data to share,
20 right? So data I think really puts a fine
21 point on some of the things and the trends
22 that you're hearing me talk about today.

23 So yes, we will be able to share with
24 you, in a report format, the early

1 implementation of the Raise the Age. So
2 hopefully that will help fill in some of the
3 blanks for you, Senator.

4 SENATOR PERSAUD: Okay. One quick
5 question for you. Approximately how many
6 enrolled legally exempt childcare providers
7 are there across the state?

8 OCFS COMMISSIONER POOLE: I believe we
9 have around 21,000 across the state.

10 SENATOR PERSAUD: Twenty-one thousand.
11 And based on that number, how many additional
12 DCJS and FBI background checks do you think
13 we will need to do with the new plans?

14 OCFS COMMISSIONER POOLE: It will be a
15 lot more. Yeah, I don't have that number,
16 but it's substantial, given the federal law
17 that we will have to implement. So it's, you
18 know, the central register --

19 SENATOR PERSAUD: What do you think
20 the cost is going to be for the additional
21 background checks?

22 OCFS COMMISSIONER POOLE: I believe
23 it's estimated at around \$20 million at full
24 implementation.

1 SENATOR PERSAUD: Are you able to
2 cover that cost?

3 OCFS COMMISSIONER POOLE: Yes. I
4 think that speaks to Assemblyman Hevesi's
5 question to me earlier, that we do have money
6 within our existing budget to be able to pay
7 for the implementation of those background
8 clearance checks.

9 SENATOR PERSAUD: And these costs are
10 not going to be shifted to providers at all?

11 OCFS COMMISSIONER POOLE: I'm sorry?

12 SENATOR PERSAUD: There are no cost
13 shifts to providers, you are able to cover it
14 without --

15 OCFS COMMISSIONER POOLE: Correct,
16 yes.

17 SENATOR PERSAUD: Could we ask all the
18 other agencies to do the same? Because you
19 seem to be really flush with money.

20 (Laughter.)

21 OCFS COMMISSIONER POOLE: I don't know
22 that we're flush with money, but I'd like to
23 think, Senator, that we do the very best we
24 can at OCFS. And I appreciated Assemblyman

1 Hevesi's recognition of the work that we do.
2 We make the best of what we have, and we've
3 got great partners in other state agencies.
4 And I think we've learned, right, as state
5 agencies about the need to really work in a
6 more integrated fashion, and I think we're
7 seeing that pay off.

8 SENATOR PERSAUD: Yeah, you should be
9 the model for others to follow.

10 So thank you very much. That's it for
11 me.

12 OCFS COMMISSIONER POOLE: Thank you,
13 Senator.

14 SENATOR PERSAUD: Thank you.

15 CHAIRWOMAN WEINSTEIN: Assemblywoman
16 Fahy.

17 ASSEMBLYWOMAN FAHY: Thank you, Madam
18 Chair.

19 And good morning, Commissioner.

20 OCFS COMMISSIONER POOLE: Good
21 morning, Assemblywoman.

22 ASSEMBLYWOMAN FAHY: Thank you for
23 being here and for joining us.

24 I just want to -- I just have a couple

1 of brief questions, but I just want to make a
2 -- just a couple of comments.

3 I do appreciate that the childcare
4 budget looks like there is an increase and
5 that you are trying to live within budget
6 constraints. But I just would be completely
7 remiss if I didn't say that that just
8 continues to be really troubling, the
9 extraordinary, extraordinary need.

10 And just yesterday we were at a
11 hearing on environment and energy and a whole
12 discussion on water infrastructure and the
13 billions of dollars that we are putting into
14 that very, very dire need with our aging
15 pipes and aging infrastructure and the need
16 for drinking water. And one of the
17 discussions that we had was that given the
18 investments, that we are actually on track to
19 replace that infrastructure -- it's going to
20 take a number of years, but the
21 multi-billion-dollar investments that we are
22 making there are actually putting us on track
23 to address the serious needs.

24 And so I can't help but think, as we

1 talk about water and the billions of dollars
2 that we're investing there -- and granted,
3 those are capital dollars, they're not
4 operating dollars, to Mr. Hevesi's point.
5 But I just wish that given that we know the
6 childcare, we are reaching such a small,
7 small percentage of those in need, that if we
8 had kind of the same approach -- we now
9 recognize that water matters, given some of
10 the horrific incidences we've had in
11 Hoosick Falls and Flint, Michigan, and
12 elsewhere.

13 Anyway, I just wondered, it would be
14 nice to have that same emphasis on childcare,
15 because to me it's also -- it's just a
16 workforce issue. And these are the same
17 families that -- especially women, that are
18 prevented from participating in the workforce
19 when they cannot afford childcare. So I'd
20 love to see us get on a trajectory of what is
21 it going to take to meet the need, similar to
22 what we're laying out on water, drinking
23 water and water infrastructure.

24 So with that, just -- and then another

1 comment. The SUNY/CUNY investment in
2 childcare is -- it sounds very encouraging.
3 I look forward to hearing more. And it's the
4 same issue for me. It allows people,
5 especially women, to stay -- get their
6 education while raising young children and to
7 make it accessible, make higher education
8 accessible.

9 Two questions. The Family First,
10 thank you for the note about -- and I see
11 it's one of the top things you talked about,
12 the foster care and the Family First
13 Prevention needs. The \$3 million, is that
14 enough to get us on track to meet these
15 federal requirements that are being imposed?

16 OCFs COMMISSIONER POOLE: It's a great
17 question.

18 So there's a lot more work that we
19 will need to do in New York State in order to
20 comply for Families First. And so that is
21 largely why we have taken advantage of the
22 two-year delay. So it mirrors CCDBG in a
23 number of ways. So Families First, for
24 example, will require that for congregate

1 care -- for children who might be placed in
2 congregate care, that there is an independent
3 assessor outside of the traditional workers
4 in the child welfare system to make an
5 independent assessment of whether or not
6 Sheila actually needs congregate care. So
7 that's an unfunded cost that we have to
8 figure out between now and then.

9 There are additional requirements for
10 foster care agencies to be accredited and
11 meet that threshold of accreditation in order
12 to be able to draw down the Title IV-E
13 funding that they receive now. So we've
14 probably got half of our foster care licensed
15 agencies who have some sort of accreditation,
16 but we have to figure out how do we get the
17 rest there.

18 So there are a number of other fiscal
19 implications which are sort of similar to
20 where we are situated in trying to comply
21 with CCDBG. That's why we wanted to take
22 those two years to figure out how we can do
23 that.

24 Now, one of the things I do want to

1 mention, Assemblywoman, is that also one of
2 those provisions that we need to comply with
3 sooner rather than later is regarding
4 background checks for workers working in
5 foster care agencies. The good news is that
6 it has nowhere near the kind of ramifications
7 as it does on complying with CCDBG. And so
8 there is an Article VII bill that we have
9 proposed that would give us the authority to
10 have additional background clearance checks
11 for workers in foster care programs.

12 ASSEMBLYWOMAN FAHY: My time is about
13 to run out. I want to follow up on the
14 arrest rates that you mentioned. It sounds
15 very positive. I'd like to hear more, along
16 with the direct service providers; I'd like
17 to follow up on that as well.

18 Thank you, Madam Chair.

19 CHAIRWOMAN WEINSTEIN: Thank you.

20 Senate.

21 CHAIRWOMAN KRUEGER: Thank you.

22 Senator Seward, ranker on Finance.

23 SENATOR SEWARD: Welcome,

24 Commissioner, and good to see you.

1 OCFS COMMISSIONER POOLE: Good
2 morning.

3 I know you have been already
4 discussing the federal legislation, the Child
5 Care and Development Block Grant, the changes
6 that we will be required to make here in
7 New York. Just for the record, though, what
8 is our actual deadline before actually losing
9 federal aid? And it is important that we
10 resolve this issue in this budget, I assume.
11 I'd just like your reaction to that.

12 OCFS COMMISSIONER POOLE: Yeah. Yeah,
13 I'm happy to.

14 So we are today out of compliance with
15 virtually -- or most of the provisions of
16 CCDBG. So we had applied for 19 waivers, so
17 the clock has run down -- remember, this bill
18 was based in 2014, and so that time has
19 passed and we have run out of time on those
20 waivers. And so as a result of our
21 noncompliance and the fact that we haven't
22 had an Article VII bill and can't begin to
23 demonstrate activity on the background checks
24 and inspections, we are going to face a

1 minimum of an \$11 million penalty this coming
2 federal fiscal year when our CCDF allocation
3 comes to us. That's just the beginning.

4 And so, you know, one of the other
5 challenges -- the bigger challenge, as I
6 mentioned earlier, Senator, is the fact that
7 there are other provisions -- the most
8 expensive provisions, frankly -- of CCDBG,
9 which have to do with 12-month guarantee and
10 then graduated phaseout. And just what that
11 means is the intention of that law is that we
12 want to ease the shift off of subsidized
13 childcare. As families, right, get into the
14 workforce and they have more money, we don't
15 want to cut them off. But -- all of that is
16 great, but it is extremely expensive to do
17 that. And so we have not, as you heard me
18 say earlier, received the federal funding
19 necessary for us to do that. But
20 nonetheless, the federal law is the law, and
21 so we're going to have to find ways to tackle
22 that.

23 SENATOR SEWARD: Thank you. I'm just
24 looking for that clarification, and very

1 succinctly appreciate that.

2 OCFS COMMISSIONER POOLE: I would just
3 also say, Senator, it is my sense that if we
4 can demonstrate to the federal government, to
5 ACF, that we have begun to implement the
6 background check and the inspection
7 provisions and that they see real action and
8 not just a plan that we're going to introduce
9 an Article VII bill, I have a sense that we
10 may be able to make a compelling argument and
11 prevent the application of that \$11 million
12 penalty.

13 SENATOR SEWARD: Well, certainly my
14 conference has been on record -- we want that
15 issue to be resolved.

16 OCFS COMMISSIONER POOLE: Thank you.

17 SENATOR SEWARD: Would you say that
18 the \$80 million that's been requested in this
19 budget to cover compliance expenses -- will
20 that in fact cover all of the compliance
21 costs without a shift to childcare providers?

22 OCFS COMMISSIONER POOLE: Just to be
23 clear, though, it will help us implement the
24 health and safety provisions, which are the

1 background checks, the inspection, the
2 training, some of the other sort of, you
3 know, low-hanging fruit. The \$80 million
4 will not cover the half a billion dollars
5 that it's estimated for us to meet the other
6 provisions of CCDBG. I just want to be
7 clear.

8 SENATOR SEWARD: On a separate but
9 related issue, do you know offhand how many
10 counties in the state currently redetermine
11 eligibility for childcare subsidies on a
12 12-month basis?

13 OCFS COMMISSIONER POOLE: I don't know
14 the answer to that off the top of my head,
15 but I can certainly get that for you.

16 SENATOR SEWARD: Yeah, appreciate
17 that --

18 OCFS COMMISSIONER POOLE: Yeah, of
19 course.

20 SENATOR SEWARD: -- if you would do
21 that.

22 Just shifting gears, in the time
23 remaining, to Raise the Age, you know,
24 there's a reappropriation of the 100 million

1 that was put in last year's budget, there's a
2 request for another 200 million. Are you
3 aware of any counties and localities being
4 hit with unfunded mandates as a result of the
5 passage of Raise the Age and that money has
6 not yet flowed?

7 OCFS COMMISSIONER POOLE: So I'm not
8 aware of any unfunded mandates. I mean I
9 think that is the goal, is to make sure that
10 when the plans come in -- again, assuming
11 that the plans that come in relate to serving
12 Raise the Age youth and are not supplanting
13 other county expenses and that there's a
14 reasonableness to what they are proposing, it
15 is clearly our intention to pay for those
16 expenses.

17 SENATOR SEWARD: One final question on
18 this point. We did allude to it a bit
19 earlier. But could you describe any changes
20 in conditions at the juvenile facilities as a
21 result of absorbing, you know, 16-year-old
22 offenders? I mean, are there any changing
23 conditions there that you and your agency
24 have noted?

1 OCFS COMMISSIONER POOLE: Sure. So
2 one -- I think I would answer it in two ways.
3 So we had to stand up new specialized secure
4 detention. That was a new element that was
5 part of the Raise the Age legislation. So
6 it's detention for adolescent offenders,
7 which was also new as part of Raise the Age,
8 and those have some more additional enhanced
9 staffing. And so we have a number of those
10 specialized secure detention facilities
11 across the state.

12 We at OCFS had to stand up two
13 programs, one is in Cayuga County, the other
14 is in Monroe County. And again, we're
15 continuing our model of care for juveniles
16 there.

17 And then there are a number of
18 specialized programs for those kids coming
19 down through Family Court, and we have an
20 enhanced Raise the Age model for those young
21 people, with enhanced supervision, enhanced
22 clinical service. And we're paying for
23 after-care services for those kids because we
24 don't want kids to get stuck in the placement

1 system. Right? Research shows the longer a
2 young person stays in a situation of
3 confinement, right, you have a diminishing
4 return on their progress. So we wanted to
5 put a lot of emphasis on short, intensive
6 length of stays, getting them back into the
7 community, connected to their families and
8 schools, as quickly as possible. And that's
9 the model that we have developed.

10 It's too soon to say on the outcomes
11 of it, because we haven't had any young
12 people actually go into those programs yet.
13 But by this time next year, I'll have all
14 kinds of information to share.

15 CHAIRWOMAN KRUEGER: Thank you.

16 CHAIRWOMAN WEINSTEIN: Assemblyman
17 Barclay.

18 ASSEMBLYMAN BARCLAY: Thank you,
19 Chairwoman.

20 Good morning, Commissioner.

21 OCFS COMMISSIONER POOLE: Good
22 morning.

23 ASSEMBLYMAN BARCLAY: I guess I'm
24 going to beat a dead horse, but I just want

1 to flesh this out so I understand it. We're
2 pleased, obviously -- a lot of people in my
3 conference were concerned about the cost of
4 implementing the Raise the Age, and so we're
5 pleased that 100 million got put in and then
6 200 million is proposed for this year.

7 So has 100 million been spent so far?
8 And every county has to submit a plan? Is
9 that how they get reimbursed for this?

10 OCFS COMMISSIONER POOLE: Yes, that's
11 right. That's right. So I think we're
12 reappropriating about 54 million of the 100
13 million that was in last year's
14 appropriation. So I think we're looking at
15 having approximately 250 million
16 reappropriated in total for Raise the Age in
17 this year's budget.

18 ASSEMBLYMAN BARCLAY: And how is that
19 divvied up? I mean, the county puts a plan
20 in, every county might have a different plan.
21 Or is there a formula-based -- how do they --
22 you know, how much do they get?

23 OCFS COMMISSIONER POOLE: Yeah. So it
24 covers all the Raise the Age expenses, so it

1 covers OCFS's, DCJS's, DOCCS had to stand up
2 specialized programs. So it's not just for
3 counties. But counties, yes, we set forth a
4 framework, again in collaboration with DCJS,
5 looking at the spectrum and continuum of
6 youth services in a community, starting from
7 diversion, right, where are those diversion
8 and community-based opportunities, all the
9 way up through placement, legal services, any
10 costs to the sheriff for transportation.

11 And so we this past summer set forth,
12 along with DOB's guidance, a detailed sort of
13 road map to guide the counties in figuring
14 out how they could put their Raise the Age
15 plan together.

16 I will say, Assemblyman, that this was
17 our first time doing this. It was the
18 counties' first time putting a plan together.
19 There's been a lot of back and forth if they
20 submitted the plan, and a lot of refinement.
21 You know, some of the plans didn't exactly
22 line up with the data projections that we had
23 shared with the counties. In some instances
24 we thought that counties didn't include some

1 programs and expenses where they should have.
2 In some instances we thought counties
3 included things that perhaps shouldn't have
4 been included. And so there's been a lot of
5 back and forth. And I'm sure it's felt a bit
6 slow and frustrating, perhaps, on the part of
7 some counties. But it is absolutely our
8 intention to move this process along as
9 quickly as possible.

10 ASSEMBLYMAN BARCLAY: So how far are
11 you along as far as how many -- I've heard
12 obviously the city has not submitted a plan.
13 But how many counties -- are you 50 percent?

14 OCFS COMMISSIONER POOLE: I believe we
15 have about 50 counties who have submitted
16 plans. Oh, yeah.

17 ASSEMBLYMAN BARCLAY: Oh, good. All
18 right. Thank you. Thank you, Chairwoman.

19 OCFS COMMISSIONER POOLE: You're
20 welcome.

21 CHAIRWOMAN WEINSTEIN: Thank you.
22 Senate?

23 CHAIRWOMAN KRUEGER: Thank you.
24 Senator Brian Benjamin.

1 SENATOR BENJAMIN: Thank you, Madam
2 Chair. And thank you, Commissioner.

3 I actually want to follow up on some
4 of the questions that were just asked about
5 Raise the Age, particularly because I believe
6 this year we're going to pass a lot of
7 landmark legislation on some incredible
8 criminal justice reform-related bills. And
9 it's important that while we have the values
10 reflected in our laws, that the
11 implementation follows so that the community
12 feels what we're doing in Albany. So I'm
13 just going to ask you a few questions to
14 follow up on that front.

15 OCFS COMMISSIONER POOLE: Sure.

16 SENATOR BENJAMIN: The first question
17 I want to ask you is -- I just want to
18 clarify this. Are there any youth presently
19 in adult facilities in Rikers Island or
20 anywhere else in the state, per Raise the
21 Age?

22 OCFS COMMISSIONER POOLE: Are there
23 any?

24 SENATOR BENJAMIN: Have all the youth

1 been removed from Rikers Island or any other
2 adult facilities?

3 OCFS COMMISSIONER POOLE: Yes, so any
4 youth under the age of 18 --

5 SENATOR BENJAMIN: Exactly.

6 OCFS COMMISSIONER POOLE: -- are out
7 of Rikers. And then before Raise the Age
8 took effect, the Governor, I think a year or
9 so before, had issued an executive order -- I
10 can't remember the number -- but the
11 executive order actually directed the State
12 Commission of Corrections to remove young
13 people under the age of 18 out and put them
14 in specialized DOCCS facilities. And they
15 created them. One is in Hudson here in
16 Columbia County.

17 SENATOR BENJAMIN: Sure. So on the
18 200 million that's in the budget, how did
19 that number come about? Was that just taken
20 out of the air, was it based upon
21 assumptions, based on all New York State?
22 Just give me a little bit of sense of how you
23 -- and is that -- and so to that question, a
24 follow-up to that, is that sufficient, the

1 number itself?

2 OCFS COMMISSIONER POOLE: I think, you
3 know, right, it's art and science, Senator.
4 I think it was the best estimate at the time,
5 given the data projections, the number of
6 kids served, capital costs, understanding
7 what it might take to stand up detention.
8 You know, we do a lot of work with the
9 Division of the Budget and other state
10 agencies.

11 So I think it was the best
12 approximation that we could have at that
13 time. And again, I think we are feeling
14 pretty confident, given the relatively small
15 number of kids getting arrested, that it
16 should be really sufficient to -- more than
17 sufficient, perhaps, to be able to meet the
18 needs of those kids.

19 SENATOR BENJAMIN: Now, the -- and I
20 don't feel like I got this fully. The
21 100 million that has been spent, I guess you
22 spent 55 -- did I hear that right, 55 of that
23 so far?

24 OCFS COMMISSIONER POOLE: I believe

1 it's about 54 million that's reappropriated
2 in -- yeah, in this year's budget.

3 SENATOR BENJAMIN: And just
4 specifically, what does that money go
5 towards? Just so I'm clear.

6 OCFS COMMISSIONER POOLE: So that
7 money goes to support the operational
8 expenses of the Raise the Age programs that
9 we at OCFS operate. It goes to support the
10 adolescent programs that DOCCS needed to
11 create as part of Raise the Age programs. It
12 supported DCJS in all the work that they are
13 doing on probation. Right? So this Raise
14 the Age meant that a lot more kids would have
15 the opportunity to benefit from probation and
16 diversion services.

17 SENATOR BENJAMIN: So is that
18 staffing, like --

19 OCFS COMMISSIONER POOLE: Yes, it's
20 local probation departments being able to
21 increase, you know, their staffing, which I
22 think --

23 SENATOR BENJAMIN: Is that the biggest
24 part of the 55 million, staff to implement

1 this program? Or are there other things in
2 there?

3 OCFS COMMISSIONER POOLE: Yeah, it was
4 pretty much anything that a county wanted to
5 submit in their plan that they thought was
6 necessary to them being able to implement
7 Raise the Age. It was a pretty broad
8 spectrum of programs and concepts that they
9 could submit to the state for consideration.

10 SENATOR BENJAMIN: When you look at
11 this 200 million, is there any other thing on
12 the wish list that you would say, wow, if we
13 can get extra resources to do -- name the
14 thing, as it relates to a better
15 implementation of Raise the Age, now that
16 17-year-olds are now being added, what would
17 that be?

18 OCFS COMMISSIONER POOLE: That's a
19 really good question.

20 You know, I think that there is a lot
21 of opportunity for partnerships in job
22 creation, I think is -- you know, in running
23 the state's juvenile system, you know, I
24 think the tickets for success for young

1 people and also improving our recidivism
2 rates for young people is around education
3 and it's around connections to jobs.

4 So I think, you know, as we begin to
5 evolve the work, I think, Senator, those are
6 areas where we can really sort of strengthen
7 our commitment.

8 SENATOR BENJAMIN: Thank you.

9 OCFS COMMISSIONER POOLE: Of course.

10 CHAIRWOMAN KRUEGER: Assembly.

11 CHAIRWOMAN WEINSTEIN: Assemblyman
12 Eichenstein.

13 ASSEMBLYMAN EICHENSTEIN: Thank you,
14 Madam Chair. And good morning, Commissioner.
15 Thank you for being here.

16 I want to talk to you about CCDBG at
17 legally exempt groups. As you know,
18 approximately two years ago the rate was cut
19 by approximately 25 percent. In March 2018
20 the department agreed to approximately 12
21 percent of the 25 percent cut, given that
22 safety and health inspection requirements are
23 implemented.

24 It's now close to 10 months, and it's

1 not implemented, yet my understanding is ACS
2 is waiting for approval from the department.
3 Can you provide a date for when -- I mean,
4 when the cut was implemented, I believe the
5 letter came in mid-January and it was already
6 implemented by February 1st, within two
7 weeks.

8 OCFS COMMISSIONER POOLE: Yeah. Yeah.

9 ASSEMBLYMAN EICHENSTEIN: I'm not
10 understanding why this restoration is taking
11 over 10 months to implement.

12 OCFS COMMISSIONER POOLE: It's been a
13 long time since I've heard this raised,
14 Assemblyman, so I'll have to go back to my
15 team and confer also with Commissioner
16 Hansell from ACS. But we will certainly get
17 back to you.

18 ASSEMBLYMAN EICHENSTEIN: I appreciate
19 it. I really look forward to hearing from
20 you on this, because it is a significant cut
21 and, quite frankly, unsustainable for many of
22 these daycares and schools, these groups. So
23 I appreciate that.

24 I yield back my time, thank you.

1 OCFS COMMISSIONER POOLE: Thank you.

2 CHAIRWOMAN WEINSTEIN: Thank you.

3 Senate?

4 CHAIRWOMAN KRUEGER: Senator Diane
5 Savino.

6 SENATOR SAVINO: Thank you, Senator
7 Krueger.

8 Good morning, Commissioner.

9 OCFS COMMISSIONER POOLE: Good
10 morning.

11 SENATOR SAVINO: Nice to see you, as
12 always.

13 So I just want to start out by saying
14 briefly that I agree with everything that
15 Andy Hevesi said about the continued
16 short-changing of this table. As someone
17 who's worked in this field for many years,
18 it's always distressing to see how we're
19 really not funding human services.

20 But I want to focus on a couple of
21 specific points. A lot of it has already
22 been raised, but I want to just say again
23 that I'm deeply disappointed in the failure
24 to fund the Close to Home program. You know,

1 when we started working on Close to Home
2 eight years ago, when I chaired the Children
3 and Families Committee, we had about 900
4 young people at Rikers Island, and that was
5 on average.

6 When we implemented Raise the Age last
7 year, there were only a hundred young people
8 at Rikers Island. And that's because Close
9 to Home works. We know that evidence-based
10 programs prove that if you turn young people
11 around faster when they're younger and you
12 get them connected in their community, you
13 divert them from a life of crime. And so
14 it's disappointing to see that we're not
15 funding it.

16 I'm also disappointed to see that
17 we're continuing this political decision that
18 New York City should not be reimbursed for
19 Raise the Age because they don't conform with
20 the 2 percent tax cap, when we know that
21 they're not covered by the tax cap anyway.
22 But that's a discussion for another day.

23 I want to raise one or two points
24 that -- I saw in the Article VII language

1 there is a proposal for the state to -- for
2 OCFS to take over foster care agencies when
3 the agency's not compliant with the
4 corrective action. So I'm just curious,
5 though, since we cut foster care funding --
6 we took about \$80 million out of the Foster
7 Care Block Grant two years ago and we haven't
8 restored it. If we're so concerned about
9 foster care agencies and compliance and their
10 ability to provide services, why aren't we
11 funding them appropriately?

12 OCFS COMMISSIONER POOLE: So I don't
13 necessarily agree that we're not funding the
14 foster care agencies appropriately. Senator,
15 you know, we over the past several years in
16 particular have been able to make adjustments
17 to their MSAR rates. We've been able to
18 provide approximately 3 1/4 percent cost of
19 living adjustment funding to help --
20 recognizing the critical importance of their
21 workforce. We were able to also provide some
22 enhanced funding in other parameters of the
23 MSAR rate to really help them. And they
24 deserve it, and they need it. So I

1 absolutely agree with you, and that's our
2 plan, to do so again this year.

3 But to speak specifically to the
4 Article VII bill and my request that we have
5 another tool in our toolbox -- and the
6 intention, and I want to be very clear about
7 our intention in pursuing the idea of a
8 temporary operator. And so that would be
9 that there are very rare circumstances where
10 we have a foster care agency who is facing
11 the risk of an actual closure. And you all
12 know that when we have an agency who's
13 serving kids who have already been
14 traumatized, who have already experienced a
15 number of moves, it's a bad thing when we're
16 going to have to consider moving them again.
17 It's a bad thing to lay off staff.

18 SENATOR SAVINO: I fully agree.

19 OCFS COMMISSIONER POOLE: Right now --
20 right now my -- the authority that OCFS has
21 in applying a temporary operator -- and we
22 use the word "temporary" because that's our
23 intention -- is limited right now to when
24 there's actually -- we're close to a decision

1 to make a closure.

2 I'd like to prevent that from
3 happening and at least have the opportunity
4 to have a temporary operator -- who will be
5 another foster care agency, right, presumably
6 with capacity to go in to help continue the
7 day-to-day operations of the agency while we
8 do everything we can at OCFS to try and
9 figure out what else might it take to prevent
10 this program from closing.

11 And I'm aware of, you know, COFCCA's
12 concerns. I respect their concerns. I'm
13 sure you will, you know, hear more about them
14 separately. But I want to be clear that we
15 do not see this as a tool that we would be
16 using five or six times a year when there's
17 an agency that's experiencing some distress.

18 SENATOR SAVINO: Okay --

19 OCFS COMMISSIONER POOLE: We have a
20 deep respect and understanding --

21 SENATOR SAVINO: Thirty seconds left,
22 Sheila. I have one more question for you.

23 OCFS COMMISSIONER POOLE: Go ahead.

24 SENATOR SAVINO: I got the answer,

1 thank you.

2 I'm happy to hear some of the changes
3 around childcare. I think we need to invest
4 more. And I recently heard the Lieutenant
5 Governor talk about how she wants to focus on
6 childcare, and she talked about it in the way
7 I have for many years, that childcare should
8 really be part of our economic development
9 programs, because it really keeps women in
10 the workforce.

11 Towards that end, in the revenue
12 budget -- it's not in your budget, but in the
13 revenue budget there's a proposal to create a
14 New York State employer-provided childcare
15 credit for employers to provide up to a
16 hundred percent -- basically to create
17 childcare facilities at the workforce. And I
18 love that, we should do that. But the one
19 question I have is, are we doing it for our
20 own workforce?

21 OCFS COMMISSIONER POOLE: It's a great
22 idea.

23 (Laughter.)

24 OCFS COMMISSIONER POOLE: It's a great

1 idea. Thank you, Senator.

2 CHAIRWOMAN KRUEGER: Assembly.

3 CHAIRWOMAN WEINSTEIN: Assemblywoman
4 Wright.

5 ASSEMBLYWOMAN WRIGHT: Good morning.

6 OCFS COMMISSIONER POOLE: Good
7 morning.

8 ASSEMBLYWOMAN WRIGHT: Thank you,
9 Chairwoman. Thank you, Commissioner. I'm
10 actually going to follow up on some of the
11 foster care questions that were just
12 presented.

13 I guess I will start off with the
14 Article VII information that -- or proposal
15 that's there. I understand that you're
16 saying that this will only kick in in a time
17 when there's -- when you are considering
18 closure of an institution. However, there
19 are different bill proposals that have been
20 submitted, and it seems as though we've
21 selected the one that allows for you to apply
22 a temporary operator that's going to come in
23 and take over for a 30-day period, versus the
24 10-day period. And I want to know what the

1 rationale and the thinking of that is,
2 especially when this seems to be focused on
3 developing work-arounds. Because there's
4 opening the door where you're removing the
5 established operator, putting in a temporary
6 for 30 days. They still have liability.
7 They have no control over day-to-day
8 operations, but that they maintain all of
9 that seems problematic.

10 OCFS COMMISSIONER POOLE: So I believe
11 our proposal calls for an initial 90 days,
12 with the opportunity for a 90-day extension.

13 And so again, Assemblywoman, our
14 intention would be that the temporary would
15 be as temporary as it could possibly be so we
16 are able to stabilize the program and figure
17 it out. We would want that agency, the sort
18 of primary agency to reassume full
19 responsibility for the program as soon as
20 they can. I'm not sure that --

21 ASSEMBLYWOMAN WRIGHT: I understand
22 that that might be intentional, but that's
23 not what we're asking for in the bill. So I
24 feel like we need to step back and have more

1 of a conversation, because this -- it leaves
2 a little bit of uneasiness of what we're
3 asking for in this moment, because what we're
4 asking for is not what's reflected in the
5 language of our bill that we've selected
6 here.

7 And I understand that you're saying
8 close to closure, but what exactly are the
9 conditions that we're seeing that lead us to
10 close to closure? Because I imagine that you
11 still have the power to step in when it's in
12 imminent danger. Already, you have that
13 control and that reach.

14 OCFS COMMISSIONER POOLE: We actually
15 don't have that reach to go in.

16 What we do at OCFS -- I mean, we have
17 fortunately, I think, a very robust oversight
18 and monitoring of our foster care programs --
19 which we think is good, others might think
20 perhaps is too robust. But nonetheless
21 because we have, I think, a really good sense
22 of what's going on on campuses and in
23 programs on a regular basis, we're not
24 surprised when there is something imminent

1 that comes up. And so we do a lot of work to
2 try and go in, offer technical assistance,
3 work with them if it's a rate issue to see
4 wherever possible we can help them if there's
5 a fiscal issue.

6 ASSEMBLYWOMAN WRIGHT: I understand
7 that. But what I'm saying, you -- are you
8 saying right now that you do not have the
9 ability to go in and address an issue when
10 there's imminent danger?

11 OCFS COMMISSIONER POOLE: No, we
12 absolutely go in and address --

13 ASSEMBLYWOMAN WRIGHT: Okay, so that
14 was my concern. Because then this bill is
15 really about creating work plans.

16 So I just would like to say that I
17 don't think that we have the best solution
18 here.

19 OCFS COMMISSIONER POOLE: Okay.

20 ASSEMBLYWOMAN WRIGHT: And since
21 there's no fiscal impact related to this,
22 since this doesn't even define how the
23 temporary is going to be paid, that I would
24 like to see it pulled out so that we can

1 actually have a real conversation about it.

2 OCFS COMMISSIONER POOLE: Sure, we can
3 certainly have continued conversations.

4 ASSEMBLYWOMAN WRIGHT: Oh, sorry. And
5 then we have an estimated budget of about \$6
6 million for Foster Youth College Success, but
7 we've only seen 1.5 added to the budget for
8 that. Do you have any comments related to
9 that?

10 OCFS COMMISSIONER POOLE: I don't. I
11 believe that funding is actually in the State
12 Education Department budget.

13 ASSEMBLYWOMAN WRIGHT: Okay, so we
14 don't address that part.

15 OCFS COMMISSIONER POOLE: But it's a
16 fabulous program, I would agree.

17 ASSEMBLYWOMAN WRIGHT: Do you know
18 currently what's happening with how many kids
19 we have aging out or that we anticipate aging
20 out of foster care this year, and where we
21 think they're being placed or where they're
22 going?

23 OCFS COMMISSIONER POOLE: So we don't
24 have the exact numbers of kids who we expect

1 to be aging out of foster care, but I do know
2 that we have a number of kids and they are
3 one of our most challenging populations,
4 Assemblywoman, to make sure that when they
5 age out of care that they are not entering,
6 right, the homeless system. And so I think
7 our districts have done a lot of work to try
8 and create plans for kids. We are a state
9 that allows young people, upon consent, to
10 stay in foster care until they're 21, and we
11 really try and encourage them to do so.

12 But I can certainly get you those
13 numbers and --

14 ASSEMBLYWOMAN WRIGHT: Okay.

15 OCFS COMMISSIONER POOLE: -- follow up
16 with any conversation.

17 ASSEMBLYWOMAN WRIGHT: I would also
18 ask -- I know you just said that you're going
19 to address the MSAR, so I will leave that.

20 And FFPSA, what are -- I think that
21 the review that I -- the synopsis said that
22 they were going to dedicate those, the three
23 -- I think it was \$3 million of the funds --

24 OCFS COMMISSIONER POOLE: Yup.

1 ASSEMBLYWOMAN WRIGHT: -- that they're
2 setting aside for background checks. And I
3 wanted to know if you can give a little more
4 clarity on really what the intention is with
5 that money.

6 OCFS COMMISSIONER POOLE: Sure. So I
7 think you're referring to the Family First
8 Transition Fund.

9 ASSEMBLYWOMAN WRIGHT: Yes, Family
10 First, mm-hmm.

11 OCFS COMMISSIONER POOLE: So that's
12 the fund that I spoke of a bit earlier. So
13 we're really wanting to provide some supports
14 to kinship and foster boarding home providers
15 that it's not easy for us to do now, given
16 our rather restrictive funding rules and
17 regulations.

18 And so this is a new idea that would
19 allow localities to submit a plan to us to
20 say how would they use a portion of funding
21 to use creatively to help better support
22 kinship and foster boarding home providers
23 across the state. Because down the road,
24 when Families First takes full effect, we're

1 going to be at risk of losing some of the
2 Title IV-E funding if we don't shift more
3 kids into foster and kinship care.

4 ASSEMBLYWOMAN WRIGHT: I'm sorry, are
5 you saying that you're waiting for --

6 CHAIRWOMAN WEINSTEIN: Thank -- thank
7 you. Thank you.

8 Senate?

9 CHAIRWOMAN KRUEGER: Thank you,
10 Commissioner.

11 So I actually want to follow right up
12 on Assemblywoman Wright's questions about
13 foster care and funding. So as you
14 explained, we're shifting more and more
15 children into kinship foster care, which I
16 agree is an important model that we should be
17 expanding. But we don't necessarily have an
18 ongoing funding stream for that so that
19 localities are taking money from their Foster
20 Care Block Grant away from their other foster
21 care to pay for the kinship foster care.

22 Are we on a collision path between
23 these two models as far as having adequate
24 funding for the localities to meet both

1 needs?

2 OCFs COMMISSIONER POOLE: So I don't
3 think so. So the same funding stream, the
4 Foster Care Block Grant that now pays for
5 regular non-relative foster boarding homes is
6 equally available to local districts to use
7 to pay for kinship foster care.

8 You know, what happens a bit too often
9 is that kin are not encouraged to become
10 kinship foster families, where they get the
11 same financial and other support benefits.
12 We hear from the kinship advocates that
13 instead relatives are asked to take custody
14 outside of the foster care system and do not
15 receive, right, the commensurate board and
16 care rate and other services that are the
17 benefits of foster care.

18 CHAIRWOMAN KRUEGER: But have we
19 potentially set up a model where the foster
20 care agencies which are supposed to be
21 encouraging kinship actually see it as a
22 threat to their ongoing funding because there
23 aren't separate dedicated funding streams?
24 So that if they are successful in what we

1 hope will happen, encouraging a kinship
2 foster care placement, they're actually
3 eating up their own potential budget.

4 OCFS COMMISSIONER POOLE: Except I
5 would just introduce one other important
6 point, which is that they're also spending a
7 lot of money on congregate care in
8 institutional placements in some counties
9 that are quadruple the cost of kinship foster
10 care or regular foster care. And that is a
11 fundamental premise of Families First, is
12 that you are reinvesting those dollars that
13 you're now spending on the highest level of
14 placements for kids, and you're using those
15 dollars to support relative foster boarding
16 homes and kinship foster boarding homes.

17 CHAIRWOMAN KRUEGER: And you also were
18 asked by another one of my colleagues about
19 -- that we're not in compliance with the
20 federal requirements. But we're also putting
21 in new requirements like Family first
22 background checks for residential providers,
23 and I've been advised that could be a serious
24 expense for localities. And is there a

1 funding stream to help with that?

2 OCFS COMMISSIONER POOLE: Yes. So,
3 you know, based upon our oversight of the
4 foster care agencies and our assessment, many
5 of the agencies already do the background
6 clearance checks for most of their employees.
7 You know, Families First now requires that
8 all staff working in a program have the
9 background checks and clearances.

10 So our estimate of the fiscal is
11 relatively modest; it's around I think
12 \$150,000. And that we at OCFS plan to be
13 able to absorb that through the MSAR rate so
14 that is not passed down to the providers.

15 CHAIRWOMAN KRUEGER: Thank you.

16 So I'm sure someone brought this up,
17 but I'll just say it like it wasn't brought
18 up. So we know that there's not a cost of
19 living adjustment included in your budget for
20 the contract agency workers. How many years
21 since you have made any adjustment for worker
22 costs in these contracts?

23 OCFS COMMISSIONER POOLE: So I'll
24 answer it two ways. So one, for the foster

1 care agencies, absent the COLA, I think for
2 the past three years we have been successful
3 in working with the Division of the Budget on
4 making adjustments to those foster care
5 agency rates, the MSARs, Maximum State Aid
6 Rates. And so we, within our means, have
7 tried to provide additional support to those
8 foster care agencies using the MSARs.

9 For other not-for-profits that -- you
10 know, we have many of them that we work with
11 at OCFS, we have been able to make
12 adjustments to their contracts in one of two
13 ways. Sometimes it's if they are not
14 spending the money that they've been
15 allocated as part of their award, then we are
16 able to work with them in allowing them to
17 adjust their annual budgets that they do as
18 part of our contract management work.

19 And then the other areas, there have
20 been investments made in trying to address
21 the impacts of minimum wage across -- so
22 we've been able to make investments and
23 mitigate the impacts of minimum wage.

24 CHAIRWOMAN KRUEGER: So you've

1 actually added to their contract allotments
2 based on the growth of the minimum wage?

3 OCFS COMMISSIONER POOLE: Yes.

4 CHAIRWOMAN KRUEGER: So that went up
5 again this month. So you're planning to do
6 that again in their contracts as of what
7 date?

8 OCFS COMMISSIONER POOLE: We do not
9 currently have funding, sustainable funding
10 to continue to keep pace with that. But we
11 have applied it where we have been able to,
12 to date.

13 CHAIRWOMAN KRUEGER: Are you able to
14 get us some data showing us how these
15 salaries have increased or not in the
16 different fields that you contract with?

17 Because we're certainly getting
18 messaging from many in the not-for-profit
19 world that they don't have the money to meet
20 these new requirements we've actually placed
21 on them through the minimum wage increase,
22 and that they're having more and more
23 problems with hiring and retention.

24 And I think you and I both agree that

1 that's a huge problem, when you go through
2 the exercise of finding a good person,
3 training that person, investing in that
4 person, and then they pick up and leave
5 because, to be quite blunt, they might be
6 asked to do enormously difficult work for the
7 same amount that McDonald's is now paying
8 under minimum wage.

9 OCFS COMMISSIONER POOLE: No,
10 absolutely understood.

11 Yes, I'll do my very best to get that
12 data.

13 CHAIRWOMAN KRUEGER: Thank you very
14 much. Thank you.

15 OCFS COMMISSIONER POOLE: Of course.

16 CHAIRWOMAN WEINSTEIN: Assemblywoman
17 Dickens.

18 ASSEMBLYWOMAN DICKENS: Thank you.
19 thank you, Madam Chair, and good morning,
20 Commissioner, and thank you for being here
21 for your testimony.

22 I have a couple of quick questions,
23 and I want to piggyback on the Senator's
24 question about the COLA. But mine is

1 specific to is there a line item or a funding
2 stream that allows for when leases expire,
3 where agencies are located, and the rents go
4 up, that allows for that?

5 OCFS COMMISSIONER POOLE: So I want to
6 say yes. I think that when we take into
7 account the budgets for both foster care
8 programs as well as for not-for-profits, that
9 we take into consideration in their budgets
10 that they submit to us, right, the rising
11 costs of rent or lease.

12 But if you have a specific program
13 that you are concerned about, I'd be more
14 than happy to speak with you offline and
15 address any other concerns you have.

16 ASSEMBLYWOMAN DICKENS: Thank you.

17 Also, on the Foster Care Block Grant,
18 in your testimony you indicated that foster
19 care is declining, the number of youth. You
20 said that it's at a record low.

21 OCFS COMMISSIONER POOLE: Yes. Yeah.

22 ASSEMBLYWOMAN DICKENS: All right. As
23 part of that Foster Care Block Grant, can
24 some of that funding be allocated towards

1 addressing the opioid crisis that's impacting
2 upon many of our foster care youth?

3 OCFS COMMISSIONER POOLE: That's
4 a -- that is a great point.

5 So one of the other provisions of the
6 Family First Prevention Services Act that we
7 spent a lot of time talking about is the idea
8 that you can take your Title IV-E dollars,
9 which right now you can only use for care and
10 maintenance -- so for beds -- that states can
11 potentially reinvest some of that money into
12 using it for preventive services.

13 That sounds great. And it maybe is
14 great. But we're waiting for guidance from
15 the federal government because the definition
16 so far of the kinds of preventive service
17 programs are very, very prescriptive.

18 And so -- but one of the areas that
19 they are focused on, Assemblywoman, is around
20 substance abuse. And so we are going to be
21 watching carefully for the federal guidance
22 that they issue around the types of models
23 and programs that we in New York State might
24 consider reinvesting Title IV-E dollars into

1 to stretch our prevention service dollars.

2 ASSEMBLYWOMAN DICKENS: And on the
3 kinship foster care, background checks are
4 done as well. Is funding allocated towards
5 the kinship foster care at the same rate and
6 with a COLA, like it is in traditional foster
7 care?

8 OCFS COMMISSIONER POOLE: Yes. So
9 someone who becomes a kinship foster parent
10 under an agency should be receiving -- and
11 again, within foster boarding homes there are
12 different levels based upon the needs of the
13 child. There's a special rate, and
14 exceptional. But it's all depending upon the
15 needs of that child. And so those kinship
16 foster families should be able to avail
17 themselves of those same level of services.

18 ASSEMBLYWOMAN DICKENS: And lastly, on
19 the program, the pilot program on the
20 two-year SUNY and CUNY campuses, is there a
21 minimum number of credits required to be
22 taken in order to qualify for that childcare?

23 OCFS COMMISSIONER POOLE: I don't know
24 the answer to that. I will certainly find

1 that out for you.

2 ASSEMBLYWOMAN DICKENS: Could you get
3 back to me?

4 OCFS COMMISSIONER POOLE: Of course.

5 ASSEMBLYWOMAN DICKENS: Thank you.
6 And thank you.

7 OCFS COMMISSIONER POOLE: You're
8 welcome.

9 CHAIRWOMAN WEINSTEIN: Senate?

10 CHAIRWOMAN KRUEGER: Thank you.

11 I want to introduce Senator Leroy
12 Comrie, who's joined us; Senator Sue Serino,
13 who's joined us.

14 And it's Senator Serino's turn to
15 question.

16 SENATOR SERINO: Hello, Commissioner,
17 how are you?

18 OCFS COMMISSIONER POOLE: Good
19 morning. I'm good, thank you.

20 SENATOR SERINO: I'm going to switch
21 gears a little bit. I'm just arriving, and I
22 know you've been covering issues with youth,
23 which is great, but I'm going to switch
24 because of having previously been the chair

1 of Aging, and how we worked on the elder
2 abuse hotline.

3 So my questions are with the bill. We
4 tried to make it 24/7, and the Governor
5 vetoed it, with concerns about money. And
6 then we were able to put it into place where
7 it would be extended from 5 o'clock to 8
8 o'clock at night, and I think we allotted
9 over \$300,000 for that.

10 So I was wondering where it stands
11 now, because I think in June of 2018 we were
12 told that there wasn't a date of
13 implementation because you were seeking a
14 vendor to contract for the extension of the
15 hours. Even though we were told during the
16 budget process that the OCFS APS, Adult
17 Protective Services, would be used.

18 So a couple of my questions are, what
19 is the status of the extended hours? And
20 what is the status of the \$326 that were
21 added for the hours of extension?

22 I have two more. Do you want to
23 answer those first, or do you want me to --

24 OCFS COMMISSIONER POOLE: Yeah, of

1 course.

2 Yeah, so our Human Services Call
3 Center, which is something we don't get to
4 talk about a lot, but we are very proud of at
5 OCFS, has been very happy to stand up the
6 Adult Protective Services hotline. And so in
7 2018 I think we received about 5300 calls
8 during daytime hours.

9 And then we did implement the
10 after-hours extension in September. And so I
11 can tell you that between September and I
12 believe the end of December, Senator, that we
13 received -- I think it's an additional 250
14 calls during the extended hours.

15 And it is our intention to continue to
16 provide that service.

17 SENATOR SERINO: Oh, good, that was my
18 next question, if it was going to be
19 continued.

20 Okay, we have no accurate or reliable
21 statistics on how many cases our state has
22 and how these cases are being addressed. I
23 know you just gave me the number on the calls
24 that you're getting, but then with regard to

1 how they're being addressed -- because I know
2 that we have a real concern that this issue
3 is going to remain something that's not a
4 priority for the Executive and will get lost
5 in the new Legislature, because we've heard
6 that the legislative adds were taken away.

7 And as you know, elder abuse is
8 something that is so underreported.

9 OCFS COMMISSIONER POOLE: So anytime,
10 we are happy to share data and information.
11 I think you've probably met with Alan Lawitz,
12 our director of protective services, who is
13 as passionate as you are about this
14 population that sometimes is often in the
15 shadows of other populations. And so we're
16 happy to come and meet with you and share any
17 updated data and information.

18 SENATOR SERINO: Great. Thank you
19 very much.

20 OCFS COMMISSIONER POOLE: You're very
21 welcome.

22 CHAIRWOMAN KRUEGER: Thank you.
23 Assembly.

24 CHAIRWOMAN WEINSTEIN: I guess it's my

1 turn, Commissioner.

2 I wanted to follow up a little bit on
3 some of the conversation we had had prior to
4 the hearing and shift gears to the issue of
5 domestic violence. And you mentioned briefly
6 in your testimony some changes to the
7 requirement that survivors of domestic
8 violence apply for public assistance as well
9 as the ability of residential and
10 nonresidential programs to charge fees for
11 services.

12 So I was wondering if you could expand
13 upon what is the expected fiscal impact of
14 these changes, how does the Executive
15 proposal address the impacts and costs, are
16 we anticipating additional Title XX money,
17 and are we going to see some actual language
18 to accomplish this goal?

19 OCFs COMMISSIONER POOLE: Yeah, happy
20 to.

21 So I just wanted to start with why we
22 are pursuing this change. So we receive
23 about \$4.9 million in a federal grant called
24 the Federal Family Violence Preventive

1 Services Act. And the feds came in and did a
2 review of our program in New York State a
3 couple of years ago. And it took them a
4 while to issue their report, but they took
5 exception to New York State's long-standing
6 statutory practice of requiring survivors of
7 domestic violence, when they are seeking
8 shelter services, to require them to also
9 apply for public assistance. And as well,
10 for folks who are able, to provide a copay.

11 And so we've been back and forth with
12 the feds. They have made it really clear to
13 us and have in fact frozen our federal
14 funding now until we comply and make this
15 change. So that's just some additional
16 background to it.

17 I also want to say that while that
18 provision has been in place for a long time,
19 the intention of it was always in recognition
20 that while a survivor might come to the
21 Department of Social Services right in the
22 emergency, seeking shelter, it is not
23 unlikely and it has often been the case that
24 that individual and/or her or his children

1 need childcare, need heat, need SNAP
2 benefits. So the whole idea was to recognize
3 that this is a family in crisis and that we
4 want to make sure, since they are there
5 seeking shelter, that we are making them
6 aware of other services.

7 But nonetheless, you know, I want to
8 also be clear that while the proposal is to
9 eliminate their requirement, we still want to
10 make sure that local districts are still
11 offering and encouraging families to apply
12 for those benefits. So I just wanted to
13 clarify that.

14 So as to the money piece,
15 Assemblywoman, there's two pieces. So one,
16 counties can use their Title XX and they can
17 use their FFFS funding, which we all know how
18 complicated, you know, that all gets.

19 But I was with all the local social
20 service commissioners just yesterday
21 afternoon, and of course they asked me, you
22 know, this very same question. And the
23 commitment that I made to them, which is
24 always supported by the Division of the

1 Budget, is that we will figure out a way to
2 make sure that there are no unfunded impacts
3 as a result of making these changes.

4 You know, we want to make sure we are
5 holding onto that \$4.9 million, we don't want
6 to give that funding up. But we also
7 recognize that this change has the potential
8 in some counties to call on other resources
9 that they have, and we intend to find a way
10 through that.

11 CHAIRWOMAN WEINSTEIN: Thank you.

12 And will we see some budget
13 language -- will we see proposed language to
14 accomplish that goal?

15 OCFS COMMISSIONER POOLE: We can
16 certainly talk about that.

17 CHAIRWOMAN WEINSTEIN: Thank you.

18 Also you mentioned, again relating to
19 domestic violence, the Governor putting
20 together a task force to look at ways that
21 the agencies can work together to review
22 domestic violence service delivery. Is there
23 a timetable, a process that OCFS will
24 undertake regarding the restructuring -- is

1 it the existing domestic violence task force,
2 or is there a new task force being formed?

3 OCFS COMMISSIONER POOLE: There's
4 actually a new group that we -- we've
5 actually begun to meet, in September of last
6 year. So there are probably six state
7 agencies, each who have our own different
8 federal streams coming to us around domestic
9 violence.

10 And so they have been really, really
11 productive meetings. And I think everyone is
12 in agreement that it makes sense for us as a
13 collective group of state agencies to be
14 lining up where all these investments are
15 going. So we're working on profiling
16 counties and regions about where are all
17 these various funding streams going.

18 Then a whole other idea is that we
19 have traditionally all let our procurements
20 out separately, right, sort of not as aligned
21 in a coordinated way. And so one of the
22 goals of us is before OCFS lets out a
23 procurement using our funding stream, is to
24 discuss it with the group to see if there are

1 gaps in other places across the state or if
2 there are ways that we can contribute in a
3 collective way to a broader investment
4 strategy, if you will, for domestic violence.

5 So I think it's been -- it has been
6 really very, very productive so far, and I
7 think it's just really the beginning of much
8 better alignment, not only among the state
9 agencies but obviously working closely with
10 the advocates, with NYSCADV and the providers
11 across the state. So I feel very good about
12 it.

13 CHAIRWOMAN WEINSTEIN: Great. Thank
14 you. Look forward to seeing the work that
15 comes out of that process and working to
16 ensure that we don't have a loss of domestic
17 violence funding in the counties or in the
18 state. Thank you, Commissioner.

19 Senate?

20 CHAIRWOMAN KRUEGER: Thank you.

21 And second round for Senator
22 Velmanette Montgomery.

23 SENATOR MONTGOMERY: Yes, thank you,
24 Commissioner. I may have raised this last

1 year, I'm not sure, but I'm going to raise it
2 again.

3 OCFS COMMISSIONER POOLE: Yes, you
4 can.

5 SENATOR MONTGOMERY: You know, let me
6 just say that I have seen a very informative
7 report, I think it was done for the ACS
8 commissioner's office. It's done by the
9 Center for Children's Law and Policy. It is
10 a report on the success of Close to Home.
11 It's New York City-focused, but I found it
12 very, very informative.

13 And I'm using that as an example --
14 I'm going to ask that the commissioner send
15 us all, because we would like to all see
16 this. But I want to use that as an example
17 of ways in which we could perhaps be more
18 supportive on an ongoing basis of planning
19 going forward. And the commissioner of
20 Labor, I've had conversations with her, she's
21 come to the district to look at programming.
22 The ACS commissioner I've had lots of
23 conversations with, DYCD.

24 So what -- it occurs to me that, one,

1 we have evolving, changing needs that young
2 people present from generation to generation.
3 And now we have a new age group who are
4 coming out of -- or part of the new paradigm
5 in New York State -- in New York City in
6 particular, but statewide.

7 And so there doesn't seem to be a plan
8 that I can see that -- where all of you are
9 able to come together to look at what do we
10 need to do now to look at a reinvestment
11 program that allows you to address new needs,
12 the new ages that are coming out -- we can't
13 put them -- they're not necessarily going
14 back to school, so, you know, the education
15 that we talked about two months ago maybe
16 won't be relevant next year or the end of
17 this year. And they're going to need jobs,
18 they're going to need others kinds of
19 supports. What do we do about that? Do we
20 wait for a crisis, or do we make a plan to do
21 it?

22 And my question to you is, could we
23 consider that you or your agency might be a
24 lead agency to bring those commissioners --

1 I'm thinking Labor, I'm looking for funding
2 for youth in Labor for programs like
3 YouthBuild, that's my big thing. I'm out of
4 time already. This is not enough time.

5 CHAIRWOMAN KRUEGER: She's left you a
6 yes or no.

7 OCFS COMMISSIONER POOLE: Yes. Yes,
8 we can certainly do that. I think it's a
9 great idea, Senator.

10 SENATOR MONTGOMERY: Maybe DCJS, you
11 mentioned.

12 OCFS COMMISSIONER POOLE: Yeah. State
13 Education Department.

14 SENATOR MONTGOMERY: ACS, DYDC.

15 OCFS COMMISSIONER POOLE: Yes, I think
16 it's a good idea.

17 SENATOR MONTGOMERY: Okay, thank you
18 very much.

19 CHAIRWOMAN KRUEGER: Thank you.

20 CHAIRWOMAN WEINSTEIN: Thank you.

21 Now for our second, Assemblyman
22 Hevesi.

23 ASSEMBLYMAN HEVESI: Thank you. I'm
24 watching the clock, I've got to go fast.

1 I'll try to make it brief.

2 CHAIRWOMAN KRUEGER: Microphone.

3 ASSEMBLYWOMAN JAFFEE: I don't think
4 that's on.

5 ASSEMBLYMAN HEVESI: Ah, there we go.

6 Thank you, Commissioner. I just want
7 to say thank you again for the answers you've
8 been giving to my colleagues and for the work
9 you and your staff do.

10 Just a couple of questions to
11 piggyback off of some of my colleagues.

12 So the chairwoman asked about
13 providers no longer being allowed to charge
14 domestic violence victims. We've been doing
15 that since 1994, is that accurate? We've
16 been charging domestic violence victims for
17 shelter since 1994?

18 OCFS COMMISSIONER POOLE: I'm not
19 sure. Before my time, but it may be true.

20 ASSEMBLYMAN HEVESI: Okay. So I'm
21 glad we're getting rid of that. I'm
22 surprised it's the first time I've ever heard
23 of it. That's good.

24 My question is, though, if you

1 eliminate that requirement -- which good for
2 you, I'm with you to do -- aren't the
3 providers going to have to pick up the cost?
4 Because I don't see an additional funding
5 stream to help them make up that deficit?

6 OCFS COMMISSIONER POOLE: I think it
7 gets back to Senator Krueger's question about
8 what do we intend to do -- or it was actually
9 Assemblywoman Weinstein's question about what
10 do we intend to do to make sure that that
11 doesn't happen.

12 So it's not as much the providers,
13 it's actually the local departments of social
14 services who pay the providers. And so
15 again, I hope you heard the Assemblyman just
16 say that we are committed to making certain
17 that this change does not result in an
18 unfunded mandate to the counties.

19 ASSEMBLYMAN HEVESI: Okay. Let me
20 switch to PINS. There's a concern -- and
21 tell me if I'm wrong on the merits, I may be
22 flat-out wrong here. But you're eliminating
23 the requirement -- or the ability for these
24 kids to be put in detention, right? Does

1 that mean a judge is not allowed to do it?

2 OCFS COMMISSIONER POOLE: I do not
3 believe that the enacted Raise the Age
4 legislation changed the law for judges.

5 ASSEMBLYMAN HEVESI: Okay. The reason
6 why I ask is if a judge is still allowed to
7 do it by eliminating the state reimbursement,
8 what you've just done is made the county pick
9 up the full cost. So it's a cost shift to
10 every county. That's an unfunded mandate
11 like you wouldn't believe. So I'm concerned
12 about that.

13 And then let me go and leave you with
14 the nonprofit sector. It's my understanding
15 that the Governor's financial plan of this
16 past year, there was a 2.9 percent COLA, \$140
17 million savings built into the financial plan
18 to help the workers, who really need the
19 help. What happened? Why are we not doing
20 the COLA? I understand that you're trying to
21 make up for it in other ways, but why was the
22 decision made to not give a COLA to the
23 nonprofit sector?

24 OCFS COMMISSIONER POOLE: So I think,

1 Assemblyman, it was just in context of the
2 overall state financial plan, which you
3 commented on --

4 ASSEMBLYMAN HEVESI: Okay, which I
5 addressed earlier, yeah.

6 OCFS COMMISSIONER POOLE: -- earlier.
7 And as I said, we've done what we can at
8 OCFS.

9 ASSEMBLYMAN HEVESI: And I really
10 appreciate what you and your staff do at
11 OCFS. Thank you, Commissioner.

12 OCFS COMMISSIONER POOLE: You're
13 welcome.

14 CHAIRWOMAN WEINSTEIN: Thank you.
15 Senate?

16 CHAIRWOMAN KRUEGER: I think Senate is
17 done.

18 CHAIRWOMAN WEINSTEIN: Okay, so
19 Assemblywoman Jaffee, second three minutes.

20 ASSEMBLYWOMAN JAFFEE: Thank you.
21 Thank you so much. I wanted to follow up on
22 our discussion. In terms of what we referred
23 to earlier regarding SUNY/CUNY, how will the
24 families who currently receive --

1 CHAIRWOMAN KRUEGER: Is your mic on?

2 CHAIRWOMAN WEINSTEIN: Pull it closer.

3 ASSEMBLYWOMAN JAFFEE: That better?

4 Okay.

5 How will the families who currently
6 receive subsidized childcare from funding
7 streams associated with facilitated
8 enrollment childcare or SUNY/CUNY childcare
9 otherwise obtain the childcare for their
10 children, given within the context of this
11 budget the Governor has actually in his
12 proposal eliminated those -- appropriation
13 for those programs?

14 And so we mentioned it earlier, but
15 I'm concerned about there being that
16 opportunity financially.

17 OCFS COMMISSIONER POOLE: Yes, so I
18 think, you know, Assemblywoman, anything that
19 has been a legislative add does not appear in
20 the proposed Executive Budget. So I think,
21 you know, that's part of it.

22 But I think the idea of the proposal
23 in the Executive Budget is in recognition of
24 needing to provide additional support to

1 those parents who are attending school and
2 who need help with childcare.

3 ASSEMBLYWOMAN JAFFEE: So we'll have
4 to work together and --

5 OCFS COMMISSIONER POOLE: Of course.

6 ASSEMBLYWOMAN JAFFEE: -- move forward
7 with funding for that.

8 The second question, with Raise the
9 Age. Is there any requirement within the
10 funding of Raise the Age that there be
11 provided mental health services? I would
12 hope that within that context there would be
13 some requirement, because that's essential
14 for assuring that there is some way to be
15 able to assist the DQs --

16 OCFS COMMISSIONER POOLE: Yeah, I
17 think it's actually a very thoughtful
18 question. And I don't believe that it was a
19 mandatory requirement for us in Raise the
20 Age. But by the same token, we did not
21 preclude mental health services or some kind
22 of intervention for young people to be a
23 proposal raised up by counties.

24 And I don't off the top of my head

1 honestly know how many county plans, you
2 know, had mental health provision of service
3 in it. But we can certainly talk more about
4 that.

5 ASSEMBLYWOMAN JAFFEE: Perhaps that's
6 a conversation we can continue to have and
7 see if --

8 OCFS COMMISSIONER POOLE: Yeah. Yup.
9 And, you know, I think you also know, all of
10 you, right, that we're in the midst of the
11 transition to managed care for kids and
12 children in New York State. And the whole
13 idea of that investment and transition was to
14 raise up the level of services, mental health
15 services, you know, for all children in New
16 York State, but certainly for our most
17 at-risk population. So hopeful --

18 ASSEMBLYWOMAN JAFFEE: Well, we need
19 to have it, and my legislation would require
20 every school to have mental health services.
21 But we also need to encourage our youth to go
22 into those careers, because that is another
23 major issue that we have.

24 And I just want to -- I know I don't

1 have time, but I am very concerned about the
2 salaries for our childcare workers. We need
3 to provide more funding to be able to assure
4 that they have the kind of salaries that give
5 them the opportunities to sustain those
6 programs and to be able to keep our workers
7 in those programs.

8 OCFS COMMISSIONER POOLE: Thank you.

9 ASSEMBLYWOMAN JAFFEE: Thank you so
10 much.

11 CHAIRWOMAN WEINSTEIN: Thank you.

12 Assemblyman Barclay.

13 ASSEMBLYMAN BARCLAY: Thank you,
14 Chairwoman.

15 Commissioner, I just want to get some
16 clarification on the detention for PINS.
17 Currently you split the cost 50/50 of the
18 detention with the counties?

19 OCFS COMMISSIONER POOLE: Yeah, I
20 think it's 49/50 -- 51, I guess it would be.
21 Yeah.

22 ASSEMBLYMAN BARCLAY: So is it your
23 contention by getting rid of that, the
24 counties obviously won't have to do the

1 50 percent matching, and they're going to use
2 that money for alternative types of
3 programming?

4 OCFS COMMISSIONER POOLE: So that's
5 what we allow as part of our STSJP program.
6 We started that, I want to say, maybe three
7 or four years ago as an attempt to start
8 driving the PINS reform, because we don't
9 want these kids being in detention. So we
10 offered -- it was voluntary -- you know, to
11 counties to be able to project how many kids
12 that they could deter from hopefully being
13 placed in prevention by investing in other
14 services.

15 ASSEMBLYMAN BARCLAY: Is that going to
16 be a 50/50 -- how is the cost for that
17 program -- is it split?

18 OCFS COMMISSIONER POOLE: So it's an
19 8.4 million investment in the budget that
20 allows that to happen.

21 ASSEMBLYMAN BARCLAY: So 8.4. So
22 there's no county expense in doing that? Is
23 that going to cover all the costs of the
24 county?

1 OCFS COMMISSIONER POOLE: No, I think
2 it allows the counties -- it allows the
3 counties to shift the money that they have
4 spent on -- it's not additive, it's a shift.

5 ASSEMBLYMAN BARCLAY: Okay. All
6 right, thank you.

7 OCFS COMMISSIONER POOLE: You're
8 welcome.

9 CHAIRWOMAN WEINSTEIN: Thank you,
10 Commissioner. That is the end of the
11 members' questions. There may be some
12 further ones, and I'm sure we'll be having
13 some dialogue as we go on.

14 OCFS COMMISSIONER POOLE: Thank you
15 all for your time.

16 CHAIRWOMAN WEINSTEIN: Thank you.

17 CHAIRWOMAN KRUEGER: Thank you.

18 CHAIRWOMAN WEINSTEIN: So next, the
19 New York State Office of Temporary and
20 Disability Assistance. The commissioner is
21 not here, but we have Barbara Guinn,
22 executive deputy commissioner.

23 Just wait a moment till OCFS leaves.

24 EX. DEP. COMM. GUINN: Sure.

1 CHAIRWOMAN WEINSTEIN: Okay. So,
2 Deputy Commissioner, you can proceed.

3 EX. DEP. COMM. GUINN: Good morning.
4 Good morning, Chairs Weinstein, Krueger,
5 Hevesi and Persaud, and other members of the
6 Legislature. I am Barbara Guinn, the
7 executive --

8 CHAIRWOMAN WEINSTEIN: I'm sorry, can
9 you just wait a moment?

10 EX. DEP. COMM. GUINN: Sure.

11 CHAIRWOMAN WEINSTEIN: Do we have the
12 testimony?

13 Just hold one moment. Okay, I'm
14 sorry. We were -- I think people anticipated
15 the other segment going a little longer. So
16 please proceed.

17 EX. DEP. COMM. GUINN: Okay, thank
18 you. Good morning, Chairpersons Weinstein,
19 Krueger, Hevesi and Persaud, and other
20 members of the Legislature. I am Barbara
21 Guinn, the executive deputy commissioner of
22 the State Office of Office of Temporary and
23 Disability Assistance, and I am honored to be
24 here today on behalf of OTDA to discuss the

1 state 2020 budget and the important work of
2 our agency.

3 OTDA's mission is to help vulnerable
4 New Yorkers meet their essential needs and
5 advance economically by providing
6 opportunities for stable employment, housing
7 and nutrition. This work is accomplished in
8 cooperation with local social services
9 districts. Each month our efforts result in
10 the issuance of critical benefits to help
11 millions of low-income households meet their
12 basic needs, including the issuance of
13 Supplemental Nutritional Assistance Program
14 benefits, public assistance, and state
15 supplement payments for the aged, blind and
16 disabled.

17 Under the Governor's leadership,
18 progress continues in our efforts to provide
19 New York's most vulnerable residents with
20 affordable, safe and secure housing. The
21 budget continues the Governor's unprecedented
22 \$20 billion investment in affordable housing,
23 which is creating over 100,000 units of
24 affordable housing and 6,000 units of

1 supportive housing over a five-year period.

2 OTDA oversees numerous activities to
3 address homelessness, including homeless
4 prevention services, the provision of rent
5 supplements, funding the construction and
6 operating costs for homeless housing, and
7 housing retention services.

8 The Executive Budget includes
9 \$64 million for OTDA's Homeless Housing and
10 Assistance Program, which provides capital
11 grants and loans for nonprofit corporations
12 and municipalities to expand and improve the
13 supply of permanent, transitional, and
14 emergency housing for homeless persons. HHAP
15 projects serve a full range of homeless
16 populations, including but not limited to
17 victims of domestic violence, youth,
18 veterans, and those suffering from mental
19 illness or substance abuse disorders.

20 Last year, 22 projects were funded
21 through HHAP, consisting of nearly 600 units
22 and more than 1,300 beds of homeless housing.
23 We expect to invest in a similar number of
24 projects this year.

1 OTDA has also greatly expanded
2 oversight of emergency homeless shelters in
3 recent years. In 2018, OTDA completed
4 inspections of all publicly funded homeless
5 shelters in New York, nearly 700 in total.
6 OTDA is now working with the districts and
7 shelter providers to ensure the needed
8 corrective action has been taken to address
9 any cited deficiencies. As a result,
10 improvements are being made in shelter
11 safety, security and habitability, along with
12 improved services to help residents secure
13 permanent housing.

14 Last year OTDA adopted a new
15 requirement for local social services
16 districts to develop comprehensive homeless
17 services plans to improve the coordination
18 and delivery of homeless services, including
19 outreach to homeless individuals. Local
20 districts are also required to periodically
21 report on outcomes to gauge the effectiveness
22 of these efforts. This outcome reporting is
23 expected to improve the delivery of homeless
24 services and permit us to better assess what

1 services are most effective. We will be
2 monitoring these activities closely.

3 The Governor has continued to make a
4 strong commitment to fighting hunger. The
5 supplemental nutrition assistance program
6 plays a key part in those efforts by helping
7 more than 2.7 million low-income working
8 people, older adults and others to feed their
9 families each month. New York has taken
10 numerous steps in recent years to extend food
11 assistance to New Yorkers in need.

12 While New York has one of the highest
13 SNAP participation rates nationally among
14 older adults and disabled adults, we know
15 that there are likely tens of thousands who
16 are eligible but still do not receive
17 assistance. By simplifying the application
18 process, OTDA can further increase
19 participation among these groups while
20 simultaneously improving nutrition and
21 reducing healthcare costs.

22 OTDA has requested a waiver from the
23 U.S. Department of Agriculture to permit
24 New York State to streamline the SNAP

1 application and reduce reporting requirements
2 for those who are elderly and disabled.

3 Additionally, New York will be the
4 first state in the nation to participate in a
5 SNAP online purchasing pilot program that
6 will allow recipients to purchase their
7 groceries online using SNAP benefits. This
8 effort will expand access to healthy,
9 affordable food, particularly for those who
10 are elderly, homebound or who live in areas
11 where access to healthy, affordable food is
12 limited.

13 The state fiscal year 2020 budget
14 provides \$44 million for the Summer Youth
15 Employment Program, which provides low-income
16 youth with constructive workforce experiences
17 that can help expand their education and
18 career goals. This amount represents a
19 \$4 million increase to help account for the
20 most recent minimum wage increase in the
21 state. The program helped more than 19,000
22 youth get a summer job last year, and we
23 expect the same this summer.

24 The Executive Budget also advances

1 legislation permitting public assistance
2 recipients to engage in 90-day job tryouts.
3 If enacted, participants will work with
4 for-profit, nonprofit and public-sector
5 employers, which will enable them to learn
6 about their employer and their job while
7 receiving training to learn skills specific
8 to their workforce.

9 This job opportunity will benefit
10 individuals with barriers to employment,
11 young adults, or individuals who have a
12 limited work history, by offering a new
13 pathway to employment. Participating
14 employers will in turn agree to hire those
15 workers who demonstrate the necessary skills
16 following the end of the job tryout period.

17 The Governor's budget invests in a new
18 Refugee and Immigrant Student Welcome Grant,
19 in recognition of the difficulties children
20 of refugees and immigrants face in
21 acclimating to their new communities. These
22 grants will provide \$1.5 million a year for
23 five years to schools with higher refugee and
24 immigrant populations to improve the delivery

1 of services, ensuring these children have the
2 support needed to not only handle academic
3 challenges but social, emotional, and health
4 concerns as well. This underscores the
5 Governor's commitment that New York will
6 continue to welcome refugees and immigrants.

7 The Governor's budget also continues
8 New York State's commitment to OTDA's other
9 core programs. This budget includes
10 resources to support the agency's child
11 support program, which collected more than
12 \$1.8 billion on behalf of nearly 820,000
13 families last year. Child support is an
14 important source of income that helps
15 families achieve financial stability, reduces
16 child poverty, and encourages parents to be
17 more active in the lives of their children.

18 Additionally, the Home Energy
19 Assistance Program helped more than
20 1.4 million older adults and low- and
21 middle-income New Yorkers to heat their homes
22 last winter and reduce energy needs through
23 energy efficiency investments. OTDA also
24 continues to play an active role in the

1 Governor's Low-Income Energy Task Force, a
2 collaborative effort among state agencies to
3 develop new strategies to expand low-income
4 New Yorkers' access to clean energy and
5 ensure they are better served by the state's
6 energy efficiency and assistance programs.

7 In the wake of the uncertainty caused
8 by the federal government shutdown, the state
9 acted quickly to issue February SNAP benefits
10 to 1.4 million households early, about
11 93 percent of the current caseload, to ensure
12 sufficient federal funding for February
13 benefits. This unprecedented action
14 prevents, at least temporarily, the loss of
15 nutrition assistance for 2.7 million
16 New Yorkers, as the federal government fails
17 to live up to its responsibilities.

18 We are honored to have a critical role
19 in helping low-income households meet their
20 basic needs as they work to achieve financial
21 stability.

22 Thank you for the opportunity to speak
23 with you today. I welcome your comments and
24 questions.

1 CHAIRWOMAN WEINSTEIN: Thank you.

2 I will go to Assemblyman Hevesi, chair
3 of our Social Services Committee.

4 ASSEMBLYMAN HEVESI: Hi. Good
5 morning, Ms. Guinn. How are you?

6 EX. DEP. COMM. GUINN: Good morning.
7 Good.

8 ASSEMBLYMAN HEVESI: Good. So first I
9 want to thank you and your staff for the
10 great work you guys do. I do take issue with
11 the fact that the Executive seems to be
12 stealing staff from the Assembly. You guys
13 took Erin, the OCFS took Naomi. You guys are
14 killing me. If you come after my Jens or
15 Marie, there's going to be trouble. We'll
16 just keep producing talent for you,
17 though.

18 EX. DEP. COMM. GUINN: Thank you.
19 We'd appreciate that.

20 ASSEMBLYMAN HEVESI: I also want to
21 say thank you for what the Executive has done
22 to deal with the SNAP scare from the federal
23 government. The federal government is
24 falling down on the job. People are scared

1 to death, and they're worried that their SNAP
2 benefit, food stamp benefits, are not coming.
3 And the fact that you got them out early to
4 help alleviate that is much appreciated. I
5 really thank you for that. We hope that
6 doesn't drag on for long.

7 I have a variety of questions on
8 different topics. I'm going to try to go
9 quickly, if I can.

10 And there's a lot of good stuff in the
11 budget. There's stuff I don't like. I don't
12 like, I will tell you, the lack of addressing
13 the homelessness crisis. I know that the
14 state is building. The HHAP money is good,
15 and I appreciate that. But with 23,000 more
16 people becoming homeless every year, we're
17 not building our way out of the homeless
18 crisis.

19 And also I would suggest that next
20 year I hope there will be more money coming
21 for supportive housing. I know you've done
22 6,000 units, and I appreciate that, but we
23 need to fulfill that commitment.

24 Now, let me go to the temporary

1 operator provision, because I'm unclear on --
2 it looks to me like you're extending it for
3 three years. Am I correct, to 2021?

4 EX. DEP. COMM. GUINN: Correct.

5 ASSEMBLYMAN HEVESI: Okay. Why? Have
6 any counties lost public-assistance
7 reimbursements for not submitting a plan to
8 OTDA? I mean --

9 EX. DEP. COMM. GUINN: No, we have not
10 needed to rely on that provision yet. But we
11 are looking to extend it just in case there
12 is an emergency need for a temporary
13 operator.

14 ASSEMBLYMAN HEVESI: And has any
15 shelter in the state had to have a temporary
16 operator come in?

17 EX. DEP. COMM. GUINN: We have not
18 needed to use that provision to date.

19 ASSEMBLYMAN HEVESI: I mean -- okay.
20 So -- okay. I didn't like the idea of the
21 temporary operator, for obvious reasons. It
22 scares me a little bit. But the fact that it
23 wasn't needed, I will respectfully question
24 the logic of extending it. We can agree to

1 disagree.

2 I want to thank you for the human
3 trafficking money in the budget; there's an
4 extra \$2 million. That's great. What's that
5 going for? And I ask that question in the
6 context of the bill that both houses of the
7 Legislature passed unanimously last year that
8 would provide for culturally competent
9 shelters, mandated shelters for victims of
10 human trafficking. But 2 million doesn't
11 seem like a lot. Where is that money going
12 to go?

13 EX. DEP. COMM. GUINN: Okay. So yes,
14 the \$2 million that is added to the
15 appropriation to support victims of human
16 trafficking is directly the result of the
17 legislation that was passed last year.

18 It is intended primarily, though, to
19 address the increase in the individuals, the
20 groups of individuals that we are authorized
21 to serve through that program, because there
22 was an expansion in terms of the groups that
23 OTDA's nonprofits would serve.

24 We have also made amendments through

1 our contracts to make it clear that the
2 providers can use those funds that are
3 available to secure safe housing, in the
4 event that that is a need for the victim. It
5 does not -- as you referenced, it does not
6 intend to fully address the need for safe
7 houses. That's something that we are
8 continuing to work on and explore, kind of
9 what would be the smartest approach moving
10 forward, can we leverage some existing
11 capital construction that's out there and
12 make beds available to victims of human
13 trafficking, or what other alternatives are
14 there. So that is something that we intend
15 to work on throughout the year, and we would
16 welcome any input from you or other members
17 of the Legislature.

18 ASSEMBLYMAN HEVESI: Okay. So I
19 appreciate the 2 million. But the law
20 mandates that you have to have this housing
21 now. So are we going to have capital money
22 and operating money in this budget to fulfill
23 the law that we all voted for, every member
24 of the Legislature?

1 EX. DEP. COMM. GUINN: So again, what
2 we have done is we've, you know, made it
3 clear in our contracts that those are
4 services that can be provided. But you are
5 correct that the budget does not include
6 specific funding associated with capital
7 construction that may be needed for safe
8 housing.

9 ASSEMBLYMAN HEVESI: Okay, I just --
10 we can have conversations offline. I know
11 it's needed. The numbers of human
12 trafficking victims are pretty high.

13 I don't know why the chairwoman is
14 harassing me as I'm speaking, but --

15 CHAIRWOMAN WEINSTEIN: -- just doing
16 housekeeping.

17 ASSEMBLYMAN HEVESI: Housekeeping,
18 okay.

19 Next topic. The cost shift for
20 New York City's share of family assistance --
21 why is it that New York City alone is being
22 asked to contribute to the local cost of
23 family assistance in the form of 10 percent
24 of the total cost? Why is -- how did we come

1 up with that?

2 EX. DEP. COMM. GUINN: So right now
3 family assistance expenditures throughout the
4 state are reimbursed 100 percent with federal
5 funding. And this increase to require New
6 York City to contribute 10 percent is
7 primarily just due to the fact that their
8 expenditures for that caseload are far out of
9 proportion of their share of the caseload.

10 So the hope is is that by having at
11 least just a nominal share at stake, that
12 perhaps they can seek additional
13 efficiencies. But again, still 90 percent of
14 those expenditures will be reimbursed.

15 ASSEMBLYMAN HEVESI: Okay. Just --
16 it's a big hit to the city. They're saying
17 it's over \$100 million. And that's federal
18 money, it's a pass-through from the state.
19 So I'm just not clear, if the state saves
20 money off of that, where is that money going
21 to go?

22 EX. DEP. COMM. GUINN: So again, it is
23 federal funding, but it's federal funding
24 that comes from a capped block grant. The

1 Temporary Assistance to Needy Families block
2 grant is capped. It has not been increased
3 since it was first implemented in 1996. And
4 that block grant is fully committed, as you
5 can see in OTDA's budget, to meet a range of
6 needs for low-income individuals.

7 ASSEMBLYMAN HEVESI: But it will be
8 used -- whatever is left over that the state
9 saves will be used for low-income
10 individuals.

11 EX. DEP. COMM. GUINN: Absolutely.

12 ASSEMBLYMAN HEVESI: Okay, thank you.

13 Then let me ask you about the
14 additional \$4.5 million for the poverty
15 reduction initiatives. My limited research
16 into the poverty reduction initiatives did
17 not yield great results. As a matter of
18 fact, finding out how the money was spent was
19 pretty difficult. Why are we adding more
20 money to a program that I can't tangibly say
21 has had a positive impact? I'm not against
22 it, because, you know, if you're putting
23 money towards poverty, I'm for it. But I
24 don't know the results of those programs, so

1 it makes me wary.

2 EX. DEP. COMM. GUINN: Okay. So first
3 of all, if you've had difficulty getting
4 access about what's going on with the
5 existing funding, we would be more than happy
6 to sit down with you or your staff and
7 provide information or submit information to
8 you.

9 ASSEMBLYMAN HEVESI: Great.

10 EX. DEP. COMM. GUINN: In terms of the
11 outcomes, the Empire State Poverty Reduction
12 Initiative was structured in a way that was
13 clearly intended to have broad community
14 input and be very much grassroots-driven. As
15 a result, it has taken, I think, each of the
16 areas much more time than they anticipated,
17 both to establish their workgroups but also
18 for those workgroups to come to
19 recommendations for the local task forces on
20 how they would like to invest those funds.

21 So in most areas, to be honest, they
22 are just getting underway in terms of not the
23 work of the task force but the work of
24 actually investing in opportunities to reduce

1 poverty at the local area.

2 ASSEMBLYMAN HEVESI: So can I
3 recommend something? So -- first of all, I
4 appreciate the fact that you've put
5 \$4.5 million in. That's great. But I would
6 respectfully suggest that -- how many task
7 forces were there? There were like 15 --

8 EX. DEP. COMM. GUINN: Sixteen.

9 ASSEMBLYMAN HEVESI: Sixteen, right.
10 I know that Rochester is doing bang-up job.
11 I visited them. I know some others couldn't
12 even tell me what they've done with the money
13 so far. So instead of putting more money
14 into a program that we don't know the results
15 yet -- which I'm happy that you have money --
16 I would respectfully suggest that we wait to
17 see if those programs yield the results we're
18 looking for and use 4.5 million for some
19 other benefit that we could all come to
20 agreement on, for programs that actually
21 exist -- childcare subsidies or Raise the Age
22 or Close to Home or something else. I just
23 ask you to consider that.

24 EX. DEP. COMM. GUINN: Right. So I

1 think that the \$4.5 million, one reason why
2 it is essential is that it will continue to
3 fund the staff at the nonprofits who are
4 overseeing the work of the local task forces.
5 And they are the ones who are responsible for
6 implementing the programs, overseeing them,
7 monitoring them, and then being able to tell
8 us, as you've asked, exactly what are the
9 outcomes that we've seen.

10 ASSEMBLYMAN HEVESI: That is a very
11 good answer, because I don't want to take
12 money away from nonprofits who are doing a
13 good job. But I don't know the results of
14 the programs yet, so just -- I want to have a
15 further conversation offline with you about
16 that.

17 EX. DEP. COMM. GUINN: Sure.

18 ASSEMBLYMAN HEVESI: And then finally,
19 the work experience program that you guys
20 came up with, very interesting. First of
21 all, I like the idea that you have -- in the
22 90-day period it can count as a work
23 activity. That's great.

24 But tell me about the program, because

1 to be honest with you, I don't want to
2 misrepresent it.

3 EX. DEP. COMM. GUINN: Okay. So the
4 program is structured so that individuals who
5 are in receipt of public assistance for a
6 90-day period would be placed with and
7 working with an employer. During that 90-day
8 period, they would continue to receive their
9 public assistance SNAP or any other benefits
10 that they are eligible for.

11 During the 90-day period, they would
12 learn more about the workforce and
13 demonstrate their ability to be successful --

14 ASSEMBLYMAN HEVESI: Can I cut you
15 off? Because I have 25 seconds and I don't
16 want to go over.

17 EX. DEP. COMM. GUINN: Okay.

18 ASSEMBLYMAN HEVESI: Number one, the
19 Assembly has had a bill for a couple of years
20 to get rid of work experience programs
21 because we have seen them become indentured
22 servitude, where people are getting their
23 benefits which they are legally entitled to,
24 they're required to work, and they're not

1 getting any training. And they never get off
2 public assistance. That's number one. So it
3 scares me.

4 And number two, in your proposal, as I
5 can tell, there's no requirement that after
6 the 90-day period that the employer keep that
7 person in a job for any period of time. So
8 they can give them a job for a day and then,
9 you know, we benefit nothing, because that
10 person may or may not have been trained and
11 doesn't have a permanent job.

12 I'm not against the idea, I just think
13 we need to flesh it out some more.

14 Sorry for going over my time,
15 Chairwoman.

16 CHAIRWOMAN WEINSTEIN: Thank you,
17 Mr. Hevesi.

18 Senate?

19 CHAIRWOMAN KRUEGER: (Pause.) I'm
20 sorry. Excuse me. So sorry.

21 Senator Roxanne Persaud, chair of the
22 Social Services Committee.

23 SENATOR PERSAUD: Thank you,
24 Commissioner, it's great to see you again.

1 I'm just going to continue what
2 Assemblymember Hevesi was talking about, the
3 public assistance program.

4 Could you tell us -- you know, we were
5 having this conversation last night as to
6 whether, you know, the 90 days is here, and
7 the day after, the employer says, you know,
8 we have nothing for you, we'll let you go, or
9 the person who was in the program, three days
10 after the 90 days, they decide to show their
11 true colors. There's nothing that's built in
12 that says -- a requirement that says what
13 must be done.

14 EX. DEP. COMM. GUINN: So again, I do
15 want to make it clear that this is very
16 different and distinct from the work
17 experience program that I know some members
18 have concerns with, the primary difference
19 being that it is directly connected to a job
20 placement. And so after that 90-day period,
21 the individual would be expected to be hired
22 in paid employment with that employer. Which
23 is very different from work experience. It
24 also is time-limited, which is very different

1 from work experience.

2 SENATOR PERSAUD: Can it say what
3 kinds of employment they must offer? Because
4 they can say they're in a program and then
5 just, you know, what they're training them
6 for, and after the 90 days they --

7 EX. DEP. COMM. GUINN: So the
8 expectation would be that -- the social
9 services districts would have agreements with
10 these employers, and the expectation would be
11 that the position that they were brought into
12 for the tryout would be the position that
13 they would then become a full-time paid
14 employee in that position.

15 There are protections put in place
16 with the legislative language as well where
17 if the employer does not retain the employee
18 at the end of the tryout period, they would
19 be barred for periods of time from
20 participating in the program.

21 And also I would say if the districts
22 see -- and we could certainly enforce this
23 provision. If districts find that at the end
24 of that 90-day period that the person is only

1 hired for a limited time and then let go
2 without good cause, such as plant closure,
3 something like that beyond the employer's
4 control, then, again, we would encourage
5 districts to not engage with that employer.

6 That really would have no benefit to
7 either the individual or the social services
8 district. The goal is for individuals to
9 have a new opportunity to private-sector
10 employment that's lasting.

11 SENATOR PERSAUD: Do you have a number
12 as to how many recipients would be eligible
13 for this program?

14 EX. DEP. COMM. GUINN: I don't have a
15 number, but I would say any public assistance
16 recipient that is capable of working and
17 looking for work would be eligible to
18 participate, to the extent that the social
19 services districts are able to bring
20 employers into the program and encourage
21 their participation.

22 SENATOR PERSAUD: Why not ask the
23 employers to make it a mandatory program if
24 they're participating, instead of, you know,

1 their having the choice? Why isn't it
2 mandatory, the employment aspect?

3 EX. DEP. COMM. GUINN: Well, I mean,
4 with the current construct with public
5 assistance programs, any individual can be
6 required to participate in any work
7 preparation activity, including looking for
8 work, education, training, a various range of
9 programs.

10 And so again, this is just another
11 opportunity that will give districts a work
12 opportunity that has a very direct
13 relationship to paid employment.

14 SENATOR PERSAUD: Do you have a
15 timeline when you'll put out a report on, you
16 know, whether the program -- the success of
17 the program?

18 EX. DEP. COMM. GUINN: I would say
19 that if it's enacted, we would move quickly
20 to issue guidance. And hopefully next year,
21 if not sooner, then February of next year we
22 would be able to report back to you on how
23 the program is going.

24 SENATOR PERSAUD: Okay. And we put in

1 place, you know -- hoping this is going to go
2 through, how are you going to be putting out
3 the information, letting people know of this
4 program?

5 EX. DEP. COMM. GUINN: Because it
6 would be up to the social services districts
7 to develop these jobs, we would put a
8 directive out to the social services
9 districts governing the program along with
10 regulations governing the provisions of the
11 program.

12 SENATOR PERSAUD: Okay. Thank you.

13 Going back to homelessness, as you
14 know, the homelessness crisis does not seem
15 to be ending. I think every day you look
16 around and there are more people on the
17 streets than ever before. And more people
18 are coming to the State of New York because
19 they are told that it's easier to receive
20 services when you come to the State of
21 New York. And so you come, and you're on the
22 street.

23 How do we prevent this from happening,
24 people just coming to New York because they

1 know it's easier if they are on the street
2 the first day that we're offering them
3 services?

4 EX. DEP. COMM. GUINN: I don't think
5 there's anything we can do to prevent a
6 person from coming to New York. I mean, we
7 welcome --

8 SENATOR PERSAUD: No, we're not trying
9 to prevent them from coming to New York.
10 It's the social service aspect of it, them
11 coming because they know, day one you're on
12 the street, we'll do something.

13 EX. DEP. COMM. GUINN: Right. I mean,
14 New York does have a rich array of services
15 under the social services umbrella, and
16 anyone who is a resident of New York would be
17 able to apply for those programs and benefits
18 just like anyone else.

19 I think that the only -- you know, in
20 the event we could get other states to have
21 the full range of services that New York has,
22 that could make a difference. But I --
23 again, anyone who comes is not only eligible
24 but welcome to apply for services they may

1 need.

2 SENATOR PERSAUD: How closely are you
3 working with local governments to prevent the
4 homelessness issues we're experiencing?

5 EX. DEP. COMM. GUINN: So we work
6 closely with New York City and other
7 localities with respect to homelessness in a
8 number of ways, both with respect to helping
9 to support funding associated with
10 prevention, to prevent homelessness in the
11 first place.

12 We also work with them in our
13 monitoring of the shelter system to make sure
14 that homeless housing that is out there is
15 safe and, again, providing the services that
16 are needed. And that's really important that
17 residents of homeless shelters are receiving
18 services to help them secure permanent
19 housing.

20 We also work with them in a new
21 provision that's in place now which we are
22 having each social services district
23 throughout the state develop comprehensive
24 homeless services plans. And part of that is

1 really an effort to encourage more
2 collaboration among the range of homeless
3 services providers but also, importantly, to
4 provide us at the state level more
5 comprehensive data about the different
6 homeless services preventions so we're better
7 able to assess what's really working.

8 SENATOR PERSAUD: You know, we're
9 doing all of that, but the problem is it's
10 increasing.

11 EX. DEP. COMM. GUINN: It is. And I
12 think that the primary investment that's made
13 in this budget to try to stop the rise in
14 homelessness -- which did increase just
15 slightly last year -- the primary investment
16 to prevent homelessness is really through
17 affordable housing. And so that would both
18 be through affordable housing programs
19 operated by Homes and Community Renewal, and
20 then also the supportive housing programs
21 where OTDA does play a role.

22 Also kind of outside of our budget but
23 very important is also some of the tenant
24 protections that the Governor has included in

1 his budget proposal and State of the State to
2 help individuals stay housed.

3 SENATOR PERSAUD: My final question,
4 it's the temporary operator authority.
5 Again, I'll ask that question again, we
6 haven't had anyone who needed a temporary
7 operator. Why are we really asking for the
8 extension? You're saying just in case, but
9 we're seeing that over time we really haven't
10 had the need.

11 EX. DEP. COMM. GUINN: Again, we --
12 you know, I think similar to what
13 Commissioner Poole said, we certainly are
14 working with respect to our oversight of the
15 shelter system to address deficiencies and to
16 get them corrected as soon as possible. But
17 again, just in the event that we do need a
18 temporary operator, we want to make sure that
19 there's provision for that.

20 SENATOR PERSAUD: Do you have any
21 plans in place for any new temporary
22 shelters?

23 EX. DEP. COMM. GUINN: Does OTDA have
24 plans in place?

1 SENATOR PERSAUD: Yeah.

2 EX. DEP. COMM. GUINN: We do not
3 control the kind of opening and closing --
4 well, sometimes closing, if there are
5 deficiencies. But in terms of the opening of
6 new shelters, that's really a local decision
7 about the need. And then the social services
8 districts would then present a plan or a
9 request to us for us to issue a certificate
10 of operation.

11 SENATOR PERSAUD: Have you received
12 any of those?

13 EX. DEP. COMM. GUINN: We have
14 received several of those over the past year.

15 SENATOR PERSAUD: Have you received a
16 number of them from New York City?

17 EX. DEP. COMM. GUINN: We have
18 received a number from New York City.

19 SENATOR PERSAUD: Would you be able to
20 give us areas of the city that you have
21 received the request for?

22 EX. DEP. COMM. GUINN: Sure. I don't
23 have that information with me here today, but
24 we certainly could get back to you on those

1 applications.

2 SENATOR PERSAUD: Okay, thank you very
3 much.

4 CHAIRWOMAN KRUEGER: Assembly.

5 CHAIRWOMAN WEINSTEIN: Thank you.

6 Assemblywoman Didi Barrett.

7 ASSEMBLYWOMAN BARRETT: Thank you.

8 Thanks for being here, and thank you. Thank
9 you, Chair.

10 I am the newly appointed chair of
11 Veterans Affairs. And I know this is --
12 there's another piece of this testimony
13 that's focused on that. But I'm particularly
14 interested in what your office is focusing on
15 around veterans, and I would say specifically
16 homeless women veterans returning and whether
17 you're keeping track of these numbers,
18 whether you're monitoring this population,
19 whether there's any specific information that
20 you're gathering that could be helpful to us
21 to make sure that we're doing what we should
22 be doing for these people who are serving our
23 country in, you know, the most profound way.

24 EX. DEP. COMM. GUINN: Right. So of

1 the approximately 92,000 homeless in the
2 State of New York, I believe we have about
3 1,300 homeless who are veterans.

4 ASSEMBLYWOMAN BARRETT: Who you know
5 are veterans.

6 EX. DEP. COMM. GUINN: Who we know are
7 veterans. Correct, that would be accurate.

8 I guess from a positive standpoint, we
9 have seen a significant reduction in the
10 number of veterans who are homeless in the
11 State of New York. I believe we've seen
12 about an 80 percent reduction since I believe
13 2010.

14 ASSEMBLYWOMAN BARRETT: Counties are
15 working hard on that, I know.

16 EX. DEP. COMM. GUINN: Yes, I was
17 going to say and that is primarily --
18 definitely -- thanks to the efforts at the
19 local level both by the social services
20 districts, also some federal prioritization
21 in terms of the funds available that are
22 available to address homelessness through the
23 continuum-of-care organizations. And so
24 again, the priority that localities have

1 placed on reducing the number of homeless
2 veterans has definitely paid off.

3 With respect to -- you asked about
4 female veterans, and that is something,
5 again, I don't have that information. I
6 would have to check to see if we have a
7 breakdown -- which we probably do -- in terms
8 of male versus female.

9 ASSEMBLYWOMAN BARRETT: And is that
10 data that you would normally collect or --

11 EX. DEP. COMM. GUINN: Again, with the
12 homeless services plans, that's another
13 reason that those are important for us, is to
14 get better data on a routine basis about the
15 nature of homelessness in New York State.

16 Most of the information -- while
17 New York City publicly displays a lot of
18 information that we have access to, some of
19 the other information is not routinely
20 provided but will be routinely provided once
21 these homeless services' plans are up this
22 spring. We do have access to the information
23 that is collected from the point-in-time
24 surveys done each January.

1 ASSEMBLYWOMAN BARRETT: Let me just
2 ask you another question in this vein here.
3 You know, I'm always kind of stymied by --
4 and I've used this example before, that if
5 you're, you know, a Vietnam vet, which means
6 you're probably over 65 or more, you're
7 dealing with PTSD, you're dealing with
8 similar issues, you're homeless, you're
9 struggling with substance abuse. That's like
10 six -- five different agencies that you have
11 to be accessing and figuring out how to
12 negotiate under very challenging
13 circumstances.

14 Is there any effort to be breaking
15 down these silos and you meeting with
16 other -- I mean, I know the federal funding
17 stream suggests that you've got to do this in
18 some certain protocol. It just seems in
19 terms of human services that we're missing a
20 real opportunity here. Is that something
21 that your office has expressed any interest
22 in taking the lead on or looking at or any of
23 that?

24 EX. DEP. COMM. GUINN: Right. We

1 recognize that human services is delivered
2 through a number of different agencies, in
3 particular at the state level. And one of
4 the things that we are working on and have
5 been working on over the past year is to
6 improve -- in particular when it comes to the
7 homeless situation and addressing the needs
8 of the homeless, is to improve the service
9 delivery.

10 And we have brought together state
11 representatives and local representatives
12 from the various agencies in trying to come
13 to better approaches to make sure that things
14 are well-coordinated and that individuals'
15 needs are being fully addressed.

16 ASSEMBLYWOMAN BARRETT: Well, I would
17 encourage that. I'm glad to hear that and
18 certainly encourage especially, you know,
19 when you get the mental health issues and the
20 substance abuse issues, which are again also
21 separate, you know, that that is part of the
22 conversation as well.

23 EX. DEP. COMM. GUINN: Right. And
24 again I would just add, you know, that again

1 at the Governor's direction, both OASAS and
2 the Office of Mental Health have actually
3 over the past year also spent a good deal of
4 time working with us to help make sure that
5 those services are kind of pushed into the
6 shelter system to make sure that individuals
7 who are homeless have access to those
8 necessary services where that clearly is an
9 underlying contributing factor to the fact
10 that they are homeless.

11 ASSEMBLYWOMAN BARRETT: And obviously
12 shelters are not fully robust in every one of
13 our counties either.

14 EX. DEP. COMM. GUINN: Right.

15 ASSEMBLYWOMAN BARRETT: So it's the
16 long-term housing solutions that we need to
17 be looking at as well.

18 EX. DEP. COMM. GUINN: Absolutely.

19 ASSEMBLYWOMAN BARRETT: Great. Thank
20 you very much.

21 EX. DEP. COMM. GUINN: You're welcome.

22 CHAIRWOMAN WEINSTEIN: Thank you. I
23 just want to acknowledge that Assemblyman
24 Billy Jones has joined us -- a while ago,

1 actually.

2 Senate?

3 CHAIRWOMAN KRUEGER: Thank you.

4 Senator Seward.

5 SENATOR SEWARD: Thank you.

6 Thank you for being with us,
7 Ms. Guinn, and I just had a couple of
8 questions for you. I just wanted to kind of
9 get some clarification.

10 The Executive Budget as I read it
11 projects a 1.1 percent decline in a family
12 assistance caseload, but it also includes an
13 increase in the appropriation authority of
14 \$90 million for this Family Assistance
15 Program. You know, in light of the overall
16 decline in caseload, why is OTDA requesting
17 an additional appropriation authority there?

18 EX. DEP. COMM. GUINN: Right. So
19 while the caseload is declining slightly,
20 there are a lot of different factors that
21 play into the amount of money that's needed
22 to support those benefit payments and
23 services to that population. It could
24 include special payments that are necessary,

1 potentially due to litigation, or even
2 increased services that are being provided
3 for that population, including services for
4 homeless individuals.

5 SENATOR SEWARD: I see. So the
6 remaining caseloads in some cases are more
7 expensive, is that what you're -- to provide
8 services?

9 EX. DEP. COMM. GUINN: Correct. The
10 range of services that are provided, and the
11 benefits, overall there is a slight increase
12 in funding needed to support those.

13 SENATOR SEWARD: Okay. Switching to
14 the Safety Net Assistance Program, which is
15 of course in state dollars, reading there
16 would indicate that the budget proposes an
17 increase in appropriation authority of
18 \$14.7 million on a projected caseload of
19 .4 percent. So that's a slight uptick in
20 terms of the safety net caseload.

21 To what do you attribute this uptick
22 in the Safety Net Assistance Program?

23 EX. DEP. COMM. GUINN: So again, it
24 would be that even though kind of the

1 base-level benefits are staying the same,
2 there are a lot of different factors that
3 play into the overall amount of money that's
4 needed to support that caseload.

5 Again, it could include payments that
6 are necessary as a result of prior
7 litigation, which could result in increased
8 payments to some households or increased
9 recipients; and then also, again, related
10 services, including the provision of shelter
11 services.

12 SENATOR SEWARD: My question is, to
13 what do you attribute the uptick in terms of
14 the Safety Net Assistance Program caseload?

15 EX. DEP. COMM. GUINN: Oh, in terms of
16 the population, the increase overall?

17 SENATOR SEWARD: Right.

18 EX. DEP. COMM. GUINN: Again, I think
19 it's a very small increase. So I think it's
20 just that that population doesn't tend to
21 adjust as quickly to improved economic
22 conditions. So as we see the family caseload
23 is declining a bit, that caseload tends to be
24 comprised of individuals who are more able to

1 work, versus our safety net population tends
2 to be prominently comprised of individuals
3 who have barriers to employment, and it's not
4 as readily able to rejoin the workforce as
5 the families.

6 SENATOR SEWARD: Does your agency have
7 any plans for taking additional steps to
8 reverse that trend or to change some of the
9 conditions that you've just outlined?

10 EX. DEP. COMM. GUINN: Right. And
11 again, because that population has such
12 serious needs -- and I think going back to
13 the question that was asked previously, some
14 of those services certainly go beyond the
15 range of services that OTDA oversees.

16 So one thing that we have been doing,
17 again, is working closely with our colleagues
18 at the Office of Mental Health and OASAS,
19 trying to make sure that those needy
20 individuals have access to those services.

21 Again, their reason for homelessness
22 or their reason simply for relying on public
23 assistance is often not simply due to their
24 inability to find work, but to underlying

1 barriers that really need to be addressed.

2 And so we are trying to -- again, working
3 collaboratively with those partners, to bring
4 those services to that population.

5 SENATOR SEWARD: Well, thank you for
6 your responses. No further questions.

7 EX. DEP. COMM. GUINN: Okay, thank
8 you.

9 CHAIRWOMAN KRUEGER: Thank you.
10 Assembly.

11 CHAIRWOMAN WEINSTEIN: Thank you.
12 Assemblyman Barclay.

13 ASSEMBLYMAN BARCLAY: Thank you,
14 Chairwoman.

15 I had just one quick question about
16 the incentive for the businesses to
17 participate in the 90-day tryout. Why would
18 a business, why would they want to do this?

19 EX. DEP. COMM. GUINN: I think that
20 one reason -- well, businesses need workers.
21 And obviously when there are individuals in
22 populations that may be a little bit more
23 risky for them to take on, because someone
24 may not have a strong work history or perhaps

1 they've recently left incarceration, or other
2 factors that make it difficult for people to
3 secure employment -- there are businesses
4 that need workers and even businesses that
5 may want to reach out to those populations to
6 try to help them and bring them into the
7 workforce. This would enable them to do that
8 with less risk to their business.

9 ASSEMBLYMAN BARCLAY: How is it less
10 risk?

11 EX. DEP. COMM. GUINN: Because during
12 the 90-day tryout period they would not be on
13 the employer's payroll.

14 ASSEMBLYMAN BARCLAY: Okay. But they
15 have to hire them at the end of the 90 days.

16 EX. DEP. COMM. GUINN: They would need
17 to hire them at the end of the 90 days if the
18 individual in fact demonstrated that they
19 were able to perform the work.

20 ASSEMBLYMAN BARCLAY: Have you
21 considered providing tax credits or some sort
22 of incentive for a business to --

23 EX. DEP. COMM. GUINN: There certainly
24 are tax credits that provide incentives to

1 employers to hire disadvantaged populations
2 and individuals in need. And, you know,
3 there are other options too, as well as like
4 wage subsidy programs is another option that
5 is helpful to encourage employment among this
6 population. This again would just be simply
7 one other tool that's available to help these
8 individuals secure a job.

9 ASSEMBLYMAN BARCLAY: Thank you.

10 Thank you, Chairwoman.

11 CHAIRWOMAN WEINSTEIN: Thank you.

12 Senate.

13 CHAIRWOMAN KRUEGER: Thank you.

14 Senator Velmanette Montgomery.

15 SENATOR MONTGOMERY: Thank you.

16 Thank you, good afternoon -- is it
17 afternoon yet?

18 EX. DEP. COMM. GUINN: Yes, it is.

19 SENATOR MONTGOMERY: We -- we lose
20 sight of --

21 CHAIRWOMAN KRUEGER: Good afternoon.

22 SENATOR MONTGOMERY: Commissioner,
23 hello. How are you?

24 EX. DEP. COMM. GUINN: Hi, I'm good,

1 thank you.

2 SENATOR MONTGOMERY: I'm going to
3 follow up on one of the issues raised by my
4 colleagues in terms of the homelessness.

5 So I see that the Governor's budget
6 proposes a 30 percent reduction in funding
7 for DHCR, and some of that might be -- also
8 might impact affordable housing. But could
9 you give me some idea where your housing fund
10 is on HHAP? Because you mentioned the lack
11 of housing. And I know that you have a
12 special fund for housing --

13 EX. DEP. COMM. GUINN: Right.

14 SENATOR MONTGOMERY: -- and some of it
15 goes for the kind of housing that would
16 address homelessness.

17 EX. DEP. COMM. GUINN: Correct.
18 Right. Our agency oversees the Homeless
19 Housing and Assistance Program. And that
20 program is -- there's a \$64 million capital
21 appropriation within our agency to support
22 that. And it does go specifically to helping
23 to create homeless housing, with the vast
24 majority being supportive housing.

1 SENATOR MONTGOMERY: Okay, that sounds
2 very good. Is there any plan yet or does
3 this -- do you have a plan yet as to how you
4 intend to address that, especially in those
5 places that are particularly difficult, like
6 our -- like New York City?

7 EX. DEP. COMM. GUINN: HHAP certainly
8 plays a role in the development of supportive
9 housing in New York City as well as other
10 areas of the state. In rest of state it
11 tends to be a larger contributor to the
12 overall project, and often it cannot actually
13 be the sole source of support for that
14 project in rest of state.

15 In New York City, often because there
16 are often larger projects with multiple
17 funding streams, HHAP often serves as kind of
18 that critical grant component that enables
19 that supportive housing to really be
20 economically feasible for them to open in the
21 city.

22 Last year with respect to our
23 provision of units of homeless housing
24 through HHAP, I believe about 50 percent were

1 opened in New York City.

2 SENATOR MONTGOMERY: Okay. When you
3 have that, it would be interesting to see.

4 EX. DEP. COMM. GUINN: Okay.

5 SENATOR MONTGOMERY: One last related
6 question. The Empire State Poverty Reduction
7 Initiative, do you have any results on just
8 what areas, what the plans have been that
9 have been developed? Are they yielding any
10 success?

11 EX. DEP. COMM. GUINN: Right.
12 Certainly. That goes back to a question that
13 was raised earlier, Senator. And again,
14 those plans, the way the entire program was
15 structured, expected and required actually a
16 large amount of local collaboration, both in
17 the establishment of the task forces, to make
18 sure that there was broad-based community
19 input into the task forces, as well as
20 decision-making on how those funds would
21 actually be invested.

22 So areas now have plans in place, and
23 I would say many of them are just recently
24 starting to actually implement the programs

1 that the localities decided to fund.

2 You know, there's a broad range of the
3 services that are available in the different
4 areas. Most areas are including a workforce
5 component, in recognition of the important
6 role that employment plays as kind of like
7 the surest pathway out of poverty. So
8 there's a lot of workforce initiatives.
9 There are also some initiatives to kind of
10 bring kind of DSS caseworkers and to move
11 them out into the community, into community
12 hubs or even in schools, to make sure that
13 low-income families have access to the
14 services that they need.

15 And then a large number of other --
16 there are a lot of projects within the
17 different programs. And I would hope that,
18 again, the money that's in the budget is
19 really important to enable those nonprofits
20 to continue to oversee the implementation of
21 those projects. And hopefully next year we
22 will have specific results that we can bring
23 to your attention.

24 SENATOR MONTGOMERY: I certainly hope

1 I -- I have just a few seconds left. I would
2 like to see what those plans look like.

3 EX. DEP. COMM. GUINN: Sure.

4 SENATOR MONTGOMERY: And I'm very
5 interested in knowing the weight that those
6 plans place on jobs, as opposed to preparing
7 to think about a job. But a job is very
8 different, and so --

9 EX. DEP. COMM. GUINN: Absolutely. I
10 would completely agree with you.

11 SENATOR MONTGOMERY: Thank you.

12 CHAIRWOMAN KRUEGER: Thank you.

13 Assembly?

14 CHAIRWOMAN WEINSTEIN: Assemblywoman
15 Jaffee.

16 ASSEMBLYWOMAN JAFFEE: Thank you. We
17 discussed that there is a program for -- the
18 Summer Youth Employment Program. How does
19 that --

20 CHAIRWOMAN WEINSTEIN: Pull your mic
21 closer to you.

22 ASSEMBLYWOMAN JAFFEE: Does that work
23 better? Okay. Sorry.

24 You noted that in the budget there's

1 \$44 million for the Summer Youth Employment
2 Program. How does that evolve in certain
3 areas? Is it just in the city, is it certain
4 areas upstate? How does that develop? And
5 how do the students or the youth get engaged
6 in that?

7 EX. DEP. COMM. GUINN: Okay, thank you
8 for that question, Assemblymember.

9 The Summer Youth Employment Program is
10 a program that is available statewide. So
11 every county department of social services
12 receives an annual allocation to support the
13 program. So it is in every county.

14 In many instances the counties
15 actually then will kind of work in
16 partnership with the local workforce
17 investment board to actually administer the
18 program. Often that works best because they
19 have strong connections with employers, so
20 they do a really good job of getting a broad
21 range of employers to participate in the
22 program and a good mix of private sector as
23 well as nonprofit and public positions as
24 part of that.

1 So again, each year as soon as the
2 budget's passed, we issue the allocations,
3 along with instructions in terms of kind of
4 the broad program parameters for services,
5 including the fact -- the requirement to pay
6 individuals at least the state minimum wage.
7 And then, again, the counties submit a plan
8 to us about how they're implementing that
9 program.

10 In terms of youth and how the youth
11 get enrolled in the program, most areas have
12 very strong connections with the school
13 districts, so they're actually working with
14 the school districts and counselors during
15 the spring to make sure that they're getting
16 referrals to engage in that program.

17 And we also encourage strong
18 collaborations to try to also engage in
19 particular individuals with disabilities,
20 foster care youth, and other special-needs
21 populations.

22 ASSEMBLYWOMAN JAFFEE: Generally high
23 school, is that where it begins? Or is it --

24 EX. DEP. COMM. GUINN: Individuals are

1 eligible to participate in the program as
2 young as 14. It's 14 to 20. I think the
3 majority of participants are 16-to-17-
4 year-olds. But certainly it does start at
5 14.

6 ASSEMBLYWOMAN JAFFEE: Well, it sounds
7 like really a helpful program because you
8 have these youth during the summertime.
9 Instead of being in situations that are not
10 positive, here they have something positive.
11 So I thank you. That's very interesting.
12 I'll do a little more homework on that.

13 The next question is about the student
14 welcome grant regarding schools that have
15 large numbers of immigrant students. How
16 does that evolve?

17 EX. DEP. COMM. GUINN: So that
18 appropriation for that program is actually in
19 the State Education Department budget, and
20 OTDA is identified as an agency that would
21 help to administer the grant.

22 So the funds will be targeted to
23 school districts that have high percentages
24 of refugees and immigrants. And we have not

1 had the opportunity, since the budget was
2 released last week, to meet with the State
3 Education Department, but hopefully within
4 the coming week or two we will sit down with
5 them.

6 ASSEMBLYWOMAN JAFFEE: Yeah, because
7 these schools certainly need more funding,
8 especially for English language learners,
9 they need more funding to be able to provide
10 a wide range of support for them. I have a
11 district like that, East Ramapo, which is
12 certainly of high need. And I would wonder
13 if they have access to that.

14 But that's a very important allocation
15 as well, providing additional assistance for
16 those schools. So thank you.

17 EX. DEP. COMM. GUINN: Okay, you're
18 welcome. Thank you.

19 CHAIRWOMAN WEINSTEIN: Senate.

20 CHAIRWOMAN KRUEGER: Thank you.

21 Senator Rachel May. Oh, I'm sorry,
22 Senator Rachel May took a walk.

23 Senator Diane Savino.

24 SENATOR SAVINO: Thank you. I'll be

1 brief. I just wanted to speak on one issue.
2 In the budget it talks about the authority to
3 appoint a temporary operator to manage
4 emergency homeless shelters. And I know it
5 came out of a serious situation a couple of
6 years ago where they had a bad actor and the
7 state wanted to be able to come in quickly
8 and do it.

9 So just quickly, how many emergency
10 shelters do we have in the state? Have there
11 been any that have been taken over by the
12 state as a result of this temporary
13 authority? How much -- since we did this
14 three years ago, how many times have we had
15 to do this? And if it hasn't been utilized
16 in the past three years, why would we seek an
17 extension? So just give me a brief overview.

18 EX. DEP. COMM. GUINN: Sure. Okay,
19 thank you, Senator.

20 We have over 700 emergency shelters
21 throughout the State of New York. And at
22 this point we have not needed to rely on a
23 temporary operator provision, and I think
24 that is because of the oversight that we

1 provide and then also that the oversight that
2 the social services districts provide. They
3 try to identify deficiencies as early as
4 possible, and then also require corrective
5 action to correct those. In particular, if
6 it's something that rises to the level of a
7 health and safety issue, that's something
8 that really needs to be corrected
9 immediately.

10 And we have had -- again, not only is
11 OTDA oversight strong, but we believe that
12 each locality, in particular New York City,
13 has also great oversight and they also
14 separately inspect their shelters. So at
15 this point we have not had to rely on the
16 temporary operator provision.

17 SENATOR SAVINO: And one other
18 slightly related question. As you know, the
19 City of New York is experiencing an
20 incredibly high rate of homelessness right
21 now. I know Assemblyman Hevesi has worked on
22 this tirelessly. But what I'm curious about
23 is we're seeing, at the same time, the city
24 has decided that the way they're going to

1 deal with their homeless situation is to
2 build 90 homeless shelters. In fact, they're
3 building them in every community board,
4 opening them left and right. In fact,
5 they're siting another 200-bed shelter right
6 down the street from my office as we speak.

7 Wouldn't that money be better spent,
8 though, in helping them develop affordable
9 supportive housing for people? I mean, a
10 200-bed shelter in every community board --
11 and more, likely -- in my opinion is money
12 that -- it's like we're creating the homeless
13 industrial complex in some way.

14 EX. DEP. COMM. GUINN: So absolutely,
15 we should not be funding shelters unless
16 they're needed. Right now, unfortunately,
17 they are needed. And so it's important that
18 we have shelters that there's space available
19 for individuals who need a homeless shelter
20 for a period of time.

21 We agree with you that that is not a
22 solution to the homelessness problem. And
23 again, the primary mechanisms that we have in
24 place right now through this budget to

1 address the homeless problem is a combination
2 of capital funding for affordable housing,
3 supportive housing, also services that are
4 necessary to enable people to retain housing
5 when they're in supportive housing. And then
6 also there is a range of shelter supplements
7 that are available when that's needed to help
8 individuals secure or retain housing.

9 SENATOR SAVINO: I just have a real
10 concern that we're literally building them --
11 we're not retrofitting, we're not taking
12 over, we're building new structures. And at
13 some point there's going to become a demand
14 to continue to operate them because, after
15 all, they employ people and they're here in
16 the neighborhood.

17 And then -- that's just money that
18 should really be going into housing people
19 permanently and helping solve the problems.
20 Because as you know, homelessness does not
21 happen overnight. And it's not always just
22 simply about money. It's a slow, steady
23 descent into it. And without the supportive
24 services to keep people out of shelter once

1 you get them out of shelter, they'll wind up
2 back in there.

3 It's more of a statement than a
4 question on that one.

5 CHAIRWOMAN KRUEGER: Thank you.
6 Assembly.

7 CHAIRWOMAN WEINSTEIN: Assemblywoman
8 Wright.

9 ASSEMBLYWOMAN WRIGHT: Good afternoon.

10 I wanted a little bit of clarity on
11 the districts' responsibility to develop
12 comprehensive service plans for the homeless.
13 Has New York City submitted one?

14 EX. DEP. COMM. GUINN: We actually
15 just -- they are not due to OTDA until the
16 end of March.

17 ASSEMBLYWOMAN WRIGHT: Oh, at the end
18 of March. Okay. And has OTDA spent any --
19 what have you done or what considerations
20 have you given to schools that have
21 particularly large -- schools that may be
22 serving particularly large populations of
23 homeless students? What kind of supports
24 and/or systems do you think are necessary to

1 support those schools?

2 EX. DEP. COMM. GUINN: So again, in
3 terms of when someone is placed in a homeless
4 shelter, there are a couple of things that
5 are required. One is to make sure that the
6 children have transportation that's needed to
7 get to their school, even if they for
8 whatever reason have moved out of that school
9 district.

10 ASSEMBLYWOMAN WRIGHT: So
11 transportation.

12 EX. DEP. COMM. GUINN: Transportation
13 is one. And then also each homeless shelter
14 that is providing services to children, they
15 have a range of services that are available
16 for the family as a whole --

17 ASSEMBLYWOMAN WRIGHT: I'm sorry, I
18 asked you about schools, not the service
19 center where they may be staying. So we know
20 that the schools may need additional support
21 for transportation. But have you all
22 discovered or discussed the needs within the
23 school?

24 EX. DEP. COMM. GUINN: Within the

1 school system itself? I think that that
2 would probably be elements that are funded
3 primarily outside of OTDA's budget. And I do
4 believe that there are certain special
5 initiatives, including some childcare-related
6 and after-school funding that is specifically
7 targeted to schools that have a high number
8 of homeless children.

9 ASSEMBLYWOMAN WRIGHT: So I'm going to
10 submit that I think that it might be
11 something that you might want to consider
12 partnering with State Ed on. Because I know
13 I have a district full of schools with
14 homeless students in them, and they're doing
15 everything from providing food for weekends
16 to after-school services and other wraparound
17 services -- mental health services -- in the
18 school.

19 But all of those things are being
20 provided from different -- those are funded
21 from different streams, and they're different
22 agencies within the city. And I would like
23 to ask if you can consider giving support
24 directly to schools that have large homeless

1 populations, because it's being lost. Or
2 those schools are not being supported, I
3 would say, fully.

4 EX. DEP. COMM. GUINN: Okay.

5 ASSEMBLYWOMAN WRIGHT: Additionally,
6 with the capital projects, a lot of the
7 supportive housing -- it says that it's for
8 elders, but it doesn't actually address the
9 needs that the greater needs that they might
10 have. And I noticed that at least in my
11 community, we weren't able to get assisted
12 living.

13 Is there anything that your office is
14 doing that actually might be able to provide
15 housing for our seniors that also includes
16 the full support package that usually is
17 accompanied in assisted living programs?

18 EX. DEP. COMM. GUINN: Right.
19 Certainly seniors are one of the target
20 populations for the Homeless Housing and
21 Assistance Program. And then also with that,
22 there are some instances where individuals
23 might be in that supportive housing and
24 perhaps have home care. But we do not

1 oversee or really have an interaction with
2 the assisted living facilities.

3 ASSEMBLYWOMAN WRIGHT: Is that
4 something that -- is there something that's
5 prohibiting that collaboration?

6 EX. DEP. COMM. GUINN: It's just that
7 our agency does not develop those sites or
8 have any regulatory oversight associated with
9 it.

10 ASSEMBLYWOMAN WRIGHT: No, no, I
11 understand you don't. I'm asking in
12 partnering to build housing -- so the need
13 exists for seniors, but seniors often need
14 assisted living, not just the ability to have
15 a home care service come in.

16 So is there something that prohibits
17 your partnership --

18 EX. DEP. COMM. GUINN: No.

19 ASSEMBLYWOMAN WRIGHT: -- or is that
20 something you could explore?

21 EX. DEP. COMM. GUINN: No, that
22 certainly is something that we could explore.
23 And I would be happy to reach out to the
24 Department of Health and see if there's any

1 place where we should have better linkages,
2 in particular for those who are homeless that
3 may need to move in -- but really if you're
4 homeless, you shouldn't be -- a person who
5 requires assisted living really isn't
6 appropriate for a homeless shelter.

7 But definitely I hear what you're
8 saying in terms of just the broad spectrum of
9 the range of housing that's needed for
10 seniors. We can certainly reach out to the
11 Department of Health --

12 ASSEMBLYWOMAN WRIGHT: So I guess what
13 I'm submitting is that I have a population in
14 my community, they're aging, they're ending
15 up in homelessness, but they also need to
16 be -- they need greater service. So -- but
17 if we actually built housing that addressed
18 their needs before they became homeless --

19 EX. DEP. COMM. GUINN: Understood,
20 okay.

21 ASSEMBLYWOMAN WRIGHT: -- that we
22 would be able to not have them go into
23 homelessness in order to actually get those
24 services.

1 EX. DEP. COMM. GUINN: Okay. Again,
2 thank you for bringing that to my attention.
3 We can certainly reach out to the Department
4 of Health and see if there's anything that we
5 can do to kind of be -- have a more seamless
6 transition for those elderly individuals who
7 need assisted living.

8 CHAIRWOMAN WEINSTEIN: Thank you.
9 Senate?

10 CHAIRWOMAN KRUEGER: Thank you.

11 Senator Rachel May has returned.

12 SENATOR MAY: I apologize for being
13 out. And if I'm repeating a question from
14 before, just let me know. But I wanted to go
15 back to the homelessness issue and ask about
16 rural homelessness and LGBTQ homelessness and
17 whether these are issues that require
18 dedicated funding or -- or how are you
19 dealing with those issues?

20 EX. DEP. COMM. GUINN: Right. So
21 homelessness is certainly not only a New York
22 City issue, although clearly the vast
23 majority of individuals in New York who are
24 homeless are in New York City. But again,

1 you know, many areas of the state are I guess
2 faced with the challenge of trying to house
3 the homeless.

4 Again, our -- I guess a couple of
5 places with respect to the areas outside of
6 the urban areas, again, would be with our
7 homeless services plan, one thing again we
8 want to make sure, because there are so many
9 different service providers who are
10 interacting and providing a range of homeless
11 services, we want to make sure that it is
12 well-coordinated, again, so that all
13 individuals not only are served but that
14 they're connected with the most appropriate
15 services. And again, we hope that the
16 homeless services plans will improve that
17 coordination.

18 And then also I would say just with
19 HHAP and the development of supportive
20 housing, clearly we recognize the need
21 outside of just the urban centers for
22 supportive housing and continue to move
23 forward with those investments.

24 SENATOR MAY: Thank you.

1 And then I have one other quick
2 question about the Summer Youth Employment
3 Program also. How is that distributed around
4 the state?

5 EX. DEP. COMM. GUINN: Okay. And with
6 the Summer Youth Employment Program, each
7 year we issue allocations and every social
8 services district receives an allocation to
9 support the Summer Youth Employment Program.
10 So not long after the budget is enacted, you
11 should see a directive go out from our agency
12 that includes both those allocations as well
13 as general parameters on the implementation
14 of the program. But it is distributed
15 throughout the state.

16 SENATOR MAY: Great. And then just my
17 last question is about SNAP and food
18 assistance.

19 Is there any coordination with the
20 efforts to promote more New York-grown food
21 or New York-produced food in that program?

22 EX. DEP. COMM. GUINN: Yes. Yes.
23 We -- actually our SNAP bureau has a very
24 coordinated effort with the Department of Ag

1 & Markets, both through making sure that
2 farmers markets are able to continue to
3 redeem SNAP benefits, and then also I know
4 that Ag & Markets has from time to time
5 special promotions where the purchase of
6 healthy food, locally grown food, they can
7 receive kind of additional credits so that
8 they can then, if they're using their SNAP
9 dollars to purchase that healthy food, they
10 are then able to purchase even more food.

11 But we do coordinate both with Ag &
12 Markets, as well as other kind of the local
13 outreach and education providers, through our
14 SNAP program, also do the same at the local
15 level.

16 SENATOR MAY: Great. Thank you.

17 EX. DEP. COMM. GUINN: You're welcome.

18 CHAIRWOMAN KRUEGER: Assembly.

19 CHAIRWOMAN WEINSTEIN: Assemblywoman
20 Inez Dickens.

21 ASSEMBLYWOMAN DICKENS: Thank you so
22 much, Madam Chair.

23 And good afternoon, Commissioner, and
24 thank you for your testimony.

1 Has the U.S. Department of Agriculture
2 allowed, given permission for the
3 streamlining of the SNAP application? Has
4 that been approved?

5 EX. DEP. COMM. GUINN: No. We
6 recently submitted that waiver request, and
7 as soon as the federal government gets back
8 to work, we hope that they will be able to
9 take a look it and hopefully approve it
10 quickly.

11 We're aware that they have approved a
12 somewhat similar waiver application for
13 another state, so we hope that that means
14 that this application can be reviewed and
15 approved pretty quickly.

16 ASSEMBLYWOMAN DICKENS: On the Summer
17 Youth Employment Program, is there a
18 preference given to foster children or those
19 aging out of foster care?

20 EX. DEP. COMM. GUINN: Right. So
21 there are a number of populations that we ask
22 each social services district to conduct
23 special outreach for and try to prioritize,
24 and that does include foster care

1 individuals. And it would include anyone
2 between 14 and 20.

3 ASSEMBLYWOMAN DICKENS: Now, does that
4 include a training program, something similar
5 to what you do with the public assistance
6 recipients for the 90-day job tryouts?

7 EX. DEP. COMM. GUINN: It's definitely
8 a different structure.

9 So with the Summer Youth Employment
10 Program, the youth are actually placed
11 with -- it can really be any employer, and
12 they are paid during their employment fully
13 for the summer.

14 So again, you know, every employment
15 situation is different, but we do have some
16 really impressive models out there where not
17 only is the youth engaged in a productive job
18 where they're earning money, but they're also
19 learning really helpful skills that can help
20 them secure future employment but also
21 encourage them to think about their career
22 development and what they might need to do
23 with respect to their ongoing education in
24 order to get into a career path that really

1 is fulfilling.

2 ASSEMBLYWOMAN DICKENS: On the HHAP
3 program, I want to thank you because just
4 last year we opened up a homeless unit
5 building -- woefully small -- on 118th Street
6 in Harlem for homeless women with children.
7 What about applications, and are there -- is
8 there a funding stream through the HHAP
9 program for homeless veterans?

10 EX. DEP. COMM. GUINN: So the HHAP
11 program prioritizes certain populations and
12 really it's looking at the overall need in
13 terms of the application that is submitted.
14 And some of -- it includes services to
15 veterans as well as individuals with serious
16 mental illness or other -- you know, seniors
17 and other really high-need populations.

18 But again, certainly focusing on those
19 who are homeless or chronically homeless, to
20 get them into that necessary supportive
21 housing.

22 ASSEMBLYWOMAN DICKENS: Have there
23 been many applications for HHAP projects that
24 deal with veterans, homeless veterans?

1 EX. DEP. COMM. GUINN: We definitely
2 have received a number of projects that
3 include supportive housing units that would
4 be kind of targeted to serve veterans. And
5 if you would like, I could get some specific
6 information to you.

7 ASSEMBLYWOMAN DICKENS: Now, I notice
8 that also the HHAP, in your testimony your
9 HHAP provides not only capital grants but
10 loans to not-for-profits. Does that include
11 for existing veterans housing that's in bad
12 shape and needs renovation?

13 EX. DEP. COMM. GUINN: There is a
14 provision -- well, obviously if there's an
15 existing HHAP-funded project, we're able to
16 provide some support if they need to make
17 important capital improvements in order to
18 keep that housing viable and online.

19 And then there is also a set-aside
20 within the HHAP appropriation that enables us
21 to support specifically repairs, but that's
22 really primarily targeted to homeless
23 shelters outside of New York City.

24 ASSEMBLYWOMAN DICKENS: I agree with

1 my Senator there that -- Diane Savino, about
2 it would behoove us to invest more in the
3 construction of projects for homeless
4 families and women and veterans rather than
5 to invest in the construction or the
6 renovation for shelters. Do you agree with
7 that?

8 EX. DEP. COMM. GUINN: We absolutely
9 agree that permanent housing is the
10 ultimately solution to homelessness for most
11 individuals.

12 ASSEMBLYWOMAN DICKENS: Thank you.

13 CHAIRWOMAN WEINSTEIN: Senate?

14 CHAIRWOMAN KRUEGER: Thank you.

15 Senator Sue Serino.

16 SENATOR SERINO: Thank you, Madam
17 Chair. And hello, Commissioner.

18 I want to first of all thank you for
19 all of your work with our veterans, our
20 domestic violence victims, and human
21 trafficking. And I'm new to the Social
22 Services Committee this year as ranker, and I
23 look forward to working with Senator Persaud.
24 But I've really enjoyed listening to all of

1 the things that you take on, and I just want
2 to thank you for your commitment.

3 So my question touches on SSI. And
4 previously being chair of Aging and going to
5 be working with our new chair of Aging,
6 Senator Rachel May, I hope we can continue
7 this good work. I know Assemblymember Wright
8 kind of touched on this with assisted living.
9 This is an SSI question. And from what I've
10 just learned is that it's a pass-through
11 through you guys. So you might have to get
12 back to me with the answers to my questions.

13 But myself and many of my colleagues
14 have fought every year to try to secure an
15 increase in the state supplement of the SSI
16 payments for individuals in the adult care
17 facilities. These payments are their primary
18 means for paying for housing, care and
19 services. And though the bill has passed
20 multiple years, it has been consistently
21 vetoed by the Governor.

22 So the current rate is \$41 a day.
23 Because of this abysmal rate, sadly, over a
24 dozen homes serving SSI individuals have

1 closed in the last two years. The state
2 supplement has only been increased once in
3 25 years.

4 So I was just wondering what you think
5 about that. Do you think the \$41 a day is
6 adequate?

7 And also in 2017 we fought for a small
8 increase that would be phased in over a
9 five-year period, but the Governor had vetoed
10 it. So this puts the assisted living
11 providers and their patients at risk.

12 I know that the Governor pushed hard
13 for the minimum wage increase. And while we
14 understand the need to ensure that these
15 dedicated workers are making a living wage,
16 the fact of the matter is costs are rising
17 exponentially while the supplement is staying
18 the same, and it's resulting in closures that
19 are hurting our most vulnerable.

20 You know, when you think about it,
21 often we pay more, like when we go away and
22 we crate our pets, than what we're doing to
23 take care of our most vulnerable population.
24 So we'd just ask you that you join us in the

1 fight and to help urge the new leadership in
2 Albany to focus on this important issue and
3 partner with us to increase the state
4 supplement and the personal needs allowance
5 as well. Thank you.

6 And I just was curious what you think
7 about the \$41 a day. That was basically the
8 question. And I know you're going to have to
9 get back to me about a lot of this because
10 it's a pass-through.

11 EX. DEP. COMM. GUINN: Okay. Right.
12 And I believe that the bill that was vetoed
13 by the Governor -- I believe it was something
14 that was passed outside of the context of the
15 budget. I could be wrong on that, but I
16 think that was one concern with it, is that
17 there wasn't -- the budget didn't contemplate
18 those increases.

19 But you're right, we -- I mean,
20 primarily our role with the SSI program is
21 twofold. One is we play a role in the
22 overall just determination of disability,
23 kind of on behalf of the Social Security
24 Administration. And then as you mentioned,

1 we do administer the supplemental payment
2 that the state makes for individuals who are
3 in receipt of SSI, and including congregate
4 care.

5 SENATOR SERINO: Okay. Thank you.

6 CHAIRWOMAN KRUEGER: Thank you.

7 SENATOR SERINO: Oh, and actually the
8 reason I'm bringing it up is because as the
9 budget is approaching, it should be something
10 that we are taking care of. If it has to
11 be -- will have to be handled in the budget,
12 then that's what we need to do.

13 So thank you, Madam Chair. Thank you.

14 EX. DEP. COMM. GUINN: Thank you.

15 CHAIRWOMAN KRUEGER: Thank you.

16 Assembly.

17 CHAIRWOMAN WEINSTEIN: Hello. I have
18 two quick questions.

19 First, you were here I believe and
20 heard Commissioner Poole's comment about the
21 changes in the domestic violence --

22 EX. DEP. COMM. GUINN: Correct.

23 CHAIRWOMAN WEINSTEIN: -- not
24 requiring victims to apply for public

1 assistance, right?

2 EX. DEP. COMM. GUINN: Yes.

3 CHAIRWOMAN WEINSTEIN: And she said
4 that if there are in fact any county expenses
5 that are increased because of the change in
6 the law, that there's agreement with Budget
7 that the counties will be held harmless and
8 the funds will be raised.

9 Do you agree with what she said, that
10 that in fact is an agreement that's --

11 EX. DEP. COMM. GUINN: I mean, that
12 certainly -- if Commissioner Poole said that
13 was the agreement, I'm certain that that was
14 the agreement. Our agency's role there
15 really is for those individuals who do elect
16 to apply for public assistance, and then
17 those funds flow through our agency.

18 CHAIRWOMAN WEINSTEIN: Once this
19 change is made to the law, it would be very
20 helpful to be able to get some data if
21 there's been any decrease in people applying
22 for public assistance and the impact that
23 would have on the budget.

24 EX. DEP. COMM. GUINN: Right,

1 absolutely. I think that is the intention,
2 it's just to see it -- you know, we don't
3 really know how many people would then elect
4 to not apply. And so I think that is part of
5 what will be evaluated over the coming year
6 to see does that have any impact on county
7 budgets.

8 CHAIRWOMAN WEINSTEIN: Then I also
9 want to ask, I see in the budget the Governor
10 proposes language to establish a 10 percent
11 local share for New York City for the Family
12 Assistance Program, resulting in a
13 current-year shift of \$72 million to New York
14 City. Does any other county pay a portion of
15 that?

16 EX. DEP. COMM. GUINN: No. The
17 current -- as governed by appropriation
18 language, currently family assistance costs
19 are 100 percent reimbursed for every
20 locality. But you are correct that the
21 Executive Budget does include a change to
22 that, so that New York City would have --
23 instead of 100 percent, they would have a
24 90 percent reimbursement.

1 CHAIRWOMAN WEINSTEIN: And the
2 Emergency Assistance to Needy Families also
3 has a 10 percent local share for New York
4 City. Is that in addition to the local share
5 we just discussed, or is this incorporated
6 within that?

7 EX. DEP. COMM. GUINN: So the
8 emergency assistance for families 10 percent
9 share for New York City was implemented, I
10 believe, two years ago.

11 CHAIRWOMAN WEINSTEIN: So that
12 10 percent exists, and then this new 10
13 percent is proposed?

14 EX. DEP. COMM. GUINN: Correct.

15 CHAIRWOMAN WEINSTEIN: Thank you.

16 EX. DEP. COMM. GUINN: You're welcome.

17 CHAIRWOMAN WEINSTEIN: Senate?

18 CHAIRWOMAN KRUEGER: Thank you.

19 I think I'm your last questioner from
20 the Senate.

21 So just to -- you already answered
22 that you don't necessarily have a lot of
23 answers yet on this new pilot work program
24 for public assistance, but I will urge you --

1 quickly -- not to make the mistakes the
2 localities made around work experience
3 programs for many years, particularly the
4 models where they went into contract with
5 temp agencies, the temp agencies would get
6 paid by the employer, paid by tax credits for
7 hiring underserved unemployed people, pocket
8 a lot of money from both, place people for
9 90 days who didn't get paid for their work,
10 figure out how to either not find them
11 eligible to actually get the real job
12 afterwards or a job for so few hours a week,
13 without benefits, that they were actually
14 employed but more poor than before they even
15 were ending public assistance.

16 So I think there's a road map for
17 exactly what not to do. And I would suspect
18 that it will be very hard to do this right,
19 based on experience. But I really urge you
20 to look carefully about all the serious
21 mistakes that were made in the past in this
22 state, exploiting poor people for their labor
23 without minimum wage, and a lot of other
24 people getting a lot of money for their not

1 getting paid.

2 That's my lecture, I suppose, as
3 opposed to --

4 EX. DEP. COMM. GUINN: Okay. And I
5 can assure you that we completely agree with
6 you that the program model is not intended to
7 primarily benefit employers, but it is
8 intended to primarily benefit those who are
9 placed in the workplace and helping them to
10 secure employment.

11 So we certainly would welcome to talk
12 with you more about that to make sure that we
13 have provisions in place --

14 CHAIRWOMAN KRUEGER: And I would love
15 to talk more about that part of my previous
16 life before I was a Senator.

17 So we have a federal government that
18 who knows if they're ever going to reopen,
19 and the State of New York and the City of
20 New York did provide maximum food stamps
21 early to try to draw a few more of the
22 remaining federal dollars out of the system
23 before it was sucked dry, to provide for poor
24 New Yorkers.

1 What's going to happen next month? If
2 the federal government doesn't reopen, do we
3 have a plan to continue SNAP in some way
4 using funds from the New York State Emergency
5 Fund that's within our budget?

6 EX. DEP. COMM. GUINN: So first and
7 foremost, obviously, we -- and I'm sure
8 you -- want the federal government to do what
9 the federal government needs to do and to
10 fund the SNAP program.

11 As you know, we have over 2.7 million
12 individuals who rely on those benefits in
13 order to feed themselves and their families.

14 You know, again, as you mentioned,
15 OTDA and the counties acted quickly to be
16 able to use as much of kind of the continuing
17 resolution funding that was available so that
18 we could ensure that everyone does in fact
19 receive a benefit for February.

20 With respect to March, we are in
21 conversation with those federal workers who
22 are still working to continually emphasize
23 the tremendous importance that SNAP plays for
24 the recipients in New York State, which they

1 are of course well aware of.

2 The Governor has met with the
3 Congressional delegation in order to urge
4 also an agreement so that the federal
5 government continues to fund SNAP. And we
6 continue to work with the Governor's D.C.
7 office to continue to emphasize the need for
8 the federal government to support this
9 program. It clearly is just too critical.
10 And it would be absolutely unprecedented in
11 the history of the SNAP program for benefits
12 to not be issued.

13 In terms of kind of what are we going
14 to do, we are looking at a number of options
15 and developing I guess a range of options for
16 consideration in the event that the federal
17 government doesn't do the right thing. As a
18 default, anyone who is facing a food
19 emergency and has no access to resources to
20 purchase food can go to the social services
21 districts and apply for an emergency cash
22 assistance payment for that need.

23 Again, our goal is to also even avoid
24 that, because we don't want, you know, that

1 number of, I guess, individuals needing to go
2 to the social services offices. And we also
3 don't want to have something put in terms of
4 something that now is funded that is the
5 responsibility of the federal government,
6 that now is needed to be funded by the state
7 and the localities.

8 But we are looking at various options.
9 You know, again, we are hopeful within the
10 next two weeks that something will change at
11 the federal level, but we are exploring what
12 alternatives the state could take to address
13 that emergency need.

14 CHAIRWOMAN KRUEGER: I would urge you
15 not to default to telling everyone on SNAP
16 they have to go to the locality to apply for
17 an additional emergency benefit. We know who
18 these people are, we have all their
19 documents, that's how they're on SNAP.

20 EX. DEP. COMM. GUINN: Yup,
21 understood.

22 CHAIRWOMAN KRUEGER: And we know that
23 they're disproportionately children, the
24 elderly, people with disabilities. They

1 don't have a safety net of a bank account.
2 They need to eat every day, like the rest of
3 us.

4 So I would really urge the state to
5 explore how you can simply do it through a
6 computer system match. Again, I can't
7 imagine anybody who's on SNAP who wouldn't be
8 getting federal SNAP because the federal
9 government is run by an insane man who's
10 doing insane things wouldn't just be eligible
11 by definition. So you and the localities
12 could figure out a computer-match way to do
13 this without picturing millions of people
14 trudging into their local social service
15 office.

16 EX. DEP. COMM. GUINN: And that is
17 part of what we are looking at, to see our
18 options there that would obviously be
19 preferred.

20 CHAIRWOMAN KRUEGER: Please do.

21 Another SNAP question from a Senator
22 who had to leave. Do we know what percentage
23 of people on SNAP are veterans?

24 EX. DEP. COMM. GUINN: I do not have

1 that information. I will see if that's
2 something that we have available. I'm not
3 sure.

4 CHAIRWOMAN KRUEGER: Okay, thank you.

5 And then finally, going back to a
6 topic that many people covered -- again, I
7 just have to reemphasize there are many
8 reasons for homelessness. Shelters are the
9 worst answer when you have no other answer.
10 Supportive housing needs to be sped up and
11 expanded.

12 But really a right answer is
13 Assemblymember Hevesi's bill, which I proudly
14 now carry with him, to provide a still not
15 adequate but a more adequate supplement for
16 shelter allowances to help people stay in
17 their homes.

18 The worst-case story, at least in
19 New York City, when you see another family
20 become homeless is the recognition that not
21 only did they lose their home because perhaps
22 of a matter of a couple of hundred dollars
23 per month that they couldn't pay, but
24 knowing, as we from New York City know, that

1 that apartment automatically will skyrocket
2 in costs for the next tenant, therefore we
3 have lost a unit of affordable housing at the
4 same time that the family has lost their
5 home.

6 So it's a double hit on the state's
7 budget, because you're banged for more money
8 and we're banged for more money to invest in
9 building more affordable housing. We get it,
10 you get it. But really, we get hit twice.

11 And so I know this administration has
12 not been open to this program. I urge you,
13 even in your position as a temporary
14 acting -- is that the correct title?

15 EX. DEP. COMM. GUINN: I'm the
16 executive deputy commissioner.

17 CHAIRWOMAN KRUEGER: You're the
18 executive.

19 -- to use the data you already have,
20 and you know, I don't have to test you about
21 what the shelter allowance amounts are, what
22 the market rents are, and to urge somebody to
23 take another look. This should be in the
24 budget.

1 So that's my question, will you
2 revisit this proposal and perhaps try to have
3 a conversation with people who clearly don't
4 understand as well as you must?

5 EX. DEP. COMM. GUINN: And we are
6 always open to having those conversations and
7 certainly would welcome those with anyone who
8 wants to have them.

9 With respect to kind of our solution,
10 at this point, as you know, New York City
11 does provide a large number of rent
12 supplements to enable people to stay in their
13 home and also to move out of shelter. And
14 then in rest of state we also permit any
15 social services district who needs a shelter
16 supplement to keep people housed to come in
17 with a plan to us so that we can approve a
18 shelter supplement for them. I mean, they
19 have the ultimate obligation to keep people
20 housed. They too want to keep people out of
21 temporary housing and keep them in permanent
22 housing. And so we are able to approve
23 shelter supplements to any district that
24 applies.

1 CHAIRWOMAN KRUEGER: So I can only
2 speak for New York City, but I did go and ask
3 them. And they told me that Assemblymember
4 Hevesi's proposal, if it was to be enacted in
5 this year's budget, would be the most
6 important new thing the state could do to
7 help the City of New York keep people in
8 their homes and decrease the number of
9 homeless families entering our shelter
10 system.

11 So I hope that everything will work
12 together, because I know that New York City
13 feels very strongly that they're really quite
14 desperate out there -- we all are -- for
15 this, and we just need to be able to do more.

16 And my time is pretty much up. So
17 thank you very much.

18 EX. DEP. COMM. GUINN: Thank you,
19 Senator.

20 CHAIRWOMAN WEINSTEIN: Thank you for
21 being here. I believe we are finished with
22 questions. There may be some follow-ups that
23 we'll send to you.

24 EX. DEP. COMM. GUINN: Thank you very

1 much.

2 CHAIRWOMAN WEINSTEIN: So now I would
3 like to ask the New York State Office for
4 Aging, the acting director, Greg Olsen, to
5 come down and he will be our third witness.

6 (Comments off the record.)

7 CHAIRWOMAN WEINSTEIN: Greg, feel
8 free.

9 ACTING DIRECTOR OLSEN: Thanks so
10 much. So far I didn't fall down the stairs,
11 so it's all looking up from here.

12 Well, good afternoon, Chairpersons
13 Krueger, Weinstein, all the distinguished
14 members of the Senate and Assembly standing
15 committees.

16 My name is Greg Olsen, and I'm the
17 acting director of the New York State Office
18 for the Aging.

19 Senator May, Assemblyman Bronson,
20 congratulations on your appointments to the
21 chair. Senator Serino, great to see you as
22 well. I had the pleasure of meeting you both
23 this week, and I very much look forward to
24 working with you.

1 Governor Cuomo's commitment to older
2 New Yorkers really is unprecedented, and
3 New York is leading the nation in our
4 collective approach to serve not only older
5 New Yorkers but families of all ages.

6 The approach is so much broader than
7 one agency, our agency -- it's about making
8 New York the healthiest state in the nation
9 through a multi-agency, coordinated effort
10 focused on improving physical and behavioral
11 health, implementing healthcare deterrent
12 strategies, and much, much more.

13 Utilizing the 2019-2024 State
14 Prevention Agenda as the umbrella, and
15 instituting a "Health Across All Policies"
16 approach, all New York State agencies are
17 incorporating health considerations into our
18 planning and our programs. We have been
19 charged to work together and to consider how
20 all of our policies further the Governor's
21 commitment as the first age-friendly state,
22 and this approach will have a significant
23 positive impact on our state's older
24 population.

1 Under the Governor's leadership,
2 New York has become the first state in the
3 nation to receive the designation as an
4 age-friendly state by AARP and the World
5 Health Organization, because we rank high in
6 the eight domains of age-friendly communities
7 but, equally as important, we have a
8 comprehensive plan to systematically build
9 age-friendly and smart-growth principles into
10 how government operates and functions. We
11 are truly leading the nation in this
12 collaborative and thoughtful approach.

13 The 2020 Executive Budget must be
14 viewed in the context of previous budgets,
15 which have set the foundation for significant
16 improvements in service delivery for older
17 adults across agencies, and each year builds
18 upon the previous year's successes. Governor
19 Cuomo's Executive Budgets for the past
20 several years have enhanced our state's
21 commitment to older New Yorkers and their
22 families, including:

23 Launching a long-term care planning
24 council from last year, we're in the

1 implementation phase, to prepare a strategic
2 10-year plan looking forward to meet the
3 needs of our states's older population;

4 Recently issuing age-friendly
5 Executive Order No. 190 that directs state
6 agencies to consider the impact of their
7 policies and procurements on health and
8 healthy aging, aligned with the eight domains
9 of age-friendly communities;

10 Providing funding to the counties to
11 become certified as an age-friendly community
12 under the AARP/World Health Organization
13 process, and having the opportunity to
14 replicate Executive Order 190 at the county
15 level;

16 And creating Regional Age-Friendly
17 Technical Assistance Centers of Excellence.

18 The 2020 Executive Budget not only
19 maintains funding for core programs from
20 previous years but significantly invests in
21 services that are known to be effective and
22 are currently unable to serve eligible
23 individuals due to funding limitations.

24 The Executive Budget invests

1 \$15 million to address personal care,
2 home-delivered meals, case management, and
3 other services as a response to locally
4 identified needs; authorizes the State Office
5 for the Aging to develop a private-pay market
6 to increase our ability to serve more
7 individuals, generate revenue, provide an
8 important consumer protection, and reinvest
9 those dollars back into those that target
10 lower-income individuals; baselines
11 \$4 million last year for the NORC program;
12 maintains additional CSE funding from last
13 year in the amount of a little over a
14 million dollars; increases the state's
15 commitment to the NY Connects system by
16 providing additional resources not only to
17 the county offices for the aging but to our
18 and independent living center regional
19 partners; provides funding to bring in-house
20 our statewide effort to expand evidence-based
21 interventions such as chronic disease
22 self-management, diabetes self-management,
23 and fall prevention programs, among others;
24 and provides additional opportunities to

1 provide state certification and standardized
2 skills-based training to aging services
3 network staff across the state.

4 This truly historic Executive Budget
5 proposal will help thousands of older
6 New Yorkers maintain their autonomy and
7 independence, support the loved ones who care
8 for them, reduce future Medicaid costs, and
9 continue to demonstrate why New York is the
10 first age-friendly state in the nation.

11 The State Office for the Aging doesn't
12 stop there, however. We know there's much
13 more to do and that we have to utilize our
14 office, our network of 59 offices for the
15 aging, and 1200 subcontractors to leverage
16 additional resources and supports among
17 various systems.

18 And we're also expanding and piloting
19 new innovations and models, including we're
20 going to be launching a pilot based on the
21 successful Vermont Home Share program;
22 continuing our statewide expansion and
23 implementation of the Aging Mastery Program,
24 which is an evidence-based intervention to

1 develop sustainable behaviors across many
2 dimensions that lead to improved health,
3 stronger economic security and enhanced
4 well-being; working with the Department of
5 Health to design a clear pathway for
6 inclusion of aging network service in the
7 value-based payment reform; partnering with
8 NYSERDA to target low- and moderate-income
9 households to improve energy efficiency and
10 to save money, putting dollars back in
11 individuals' pockets; piloting volunteer
12 transportation programs; working with the
13 Village to Village Network to not only seed
14 villages but to create the first-ever
15 regional Village Technical Assistance
16 Resource Center here in the Capital District,
17 working with the Albany Guardian Society;
18 working to expand respite options to provide
19 additional caregiving and respite support for
20 those in need across the state; and
21 partnering with Boston University's Center
22 for Aging and Disability Education and
23 Research to offer over 20 different online
24 skills-based, measurable trainings and

1 certification to raise the skill set of all
2 of our staff professionally across the state.

3 My agency will continue to engage
4 other state agencies, not-for-profits, other
5 community-based organizations --
6 philanthropy, businesses -- so that we can
7 continue to expand services and meet the
8 needs of the growing older adult population
9 in New York State.

10 Thank you. As always, I'm pleased to
11 be here and I'm thrilled to take any
12 questions that you might have.

13 CHAIRWOMAN WEINSTEIN: Thank you.

14 We'll go to the Assembly chair of the
15 Aging Committee, Assemblyman Bronson.

16 ASSEMBLYMAN BRONSON: Acting Director
17 Olsen, thank you very much for being here
18 today and testifying. Also thank you for
19 reaching out to me previously and helping me
20 understand more about the area that I'm
21 charged to oversee as chair of the Committee
22 on Aging.

23 I want to ask you a couple of
24 questions and expand a little bit on the --

1 let's start with the private-pay model
2 proposal that the Executive Budget includes.
3 And as I understand this, it will authorize
4 counties to have individuals self-pay for
5 community-based services if the individual
6 has an income 400 percent of poverty or more.
7 Could you explain to me what the real intent
8 is there? And how do you see that benefiting
9 our older population here in New York State?

10 ACTING DIRECTOR OLSEN: Yes, sure, and
11 thanks for the question, Assemblyman.

12 This is one of the most significant
13 changes in statute for our agency, so I'd
14 like to answer it in two ways and tie it to
15 the \$15 million targeted investment that the
16 Governor has put in to really address unmet
17 need that we're aware of across the state.
18 The language in the budget for the
19 \$15 million is important because what we can
20 do -- and we have a very extensive process
21 that has really been around a lot longer than
22 I have to identify trends and needs,
23 et cetera, from the various counties that we
24 administer programs with and work in

1 partnership with.

2 So I think that the additional
3 resources that are going to be able to be
4 targeted and directed to meet that need is
5 going to be very, very important. And it's
6 something that I know the legislative body
7 here and our office and the Executive have
8 been talking about for years. So I'm just
9 really thrilled to be able to, you know,
10 announce that this year.

11 The private pay I think goes along the
12 same lines. You know, the 2006 Older
13 Americans Act amendments, that's kind of the
14 motherhood that dictates, you know, what it
15 is, how we do the things that we do. It
16 encourages states to look at either a
17 cost-sharing model, a private-pay model or a
18 combination of the two. New York has had a
19 cost-sharing model in the EISEP program going
20 back to the 1980s. It was designed that way
21 to -- depending on what your income is, to
22 either cost share, pay the full amount, or
23 not pay anything, depending on your income on
24 a sliding scale.

1 So we took a look at and worked with
2 some of the counties and community-based
3 organizations, looking at a cost-sharing
4 model versus a private-pay model. And why
5 would we do that? You know, the day now is
6 very, very different than it was in the
7 sixties, the late sixties, when these
8 programs and the infrastructure was designed.
9 We were able to do a lot more; there were a
10 lot less people.

11 The types of programs and services, as
12 you know, that are provided through the
13 office -- administered through the office,
14 provided by the counties and the
15 1200 community-based organizations -- are
16 very, very important in helping people
17 maintain their autonomy, they're very
18 cost-effective. We have a network that is
19 really selling objectivity and independence,
20 and working to leverage a variety of other
21 systems, which I think is very unique.

22 So the idea of being able to
23 cost-share or ask individuals that have
24 additional resources to contribute towards

1 that is not something I'm embarrassed to do
2 at all. I think our primary goal, by
3 statute, both state and fed, is to focus our
4 resources on those most in need. And that
5 can be, you know, hard-to-serve communities,
6 ethnic and cultural communities, rural areas,
7 LGBTQ and low-income make up some of them.

8 So what this is really designed to do
9 is a couple of things. It allows us to serve
10 an additional market that we normally don't
11 serve now, a middle-income and higher-income
12 market. We currently have about \$1.5 million
13 older adults that earn 400 percent of poverty
14 or more, which is about \$50,000 a year.
15 That's in line with the Health Exchange and
16 EPIC program. It's well above the
17 cost-sharing requirements for EPIC.

18 So what this will do is allow us not
19 only to market and serve more people, but
20 it's a big revenue-generator. If we have
21 counties that opt in, then those dollars can
22 be funneled back in to target those that
23 don't have the resources. So I'm really
24 excited for this.

1 ASSEMBLYMAN BRONSON: If I may, so --
2 and I know that the counties negotiate their
3 unit rates, and that depends on what they can
4 get through providers and things of that
5 nature. Have you been able to estimate how
6 many more people we'll be able to serve as we
7 shift the cost to those folks earning
8 400 percent poverty rate or more? And then
9 those dollars, as I understand it, go right
10 back to the counties. So do you have an
11 estimate on how many more older folks we'll
12 be able to serve with those additional
13 dollars going to the county?

14 ACTING DIRECTOR OLSEN: Yes, let me
15 answer that in a couple of ways.

16 We're not cost-shifting to a different
17 segment of the population. The overwhelming
18 majority of our half-a-billion-dollar budget
19 funds low-income individuals. What we're not
20 able to do as a network -- because the
21 funding that we receive from the federal
22 government, et cetera, is fixed, so the
23 providers have to budget for the entire year.
24 It's different from Medicare and Medicare

1 where if you're eligible, you receive the
2 service.

3 So what we're trying to do is be able
4 to meet a need that we know exists out there.
5 There are a lot of middle-income individuals
6 that don't know where to turn, don't know
7 where to get services, may go to Organization
8 A -- and chances are if I call up
9 Organization A because that's what I think I
10 need, I'm going to walk out with Organization
11 A's service. I think what our network is
12 able to do is do an objective assessment,
13 talk to the people about what their strengths
14 are, what their needs are, how they want to
15 live their lives, try to leverage a package
16 of resources around that -- do it much
17 earlier, before they're sick, before they
18 need to spend down to Medicaid, so that they
19 can maintain their autonomy and be a part of
20 the social fabric of their community. So
21 that's the goal.

22 So basically, if we can determine --
23 which we can -- how many people, you know,
24 self-identify ambulation issues, self-care

1 limitations, cognitive impairment -- which we
2 can, through ACS, if we can serve maybe, I'll
3 just give you an example, 4,000 more people
4 per year, that would generate an additional
5 \$5.2 million that would then be required to
6 go back into service provision for
7 lower-income individuals.

8 So the way that this would roll out
9 would be it's going to take us about a year
10 to develop and implement. It's at county
11 option. We're not requiring anybody to do
12 this, but we hope that they do, because
13 there's a need here and there's a very strong
14 consumer protection angle to this in terms of
15 the objectivity, the training that the
16 providers have, the state oversight, the
17 county oversight, the certifications,
18 et cetera, that we believe this is a really
19 important not only service provision, revenue
20 generator, but also consumer protection.

21 ASSEMBLYMAN BRONSON: So -- but I'm
22 not sure I heard the answer, though. The
23 question is I want to know how this is going
24 to benefit the counties who have waiting

1 lists that they're not able to serve. Do
2 we -- can we quantify that? And if you can
3 answer that in a quick way, because I have
4 other questions, but can you quantify that
5 either in numbers or percentages or something
6 of that nature?

7 ACTING DIRECTOR OLSEN: Yeah, you can.
8 So if you took your county, Monroe, you can
9 go through ACS data in those six areas that
10 they collect data on. I mean, we can get,
11 you know, 60-plus population, we can get 75,
12 85. I think you would need to do a subset of
13 a subset. And if you had a 1.5 percent
14 participation rate, or a 2.5 percent
15 participation rate, you know, that's how many
16 people would choose the private-pay option
17 because they fit in that income category or
18 their family members have the resources and
19 want to finance privately. Those dollars,
20 then, you can absolutely determine how much
21 revenue would be generated, and then that
22 data would be required to go back in.

23 So if that's something that, you know,
24 you need me to do or would like me to do for

1 your county specifically, I'm sure I can
2 crunch those numbers.

3 ASSEMBLYMAN BRONSON: Well, what I'm
4 concerned about is we're now asking people to
5 self-pay. And I'll be up-front, I mean most
6 of the agencies involved have talked
7 favorably about this, but it gives me a red
8 flag in my gut, if you will, when I'm saying
9 now people have to pay for a service that
10 they didn't have to pay for before.

11 And then -- so I would like a little
12 bit more, and we can do that after this
13 hearing.

14 The other thing is, explain a little
15 bit more the connection between that proposal
16 and the EISEP adding the additional
17 \$15 million.

18 ACTING DIRECTOR OLSEN: Right. So as
19 you know, the population is getting older.
20 That doesn't necessarily mean everybody needs
21 services, but, you know, you follow my logic:
22 There's going to be increased need over time
23 because of that fact.

24 The support services that people

1 receive through the county, because of the
2 dollars that they receive, at times there
3 are -- there are times that the network
4 cannot serve those individuals. Now, they
5 will try to go to other types of
6 community-based organizations -- it could be
7 towns and municipalities that are funding
8 similar-type services outside of, you know,
9 what we administer, to try to make sure that
10 those needs are met, or we're working with
11 other agencies or helping people apply for
12 benefits or application assistance.

13 So I think what we're anticipating
14 over time -- and hopefully with a couple of
15 these proposals packaged together, we can
16 reduce unmet need -- is that the \$15 million
17 will go directly to alleviate what we have
18 been able to determine is that unmet need
19 over the last year as reported by the
20 counties.

21 Where this comes in is -- the
22 private-pay model for people over 400
23 percent, is that as you had mentioned
24 earlier, the counties and the community-based

1 organizations negotiate how much they're
2 going to pay -- personal care, their case
3 managers, their home-delivered meals, their
4 congregate meals -- and there would be a 10
5 or 20 percent increase to that rate that they
6 are currently paying under ours. Any
7 additional revenue that would be generated,
8 just like they do now under the EISEP
9 program, would be required to go back into
10 service delivery. A county couldn't supplant
11 the dollars, so it would have to go back in
12 to meet the core objectives of the Older
13 Americans Act in state statute, which is to
14 target those who are most at need.

15 ASSEMBLYMAN BRONSON: Okay, thank you.
16 I have more questions; I'll come back another
17 time.

18 CHAIRWOMAN WEINSTEIN: Thank you.
19 Senate?

20 CHAIRWOMAN KRUEGER: Thank you.
21 Senator Rachel May, chair of Aging.

22 SENATOR MAY: Thank you, Senator
23 Krueger.

24 And Commissioner Olsen, nice to see

1 you again.

2 I did have some questions about the
3 private-pay protocols, but let's go on to
4 some other issues here.

5 So first, the \$15 million additional
6 for EISEP is a good thing. Do you think
7 that's adequate to getting the waiting lists
8 down and, you know, serving the population
9 that needs these?

10 ACTING DIRECTOR OLSEN: Yeah, I do. I
11 mean, it's actually amazing -- it's hard to
12 believe I've been around 25 years, but it's
13 the largest investment in the New York State
14 Office for the Aging in almost two decades.

15 That number was not drawn out of a
16 hat. That was based on reported unmet need
17 numbers by our counties. That's a process
18 that we have undertaken annually to try to
19 determine trends -- you know, what should we
20 be seeing. I heard a little about
21 homelessness today, so I'm intrigued about
22 that, because that does not get reported from
23 our counties. So I'm very interested in that
24 issue.

1 I can tell you unequivocally, you
2 know, how much it costs annually per program
3 per county per person. And so the
4 \$15 million is an actual assessment to be
5 able to address the data that we have
6 received.

7 SENATOR MAY: Great. And how do you
8 see it being allocated regionally around the
9 state?

10 ACTING DIRECTOR OLSEN: Well, it would
11 be allocated based on the reporting. So the
12 way that our money traditionally is required
13 to be provided is by funding formula. And,
14 you know, there's not an issue with the
15 funding formula, but if you have certain
16 needs in certain areas, putting dollars
17 directly into a certain funding formula isn't
18 going to address what you're trying to
19 accomplish.

20 So what this language allows me to do
21 is to target those dollars directly at where
22 those needs have been reported. And if I
23 could, I'd just give you an example.

24 SENATOR MAY: Sure.

1 ACTING DIRECTOR OLSEN: You know, I
2 have a small county next to Albany that has,
3 you know, some fairly robust unmet-need
4 numbers due to the size of the county, the
5 size of the budget, the geography, the lack
6 of infrastructure, the lack of density in
7 providers.

8 The amount that they will receive once
9 we run these numbers and make sure that we're
10 where we need to be, we would need a state
11 investment of \$140 million in order to get
12 them to where we're going to be able to
13 target this. So it's very, very important
14 that we have a traditional funding stream to
15 provide the base set of services, but what
16 this allows me to do is really target those
17 dollars to where I'm being told the
18 priorities are.

19 SENATOR MAY: Great. And then --
20 thank you -- let's get into the cost of
21 living deferral. I'm very concerned about
22 the workforce impacts of that, especially in
23 conjunction with the minimum wage coming into
24 play.

1 So can you talk about whether -- what
2 you see as the workforce impacts of that?

3 ACTING DIRECTOR OLSEN: You know, I
4 don't think for us there's going to be that
5 much of a workforce impact. I know you heard
6 from the other two commissioners, you'll hear
7 from others. That's an Executive decision
8 that spans across the agencies.

9 I can just tell you from our
10 perspective, you know, we did have a modest
11 \$4.5 million increase in our Older Americans
12 Act budget this year. We had additional
13 dollars that were increased last year in CSE.
14 We've got a \$15 million investment this year.
15 We believe that once we implement the
16 private-pay protocols, it's going to be a job
17 creator. You know, those service dollars
18 also are workforce dollars, because you can't
19 deliver service without the workers. So I
20 don't anticipate there's going to be much of
21 an impact for our agency, frankly.

22 SENATOR MAY: So in my district we
23 have -- I have a rural county where there are
24 providers who have to drive an hour between

1 houses that they serve, and they don't get
2 paid for that time or for their gas or any
3 travel cost, so it -- effectively their
4 hourly rate is very low. So do you see any
5 way to address that problem?

6 ACTING DIRECTOR OLSEN: Yeah, so
7 you're talking about the home care aide
8 issue, and that is certainly an issue that,
9 you know, we're working with the Home Care
10 Association, the Governor's office just
11 brought together an interagency group that
12 spans, you know, our agency and many others,
13 and it's certainly an issue.

14 So we'll continue to be part of those
15 conversations, because it's a very valuable
16 workforce role. It's difficult to hire and
17 retain individuals who are in competition
18 with other industries that may be able to
19 offer, you know, a benefit that might be
20 better.

21 I think, for us, we have other
22 opportunities, which is the Consumer-Directed
23 Program that we have within our home care
24 program, as well as developing one for our

1 caregiver support. I think that's something
2 that's going to be significantly expanded in
3 the very near future. We have 36 counties
4 that already implement, but I believe the
5 \$15 million investment's going to really help
6 launch that, because there are, honestly,
7 pockets of the state where the home care aide
8 shortage is worse than in other parts.

9 So that's something we will continue
10 to work with others about, because it is a
11 concern.

12 SENATOR MAY: Great, thank you.

13 I was glad to hear you talk about this
14 initiative to work on volunteer
15 transportation programs. Transportation and
16 isolation of seniors is a problem all around
17 the state. I come out of a sustainability
18 career and am always thinking about how we
19 look holistically at these problems. Is
20 there coordination with the transportation
21 side of the budget and this side of the
22 government on these kinds of issues? Or is
23 this just, you know, in the silo of aging
24 that you're working on that?

1 ACTING DIRECTOR OLSEN: Well, I think
2 it crosses multiple areas.

3 So the Governor did propose in the
4 State of the State some increased funding for
5 upstate public transportation. I think
6 that's one option for people of all ages who
7 are able to use it. Right? So I mean
8 there's an assumption in public
9 transportation that you're physically able to
10 use it. And so I think that that's one
11 option for folks.

12 Most people probably don't know, we
13 have a \$24 million transportation program
14 across the state within our budget. And
15 that's made up of a variety of different
16 things -- some paid drivers, to buses. We
17 have a huge corps of volunteers that provide
18 transportation.

19 So I think that there's multiple ways.
20 I think that the expansion last year in
21 New York State of Uber and Lyft, while it's
22 going to take some time to get there, I think
23 that that not only could be a potential job
24 creation piece for older people who want to

1 earn some additional dollars, but it's also
2 going to hopefully open up some additional
3 transportation options for people in areas
4 like yours and many others that I've been to
5 around the state that are very geographically
6 diverse. So I think we have to look at it
7 across the spectrum.

8 You know, you'll come to learn, as we
9 work together, how valuable and reliant we
10 are here on our volunteer corps. We have
11 495 million hours of volunteer service of
12 people who are over the age of 55, about a
13 million of them providing \$13.8 billion of
14 volunteer service a year if it was paid for
15 at the market rate. I think we've got to
16 figure out and continue to work to cultivate
17 those, which is some of the things that we're
18 trying to incentivize. And I think older
19 workers who maybe are looking for a little
20 bit of extra work when they're in their
21 retirement can certainly be part of multiple
22 solutions to some of the workforce issues.

23 SENATOR MAY: Right. But I guess part
24 of my question was, are you in the room when

1 they're making the transportation decisions
2 as well?

3 ACTING DIRECTOR OLSEN: Well --

4 SENATOR MAY: But I want to move on to
5 some other things, so we can talk about that
6 at another time.

7 ACTING DIRECTOR OLSEN: All right.

8 SENATOR MAY: But you also mentioned
9 the age-friendly communities issue. And AARP
10 is in the house, it's nice to see. Do you
11 feel that your budget reflects these kinds of
12 priorities, and how do you, again -- like I'm
13 getting hundreds of emails from people
14 supporting our libraries, which have taken a
15 big hit in the budget. And there are a lot
16 of indirect supports for elderly people as
17 well as, you know, people -- you know, all of
18 us in New York.

19 But I guess I'm wondering, what's your
20 assessment of ways the budget proposal helps
21 or hurts seniors in New York with indirect
22 funding for services?

23 ACTING DIRECTOR OLSEN: Yeah, so I'm
24 going to answer your first question, because

1 I'm sure you're out of time, and then I'll
2 answer your second one.

3 One of the things under the rubric of
4 age-friendly, transportation is one of the
5 key domains. And so, you know, is our office
6 in the room when transportation folks are
7 making decisions about the federal
8 transportation budget? The answer is no.

9 But what has been happening is, you
10 know, the Governor has pulled together a
11 fairly robust interagency group to work on
12 the Prevention Agenda, which transportation
13 is a key to; the Health Across All
14 Policies -- which really is, Agencies, you
15 need to work together to plan and do better
16 in pooling your resources together so that we
17 have better healthcare and other outcomes;
18 and then there's age-friendly, which the
19 Governor released the Executive Order 190 in
20 November.

21 And why that's important is because it
22 does three things. And it's going to get to
23 your transportation question, but it's also
24 going to get to some of the other areas of

1 other budgets that also touch Aging that's
2 outside of ours. Executive Order 190 does
3 three things. It requires state agencies to
4 address the appropriate domains under their
5 rubric. So on Transportation, it would be
6 transportation in their plans to the federal
7 government. It requires local agencies that
8 have to submit a plan to state government to
9 address the eight domains where appropriate
10 within their state plans. Probably the most
11 important thing is it requires agencies to
12 start to build some of these smart-growth
13 livability domains into procurement
14 opportunities, such as the downtown
15 revitalization initiatives have done for the
16 last three years.

17 So I think what we can start to
18 anticipate is transportation planners at all
19 levels of government are going to start to
20 think about a little bit differently, you
21 know, how their transportation systems work
22 for people of all ages, whether they be older
23 or younger, because that's really what
24 age-friendly is all about.

1 SENATOR MAY: Great. Thank you very
2 much.

3 CHAIRWOMAN KRUEGER: Thank you.

4 ACTING DIRECTOR OLSEN: In terms --
5 even though her buzzer went off, does that
6 mean my buzzer went off?

7 (Laughter.)

8 CHAIRWOMAN WEINSTEIN: Yes. You share
9 the time.

10 ACTING DIRECTOR OLSEN: I'm sorry.
11 Okay. Sorry, Senator, I didn't get the
12 answer you were --

13 CHAIRWOMAN WEINSTEIN: You probably
14 weren't here when we began. And just for
15 other witnesses also, the time frame is for
16 both the question and the answer. And when
17 the yellow light flashes, it means you have a
18 minute left. And when the red light flashes,
19 time's up.

20 ACTING DIRECTOR OLSEN: I'm sorry, my
21 bad. I'll do better.

22 CHAIRWOMAN WEINSTEIN: Not a problem.

23 So I before -- we go on to some other
24 questions, I have a quick question. I saw in

1 your prepared remarks -- I guess you read
2 them also -- it was listing piloting a home
3 sharing program based upon Vermont.

4 Is the -- well, first of all, I assume
5 you're aware that the New York Foundation for
6 Seniors has a very successful home-sharing
7 program that was started in the '80s, that
8 I'm glad to say I was part of helping
9 organize, and has been funded since -- pretty
10 much since that time by the Assembly, despite
11 each year the Governor X'ing out those
12 dollars and us having to appropriate them
13 again.

14 Is the \$15 million that's listed as
15 additional dollars for SOFA intended to
16 finance this type of program? Can you
17 describe what you're looking at when you're
18 talking about a home-sharing program and
19 where it would be?

20 ACTING DIRECTOR OLSEN: Yeah, sure.
21 Thank you, Assemblywoman. Yeah, Linda's
22 program is amazing. We go down every year to
23 visit it. Very impressed with it. There was
24 also a couple of programs in Suffolk County.

1 I think you know with some of the
2 housing issue, both from the economic
3 standpoint of whether it be older people,
4 younger people with disabilities, or just
5 people in general, there's an opportunity
6 here to look at models that have been
7 successful and figure out how to replicate
8 them.

9 I think one of the things that, you
10 know, I've learned over time is that if we
11 wait for -- you know, there's not enough
12 resources anywhere to do everything we always
13 want to do. And so my office has really been
14 trying to look at what we can do based on
15 successful models elsewhere. Of course
16 Linda's is one of them.

17 I was very impressed with the
18 home-share model in Vermont. You know, I
19 think what that provides is an opportunity
20 not only on the economic front -- not just
21 for older people, because their model is
22 quite mixed. But what's very interesting is
23 that 40 percent of people that got into a
24 home-sharing arrangement did so because of

1 the money. And at the end of the first year,
2 99 percent of them were providing some type
3 of service to each other. Which of course
4 you'd know why; you develop a relationship.
5 But they almost become almost like personal
6 care aides, right? You're shoveling snow,
7 you're shopping, helping prepare meals.
8 You're combating social isolation.

9 So I really like the way that their
10 model works because it's very much
11 volunteer-driven. And of course in limited
12 resources, that's always up our alley. I was
13 very impressed with how they were organized.
14 And it was mostly, frankly, retired, very,
15 very committed, articulate older women who
16 were running this program.

17 The hardest part of the sharing now is
18 who you voted for, so that was just one
19 caveat they threw out.

20 (Laughter.)

21 ACTING DIRECTOR OLSEN: But I was able
22 to sit through a two-hour meeting where they
23 talked about cases and how to match people,
24 and it's pretty rigorous.

1 So I think one of the options that is
2 available is they are doing an academy this
3 summer. We have quite a few counties who
4 indicated to us -- when we asked them who
5 would be interested in potentially looking at
6 this and trying it out, we had quite a bit of
7 counties that came back and said that they
8 were interested. So we're hoping that many
9 of them will go to this to learn how to do
10 it.

11 And I think that, you know, there are
12 some opportunities through some discretionary
13 funding that we have in the agency that might
14 be able to help get these started. But it
15 wouldn't be part of the \$15 million.

16 CHAIRWOMAN WEINSTEIN: Thank you.
17 Senate?

18 CHAIRWOMAN KRUEGER: Thank you.
19 Senator Serino.

20 SENATOR SERINO: Thank you,
21 Madam Chair.

22 And hello, Acting Director Olsen.
23 Nice to see you again.

24 I also want to echo Assemblymember

1 Bronson's concern, and I really appreciate
2 him voicing it so strongly. I hope that the
3 leadership is going to hear these concerns
4 and consider tabling this and taking a closer
5 look at it. I really appreciate him going
6 into detail, too, because it answered a lot
7 of my questions.

8 And you know, when we think about it,
9 too, think about the counties. They're
10 already stretched so thin. So -- and we
11 think about the waiting lists. And I know
12 it's great about putting that extra money in
13 there, but the Executive has made consistent
14 cuts over the past eight years, I think it
15 is. So are we playing catch-up? You know,
16 there's a lot -- like I always say, the
17 devil's in the details.

18 So I'm going to go on to my other
19 question that I wanted to talk to you about,
20 because earlier you may have heard me ask the
21 OCFS commissioner about the elder abuse
22 hotline that we've talked about. And while
23 logistically it is handled by a different
24 agency, SOFA is responsible for helping to

1 raise awareness and to prevent elder abuse
2 and make people aware of the resources that
3 are available, including the hotline.

4 We actually passed legislation in
5 prior sessions specifically authorizing the
6 creation of such an awareness campaign. So I
7 was wondering if you can give me an update on
8 that front in terms of what SOFA is doing to
9 specifically raise awareness about preventing
10 elder abuse.

11 ACTING DIRECTOR OLSEN: Yes, sure.
12 And thanks for the question. At some point
13 I'd like to come back to your first question,
14 if it's even outside of here, because I'm not
15 quite sure I understood it.

16 As you know, and thanks to a lot of
17 your efforts, both on the investment to
18 address unmet need, which, you know, you have
19 brought up year in and year out, but also
20 your passion around elder abuse -- as you
21 know, we are one of the few states in the
22 country that tested very successfully an
23 enhanced multidisciplinary team model. For
24 those that don't know what that is, again, we

1 have all these acronyms; it's just basically
2 individuals with different skill sets from
3 different systems working together to serve
4 the whole.

5 Last year there was \$500,000 that was
6 baselined from the previous year that helped
7 us generate and draw down, in partnership
8 with the Office of Victim Services, another
9 \$2 million in federal dollars. We have a
10 three-year package of \$8.4 million to expand
11 elder abuse EMDTs across the state. We're
12 currently in 30-plus, and by the end of the
13 three years we'll be statewide.

14 So there is a lot of activity, a lot
15 of cross-agencies, whether it be with DFS,
16 State Adult Protective Services, the court
17 systems, law enforcement -- at the local
18 level, the county offices, the regional elder
19 abuse coalitions -- where they're not only
20 part of the EMDT family, so to speak, but
21 there's a lot of other resources that go out
22 the door, both through the counties and
23 through Life Span of Greater Rochester, who's
24 our contractor, to provide professional

1 training, you know, banks, service providers,
2 as well as training to the general public
3 about signs and symptoms.

4 So there's a laundry list that I'd be
5 happy to get you in terms of all of the
6 various things that our agency does as an
7 agency, but also in connection with all of
8 the other systems. Because I think one of
9 the really important takeaways on aging is
10 it's not just the Office for the Aging.
11 Aging touches so many of the other agencies,
12 both at the state level and the local level.
13 And, you know, what's really great about
14 working in this environment, having been now
15 in three different Governor's offices, is how
16 important the charge and command to work
17 together is here, and it really pays
18 dividends that we can leverage the expertise
19 and resources of not only us but other
20 agencies.

21 SENATOR SERINO: Okay. Because my
22 concern was how are we letting people know
23 about the elder abuse hotline so that they
24 even know that they can call between 5

1 o'clock and 8 o'clock at night.

2 ACTING DIRECTOR OLSEN: Yes, so if the
3 question is targeted towards the hotline,
4 that is something we absolutely get out. We
5 have a web presence, we have a social media
6 presence, we have a local presence of 59 area
7 agencies. We have resources that have all of
8 the various resources in the state. We're at
9 a variety of different health fairs, public
10 fairs, conferences, et cetera, along with our
11 59 counterparts that are constantly providing
12 information on that hotline.

13 SENATOR SERINO: Thank you, Greg.

14 And I also -- because my concern with
15 the private pay is that ultimately it's going
16 to fall on the backs of the seniors. So
17 that's what I worry about with that.

18 And the other thing I wanted to
19 mention was the bill that I had that passed
20 for the pilot program for transportation
21 where seniors could turn in their car and
22 have like chits for transportation. And
23 we've always passed it in the Senate but
24 failed to get it through the Assembly.

1 So I'm really looking to working on
2 that again, because transportation is still
3 such an issue. I mean even just recently
4 talking to seniors -- and I know we have
5 money that's out there, but they still have
6 issues with getting a ride. And it's so
7 vitally important.

8 ACTING DIRECTOR OLSEN: Yeah, and that
9 independent transportation network you're
10 talking about out of Portland, Maine, has
11 been operational for over two decades. It's
12 very successful. That would be something I'd
13 be interested in having further conversations
14 about.

15 SENATOR SERINO: Okay, great. Thank
16 you.

17 CHAIRWOMAN KRUEGER: Assembly.

18 CHAIRWOMAN WEINSTEIN: Assemblywoman
19 Rozic.

20 ASSEMBLYWOMAN ROZIC: Thank you,
21 Madam Chair.

22 So as you might know, I represent a
23 couple of different organizations that are
24 deeply involved in NORCs, naturally occurring

1 retirement communities. I've been very
2 concerned in the past about the
3 administration and the sort of murky RFP
4 process that had been going on around NORCs.
5 I represent Commonpoint Queens, which is
6 formerly the Samuel Field Y and also the
7 Central Queens Y in Chairman Hevesi's
8 district. Your testimony just says the
9 baseline is \$4 million to the NORC program.
10 I'm wondering if you can walk us through the
11 timeline of administering not just the RFP
12 but the grants that go to these
13 organizations, how many NORCs apply and get
14 funded, and how all of that works out.

15 ACTING DIRECTOR OLSEN: Sure. And
16 I -- you know, at some point in the future
17 I'd love to talk to you more, because it
18 wasn't really that murky. And I hope that
19 that's not the characterization of the
20 process.

21 So there was a long-time effort that
22 culminated, say, three years ago in
23 modernizing the NORC statute. The original
24 in 1995 hadn't been changed in 20-something

1 years. Over half of the programs that had
2 been funded under it for years, and doing a
3 tremendous amount of great work, frankly
4 weren't eligible anymore to receive the
5 funding.

6 The Neighborhood NORC statute I helped
7 draft when I was in the Legislature, with the
8 Senate, Senator Golden, hadn't been updated
9 in 11 years, and the same thing happened.
10 And that's just simply because neighborhoods
11 change over time. So it wasn't that these
12 weren't valuable, but it gave us an
13 opportunity to take demonstration language
14 out of it, put in the things that we knew
15 worked well, take out the things that -- or
16 less prioritize the things that weren't, and
17 really modernize the program. And that's
18 exactly what happened.

19 So the agreement from that negotiation
20 was to put out an RFA, which we did. And it
21 would require everybody who wanted to have a
22 program, including the existing ones, to
23 apply. Now, I can tell you in years past --
24 I'm not sure that you were here -- NORCs and

1 how do I get one in my community was the
2 number-one issue. I've been to Senator
3 Montgomery's district a couple of times, and
4 others, because it's a valuable program.

5 But then what happened is we had some
6 issues at the federal level and very great
7 uncertainty in what was going to happen with
8 federal dollars coming to the state,
9 particularly in the healthcare arena, and so
10 we withdrew that RFA. Since the budget
11 passed last year, there was \$4 million added
12 to the NORCs and the Neighborhood NORCs --
13 which now we just call the NORCs, but it
14 encompasses both -- we provided funding to
15 all the existing programs at the amount that
16 they had requested under the RFA. So a very
17 significant increase. And the same for the
18 Neighborhood NORCs.

19 Then we put out a second round of RFA
20 this past November. We're expecting that to
21 finish on February 1st, which will be next
22 week, that we will announce the new grantees
23 on April 1st, and go to contract on July 1 or
24 July of this year. We're expecting six new

1 NORC programs and seven new Neighborhood
2 NORCs, based on the funding that we have.

3 ASSEMBLYWOMAN ROZIC: Great. Thank
4 you.

5 ACTING DIRECTOR OLSEN: You're
6 welcome.

7 CHAIRWOMAN WEINSTEIN: Senate?

8 CHAIRWOMAN KRUEGER: Thank you.

9 Senator Velmanette Montgomery.

10 SENATOR MONTGOMERY: Thank you.

11 Hello --

12 ACTING DIRECTOR OLSEN: Hi, Senator.

13 SENATOR MONTGOMERY: -- Commissioner,
14 or Director. I don't know why everybody's
15 acting -- I have a feeling I do, because it's
16 personal things. But you're really good, and
17 I appreciate your wisdom and your commitment
18 to this.

19 ACTING DIRECTOR OLSEN: Thank you,
20 Senator.

21 SENATOR MONTGOMERY: My question was
22 partially answered already, so, you know, I
23 have a minute to throw away.

24 (Laughter.)

1 SENATOR MONTGOMERY: You mentioned the
2 NORCs. And it seems people really want to
3 stay home -- no one wants to go to a nursing
4 home, and people really don't care to go --
5 senior citizens don't even like other senior
6 citizens, they just want to be in their own
7 home --

8 ACTING DIRECTOR OLSEN: That's right.

9 SENATOR MONTGOMERY: -- independent,
10 able to do their own thing. And it seems
11 like the NORC is such a logical program to
12 allow that to happen. So I'm just wondering,
13 where are we with that? How can we make that
14 part of what we do, more and more, for people
15 who are especially in communities where
16 there's large enough numbers of people who
17 are aging in place?

18 ACTING DIRECTOR OLSEN: Yeah, and
19 thank you, Senator, because I think it's a
20 great question. I think, you know, again the
21 additional resources that were negotiated
22 last year are going to help us expand. It's
23 also going to help us expand to areas we
24 don't traditionally think of a NORC being in.

1 The modernization statute allowed us to go
2 into rural and suburban areas as well, so
3 we're hoping that we'll be able to do that.

4 You know, the NORCs were way ahead of
5 their time. We're finally catching up with
6 the concept of the NORC, which is really to
7 integrate and have the health system and the
8 social service system work together. And
9 that's really what the state's priority is
10 under DSRIP, the Health Across All Policies,
11 value-based payments. The Health Department
12 has a new Bureau of Social Determinants that
13 we work closely with. So I think that
14 there's a couple answers to that.

15 You know, we're doing a lot of work
16 with the Health Department and the counties
17 and the association to really bring together
18 the PPSs, the health systems, managed
19 long-term care and others, to not only
20 recognize the value of what it is that our
21 network does, which is address the social
22 determinants, which account for 60 percent of
23 all healthcare spending, but how we can
24 leverage each other, understand what each

1 other does, so that we can do exactly what
2 you're talking about.

3 I think that there's other
4 opportunities to finance NORCs outside of
5 state government. You know, what really NORC
6 funds is the coordinator and the glue to kind
7 of bring all the pieces together and some of
8 the healthcare components. And I think that
9 there's opportunities, because of the aging
10 in place focus, the age-friendly communities
11 focus, that -- you know, health foundations
12 and other local foundations and philanthropy
13 would be really interested in investing in
14 this type of model because it has been proven
15 to work. It was born here, it's being
16 replicated across the country. And I think
17 it's going to be through those partnerships
18 and only those types of partnerships that
19 we're going to have that kind of success.
20 Because the days of siloing have got to be
21 over, and I think we're well on our way to
22 that.

23 SENATOR MONTGOMERY: Absolutely. And
24 I'm hopeful that you can think about ways in

1 which perhaps we can begin to write this kind
2 of program, this kind of service into
3 reimbursement formulas, because it's very
4 similar to a special needs support service,
5 it's just specifically targeting seniors.

6 So thank you very much.

7 ACTING DIRECTOR OLSEN: Thank you.

8 CHAIRWOMAN KRUEGER: Assembly.

9 CHAIRWOMAN WEINSTEIN: Assemblyman Al
10 Taylor.

11 ASSEMBLYMAN TAYLOR: Thank you.

12 Two of my questions were already
13 answered by my colleagues. I think I'll just
14 share the NORC program is vibrant, it adds so
15 much to the community where I'm located. And
16 if there's an opportunity to increase,
17 expand, perhaps more dollars, that would be
18 excellent.

19 I just wanted clarity on the -- you
20 talked about the home sharing. And I wasn't
21 clear if the \$15 million that's listed here,
22 we're investing \$15 million, was a part of
23 that or it's additional money that will be
24 added to that.

1 ACTING DIRECTOR OLSEN: No, the \$15
2 million is to provide services directly for
3 unmet needs that have been reported to us by
4 our county partners. So the home-share
5 pilots would not be part of that 15 million.

6 ASSEMBLYMAN TAYLOR: Different set of
7 monies.

8 ACTING DIRECTOR OLSEN: Correct.

9 ASSEMBLYMAN TAYLOR: Okay, thank you.

10 ACTING DIRECTOR OLSEN: And I'm hoping
11 your community did apply. I haven't seen the
12 list of who the applicants are for the NORC,
13 but I'm really interested.

14 ASSEMBLYMAN TAYLOR: And we only have
15 till next week?

16 ACTING DIRECTOR OLSEN: They have till
17 February 1, yes.

18 ASSEMBLYMAN TAYLOR: I'm on it.

19 CHAIRWOMAN WEINSTEIN: Senate?

20 CHAIRWOMAN KRUEGER: Senator Seward.

21 SENATOR SEWARD: Yeah, thank you,
22 Director Olsen.

23 ACTING DIRECTOR OLSEN: Hi, Senator.

24 SENATOR SEWARD: I wanted to drill

1 down a bit on the EISEP program, which is
2 very popular among my constituents, and I'm
3 sure that's true across the state, because it
4 does seek to meet a very important need out
5 there.

6 Can you share with us -- if you know,
7 in fact -- approximately how many individuals
8 are served annually through the EISEP
9 program?

10 ACTING DIRECTOR OLSEN: Yeah, so the
11 EISEP program consists of a couple of
12 components. I just want to make sure I
13 answer this correctly, and then I can verify
14 that in a second. So it's Personal Care 1
15 and Personal Care Level 2. So 1 are things
16 like housekeeping, chore service, help with
17 bill paying, shopping, meal preparation.
18 PC-2 is a little bit more skilled -- help
19 with getting up, feeding, ambulating, you
20 know, taking a shower, those types of things.

21 So we serve collectively, between PC-1
22 and PC-2, about 13,000 people a year. All of
23 them are case-managed, which means they have
24 an intensive case manager who is looking out

1 for their welfare, connecting to benefits,
2 connecting to legal services, working with
3 the family, leveraging other community-based
4 resources to make sure that that person can
5 stay as independent as possible.

6 SENATOR SEWARD: Now, just to clarify,
7 the \$15 million which we've been discussing,
8 is that specifically for the EISEP program?

9 ACTING DIRECTOR OLSEN: It isn't.
10 It's put under the EISEP appropriation
11 because the primary areas that we have
12 received data on unmet need are EISEP and
13 EISEP-like services. And I say EISEP-like
14 because Title III-D of the Older Americans
15 Act funds EISEP services. The CSE program
16 funds them as well.

17 So really what the appropriation does
18 is provides the flexibility for me to get
19 those dollars out. It doesn't require a
20 county match, which has been important as of
21 years late, and doesn't require to go through
22 the funding formula, because then I wouldn't
23 be able to target the dollars.

24 The majority of the services that will

1 be funded under this approp are going to be
2 the case management, PC-1 and PC-2, but it
3 will also be things like home-delivered
4 meals, personal emergency response system --
5 that's the unit where if you fall, you can
6 press it and it alerts 911 or a caregiver --
7 and home modifications and repair. But it
8 provides that flexibility.

9 And, you know, I think that we're
10 anticipating and have to kind of think
11 through in areas where an aide may not be
12 available, you know, the consumer-directed
13 model or other ways that the county or the
14 community-based organization can serve that
15 individual, you know, differently -- it might
16 be a SADS program, it might be enhanced
17 caregiver and respite. So we have that
18 flexibility that they can determine how best
19 to serve that person that's not having their
20 needs met.

21 SENATOR SEWARD: I guess what would be
22 of concern is there is a waiting list for
23 EISEP in many counties.

24 ACTING DIRECTOR OLSEN: And that's

1 what this is designed do, is to target unmet
2 need, yes.

3 SENATOR SEWARD: So how many -- with
4 this additional funding, how many more new
5 seniors do you anticipate enrolling in the
6 program?

7 ACTING DIRECTOR OLSEN: Well, we're
8 anticipating that the data that was reported
9 to me by the counties will be able to be
10 served by this 15 million. So as I was
11 mentioning earlier, the 15 million wasn't a
12 number that I pulled out of a hat. It was
13 based on a county reporting maybe a
14 home-delivered meal unmet need, two people on
15 PC-2 unmet need. And I can literally drill
16 down to the county level and say it's going
17 to cost \$14,535 for you to put those
18 individuals on the service that you're saying
19 that you're not able to do right now.

20 So we believe that this is going to be
21 able to address the unmet need. It's very
22 exciting.

23 SENATOR SEWARD: What I was searching
24 for is an approximate number. You said

1 13,000, approximately, are on the EISEP
2 program. And with these additional funds of
3 \$15 million, how many more seniors will -- a
4 number, in terms of how many more will
5 receive services.

6 ACTING DIRECTOR OLSEN: I think all
7 day, for all of the areas that we have seen
8 unmet need, it's going to be close to 9,000.

9 SENATOR SEWARD: In addition?

10 ACTING DIRECTOR OLSEN: Yes.

11 SENATOR SEWARD: Thank you. No
12 further questions.

13 ACTING DIRECTOR OLSEN: You're
14 welcome. Thank you, Senator.

15 CHAIRWOMAN WEINSTEIN: Assemblywoman
16 Wright.

17 ASSEMBLYWOMAN WRIGHT: Good afternoon.

18 ACTING DIRECTOR OLSEN: Hi.

19 ASSEMBLYWOMAN WRIGHT: I just wanted
20 you to explain to me, one of the items you
21 identified was providing funding to bring
22 in-house the statewide efforts to expand
23 evidence-based interventions. So can you
24 explain that a little bit more fully to me?

1 Because these look like things that are
2 normally handled, at least in my community,
3 by a lot of our CBOs and health clinics.

4 ACTING DIRECTOR OLSEN: Yes. So thank
5 you for the question.

6 The State Office for the Aging
7 receives what's called Title III-D funding,
8 and that's for health prevention, wellness,
9 and other types of, you know, proactive
10 get-healthy type.

11 Years ago we mandated that all of our
12 counties using those dollars only provide the
13 highest-level evidence-based interventions,
14 and there's a whole bunch of them. Our
15 network now provides over 40 different EBIs,
16 from tai chi, osteoporosis -- so we keep the
17 fidelity of these programs and they have
18 certain positive outcomes for the
19 individual's healthcare.

20 Back in 2006 we applied for a federal
21 grant, in partnership with the Health
22 Department but administered by our agency, to
23 build out the statewide infrastructure for
24 chronic disease self-management. I'm not

1 sure if you're familiar with that particular
2 program. And there's diabetes
3 self-management, there's a variety, again, of
4 these evidence-based interventions.

5 One of our partners was SUNY Albany
6 Research Foundation, who basically became the
7 quality technical assistance provider for
8 this effort. So over the last 12 years, we
9 have been building -- again, with Health
10 Department providers, within the area agency
11 on aging network -- and those community-based
12 organizations that you've talked about have
13 built over 120 sites across the state and
14 have served tens of thousands of people, not
15 just older people but people with
16 disabilities, et cetera.

17 The SUNY Research Foundation notified
18 us in October that they were folding up shop
19 December 31. So we approached the Governor's
20 office and we made a pitch of how important
21 this was not only to MLTC, the health
22 community, but our network as well, because
23 we had built this and have plans to continue
24 to expand out this fairly robust

1 infrastructure of EBIs that are beneficial.

2 The funding to continue that as-is was
3 built into our financial plan. And so those
4 things will still happen in the community,
5 but what would have happened is the whole
6 project and the 12 years of work to grow
7 these, and to link with health providers and
8 others in a community, would have fallen
9 apart.

10 ASSEMBLYWOMAN WRIGHT: Okay. I just
11 wanted to understand. Thank you.

12 ACTING DIRECTOR OLSEN: Yes, thank
13 you.

14 CHAIRWOMAN WEINSTEIN: Senate?

15 CHAIRWOMAN KRUEGER: Thank you. I
16 think I'm the last Senator. Thank you for
17 being with us today.

18 A lot of questions were already asked.
19 Just a revisit of this private-pay protocol.
20 Just to note, has SOFA looked into making it
21 very clear that if you're an organization
22 who's receiving Older Americans Act money,
23 you'd better not be participating in this?
24 Because of course under the Older Americans

1 Act, you're not allowed to charge people.
2 And it's very hard, at a community-based
3 level, to separate out what monies got used
4 for what services.

5 Also, any program that is perhaps
6 receiving donated food through their local
7 food bank for some of their programs -- I
8 know in New York City most of our senior
9 centers draw down food bank foods as
10 supplements -- same law. Cannot charge
11 anybody for anything.

12 So I hope that you're aware of that
13 and making sure you're not walking
14 not-for-profit and other organizations into a
15 legal problem.

16 ACTING DIRECTOR OLSEN: Well, I
17 appreciate you doing your homework. You're
18 absolutely right. So a couple of things.

19 There are exemptions to cost-sharing
20 and inclusions under the Older Americans Act.
21 So I think that's the reason that we chose
22 not to go with a cost-sharing model, because
23 there are things that are exempt and should
24 be exempt, frankly.

1 Senator, the way that the network is
2 structured, it's really a great
3 public-private partnership: Fed, state,
4 local, and participant themselves. But to be
5 honest with you, and I think that you know
6 this, the game is at the state. The amount
7 of money that we receive from the federal
8 government is this big (indicating),
9 \$77 million -- not insignificant, but we can
10 spend that in the first couple of months.

11 Between what the state puts in and
12 what the counties put in -- the counties put
13 in \$260 million, the state funds \$140
14 million -- we're way ahead of any other state
15 in the country on the state commitment. And
16 then the participants themselves, through
17 little donations, voluntary contributions,
18 put in another \$35 million. We're looking at
19 state-only services. There already is an
20 accounting process that the counties are
21 well-versed in using to separate federal
22 funds from state funds. That's the EISEP
23 program. And so we will go into this, you
24 know, very thoughtfully.

1 I think, you know, you're one of the
2 few people up there that know my history as
3 an advocate and protecting people. And I'm
4 very, very excited about this program because
5 I'm seeing as I'm making breakfast for the
6 kids in the morning of these organizations
7 that are for-profit that are popping up all
8 over the state offering all kinds of advice
9 to older adults and selling a service that
10 I'm not sure that we should be pleased that
11 they're selling.

12 And I think that -- you know, I've
13 been around this network long enough to know
14 what it does, how it does it, how the state
15 provides oversight, and how important it is
16 to be as objective as possible and provide
17 the litany of things that wrap around a
18 particular service and looking out for the
19 best interest of the older person.

20 So to answer your question a long way,
21 you're absolutely right, and we have taken
22 that into consideration. Which is also why
23 we're going to take a year to really make
24 sure that we implement this correctly. It's

1 at county option. I don't expect 59 counties
2 to jump in on April 1, 2020. But I think
3 that this is a winner proposal, it's going to
4 help expand services that people don't have
5 access to. It's going to generate revenue,
6 and it's going to help direct new revenues
7 towards people that do not have access to
8 services.

9 CHAIRWOMAN KRUEGER: And you brought
10 up a very important point that I now want to
11 raise. I hope that SOFA will coordinate with
12 other state agencies and legislators to
13 finally start serious investigation into the
14 abuses in for-profit nursing homes and the
15 rates at which the complaints have
16 skyrocketed of incredibly disturbing
17 treatment or lack of medical care for people
18 as the for-profit ratio of nursing homes
19 continues to outpace radically the
20 not-for-profit. It's the only sector of
21 healthcare that we seem to allow the
22 for-profits into in New York State, and it's
23 for me an example of why we're very wise not
24 to allow for-profit healthcare. Because some

1 of the stories that I get reported to me from
2 people in for-profit nursing homes are
3 terrifying.

4 So I know you don't think you have a
5 role with nursing homes, except you have the
6 role as the advocate for seniors in this
7 state, who are disproportionately the people
8 in nursing homes.

9 ACTING DIRECTOR OLSEN: Yes. And we
10 also have the Long Term Care Ombudsman
11 Program, which is extremely important, to be
12 the eyes and ears and communication mechanism
13 back to the Health Department. They work
14 with the Health Department. And so, yeah,
15 thank you for your comment.

16 CHAIRWOMAN KRUEGER: And then finally,
17 and I don't expect you to answer now -- I'm
18 always fascinated that the state recognizes
19 we have education funding that correlates to
20 the number of children in our schools and it
21 goes up and down based on that. We have
22 healthcare funding that correlates to the
23 number of people on Medicaid, for example, or
24 Medicare. We have formulas for benefits

1 programs through OTDA.

2 Do we ever evaluate and do you have
3 any numbers of the growth of seniors in the
4 state compared to the growth in investments
5 in programs specifically for seniors?

6 Because I'm suspecting we're really behind
7 the curve of the fact that we are just
8 getting older and older.

9 ACTING DIRECTOR OLSEN: Yeah, and I
10 think that, you know, for a long time, as you
11 know, being in this legislative body, there's
12 modest increases year in and year out. I
13 think that over the last couple of years
14 under Governor Cuomo, whether it be directly
15 in our agency or, an example, a \$25 million
16 increase in caregiving and respite services
17 that wind up in the Health Department --
18 there's a lot of investments like that. I
19 think that the population trends are
20 something we definitely need to take a look
21 at.

22 And I am hopeful and think that we
23 will get to a point where this multi-agency
24 collaborative under the Prevention Agenda,

1 HHAP, and age-friendly, is going to raise the
2 awareness of not only what the value of the
3 older population is in terms of what it
4 brings socially, intellectually and
5 economically to communities, but maybe
6 provides us a different way to provide
7 services because of that value.

8 CHAIRWOMAN KRUEGER: Thank you.
9 Assembly.

10 ACTING DIRECTOR OLSEN: Thank you.

11 CHAIRWOMAN WEINSTEIN: Thank you.
12 Assemblyman Bronson for a second
13 3 minutes.

14 ASSEMBLYMAN BRONSON: Thank you,
15 Madam Chair, for 3 minutes.

16 So first I'm going to make a couple of
17 observations and comments. I'm very pleased
18 to know that the agency has a directive to
19 train and certify the workers within the
20 agency. It's a little perplexing, however,
21 then to see in the budget that the
22 Association on Aging in New York, the
23 Education and Technical Assistance line item,
24 is totally deleted. I think there's an

1 inconsistency there, and I think you should
2 relook at that.

3 Second, the COLA issue. You know, the
4 reality is COLA was instituted in the State
5 2006-2007 Budget. Since that time, only two
6 years -- two years -- has there been a COLA
7 increase. We have also changed the dynamic
8 out in the field, not only for SOFA but for
9 OMH, OPWDD, et cetera. That dynamic is,
10 rightfully so, we have a policy in this state
11 of making sure workers get paid a fair and
12 good wage. We increased the minimum wage.
13 That has created so much pressure all through
14 the human services agencies on keeping,
15 retaining and being able to pay the number of
16 staff members they need.

17 This state has an obligation, an
18 obligation -- if we're going to be serious
19 about human services, and in this case about
20 serving our older New Yorkers, we need to
21 have that COLA in. It's a price tag of
22 \$700 million that has not been funded. So I
23 think you need to relook at that.

24 Thirdly, this isn't really in your

1 wheelhouse, but it's kind of, because the
2 housing and foreclosure funding, we need to
3 replace that funding. The funding stream is
4 going to expire in March of this year. And
5 our older New Yorkers are facing scam
6 for-rescue foreclosures, they're facing
7 attempts for deed theft. And we need to make
8 sure that legal service agencies out there
9 are funded so that they can protect our
10 seniors and keep them in their homes.
11 Remember, one of our number-one priorities is
12 to keep our seniors in their homes.

13 So lastly, I'll just ask you quickly,
14 the LGBT population, what has the agency done
15 to help the population which I am part of?

16 ACTING DIRECTOR OLSEN: Sure. And I'm
17 going to answer number one first, if you
18 don't mind. The \$250,000 training contract
19 was a Governor's priority several years ago.
20 That has not been eliminated from my budget,
21 it has been moved into the NPS budget so I
22 can administer it directly for efficiency's
23 sake.

24 The project that we have working with

1 the association right now is a very, very
2 intensive two-year business acumen project
3 with health and non-health to bring folks
4 together to have them get paid for services.
5 So it is there, it's not going away. And so
6 we're planning on blowing out the ability to
7 provide state certifications and statewide
8 training that's measurable and
9 outcomes-based.

10 Your comments on 2 and 3, I appreciate
11 your comments.

12 Number 4, we've done a lot. You know,
13 I think we really have been a leader in the
14 state in terms of how we approach LGBT
15 communities.

16 We have a really strong working
17 relationship with SAGE. They've done a
18 variety of trainings for us directly at the
19 state level, but also our staff at the local
20 level. We have built questions into our
21 COMPASS, our comprehensive assessment tool,
22 to make sure that we're identifying
23 individuals. We have at our June conference
24 every year at least three or four workshops

1 that address these particular issues.

2 We are working -- and I have a laundry
3 list of what counties are doing directly in
4 this area, and I think this is something we
5 have to continue to combat, because there's a
6 lot of stereotypes and misinformation and
7 frankly fear that just needs to be constantly
8 overcome.

9 I also have the power within the --
10 being the director, to do a couple of things,
11 and we're going to address that. Our
12 four-year plan is going to be resubmitted
13 next year, 2019-2024, where I'm going to
14 address this exact issue specifically and
15 then require the counties to submit to us, in
16 their annual plans and their four-year plans,
17 a lot more detail on exactly what they're
18 doing to combat that as well.

19 So I think it's a work in progress
20 that we're going to continue to work on.

21 ASSEMBLYMAN BRONSON: Thank you.

22 ACTING DIRECTOR OLSEN: Sure.

23 CHAIRWOMAN WEINSTEIN: Thank you.

24 Senator May.

1 SENATOR MAY: This is just really
2 quick, but again, about the private-pay
3 protocols.

4 Do you envision a sliding scale so
5 that people at 400 percent of poverty will
6 pay less, or it just kicks in at a
7 hundred percent at that point?

8 ACTING DIRECTOR OLSEN: No, we're not.
9 I think that it starts to get really
10 complicated when you do that.

11 Again, I think that, you know, most
12 families and individuals that are dealing
13 with elder care issues, whether it be my
14 parents or others, are looking for an
15 objective place to go to get services that
16 are cost-effective and leverage a whole bunch
17 of other things, not be sold a particular
18 product per se. And I think that we're able
19 to do that.

20 I just want to give you an example of
21 how cost-effective our services are. And
22 I'll give you an example of our average EISEP
23 person. So not only are we able to intervene
24 earlier before people get to the example that

1 I'm going to give you, and maybe offer some
2 services for a couple of hundred dollars a
3 year, but when you get to the point where you
4 really have some high needs, CMS at the
5 federal level targets, under Medicaid and
6 Medicare, people that have two or more
7 chronic conditions, people that have
8 functional limitations.

9 Our average EISEP client is an
10 83-year-old woman who lives alone, who's low
11 income, doesn't have any caregivers, has four
12 or more chronic conditions, three or more
13 needs at ADLs and 5.9 IADL needs. So here's
14 what that means. That means they have
15 trouble getting up, getting dressed, bathing,
16 eating, shopping, transporting, et cetera.
17 And we're able to do that for \$7,000 a year.
18 I'm not sure where the bigger bang for the
19 buck you can get. And that's where you get
20 to a point where you've almost got a foot in
21 the door to Medicaid. Right? So can you
22 imagine what we'd be able to do if we were
23 able to get to folks earlier, help them
24 understand the tens of plans of Medicare

1 Part D, to offer -- one of the most important
2 services out there is case management.
3 That's \$700 a year for a case manager.

4 So I think that, you know, these are
5 things that if I had the ability to pay for
6 that on behalf of my mom, I would do that in
7 a second. But I don't have the authority to
8 do that now. The counties don't have the
9 authority to offer that option right now.
10 And that's where I think we're going with
11 this. It's not about a cost-shift, it's
12 being able to open it up so that we can help
13 people maintain themselves, not devolve to a
14 point where they wind up in the ER and then
15 have to spend down to Medicaid. And I think
16 it's a winner, I really do.

17 SENATOR MAY: Thank you.

18 ACTING DIRECTOR OLSEN: Thanks.

19 CHAIRWOMAN WEINSTEIN: Assemblywoman
20 Dickens, did you have a question?

21 ASSEMBLYWOMAN DICKENS: Thank you so
22 much, Madam Chair.

23 And thank you, Mr. Olsen, for your
24 testimony.

1 I agree with my chair that the
2 New York Foundation has done a phenomenal
3 job. But can you tell me what the cost is
4 per two-bedroom unit in New York City for
5 home-sharing?

6 ACTING DIRECTOR OLSEN: I can't. Is
7 that something you'd like me to get for you?

8 ASSEMBLYWOMAN DICKENS: I'd like that.

9 ACTING DIRECTOR OLSEN: Sure.

10 ASSEMBLYWOMAN DICKENS: Because they
11 are interested in expanding their
12 home-sharing program.

13 ACTING DIRECTOR OLSEN: The New York
14 Foundation is?

15 ASSEMBLYWOMAN DICKENS: Yes, the
16 New York Foundation is.

17 The second question I have is on the
18 NORCs. What is the cost for administering --
19 and maybe you don't know today, but the cost
20 for administering a NORC down in the city?

21 ACTING DIRECTOR OLSEN: Well, I can
22 tell you what the NORCs receive down in the
23 city, if that would be helpful. And then if
24 there are specifics in terms of like, you

1 know, what the complement of staff look like,
2 I'd be happy to get that for you.

3 ASSEMBLYWOMAN DICKENS: I'd like that.
4 Because in Assemblymember Taylor's district,
5 the Esplanade was a NORC, and they lost that.
6 I had a Neighborhood NORC with Abyssinian
7 Development Corp., and I lost that. So I'm
8 very concerned about my constituent base
9 having a program such as NORC available to
10 them.

11 ACTING DIRECTOR OLSEN: Okay. So I
12 can get you some specifics. The majority are
13 receiving between 150 and 200. But many of
14 the state-funded NORCs are also being funded
15 by the city, so it could be 3, 4, 500,000
16 depending on the particular one.

17 I'd be more than happy to get you a
18 list of the NORCs and the Neighborhood NORCs
19 and what the staffing complement looks like.

20 ASSEMBLYWOMAN DICKENS: Also, you
21 partner with NYSERDA. Is that the best
22 partnering agency to target low- and
23 moderate-income households for energy
24 efficiency? And the reason I'm saying that

1 is because maybe you might do better if you
2 went into the senior centers or went to --
3 looked at DHCR's filings. Is NYSERDA the
4 best -- and I'm not knocking them, they do a
5 phenomenal job.

6 ACTING DIRECTOR OLSEN: Yeah, and I
7 don't think it's one or the other. I think
8 that that was an example of things that we're
9 trying to do to do a couple of things -- make
10 the house safer for people to live in, reduce
11 the carbon footprint where possible, reduce
12 the amount of money you're spending
13 out-of-pocket, which then can go to other
14 things. We certainly want to reduce people
15 using their ovens to heat and so on.

16 So NYSERDA has a variety of programs
17 that are targeted to low- and moderate-income
18 people to make those types of purchases and
19 changes, whether they be appliances or some
20 small changes for the house to do those types
21 of things. But are they the only ones, to
22 your point? Absolutely not.

23 ASSEMBLYWOMAN DICKENS: All right.
24 Because I meant to target those households.

1 NYSERDA provides the ability for them --

2 ACTING DIRECTOR OLSEN: To finance it.

3 ASSEMBLYWOMAN DICKENS: -- to get the
4 outdated equipment out.

5 ACTING DIRECTOR OLSEN: That's right.

6 ASSEMBLYWOMAN DICKENS: So I just
7 wanted to know, you know, about that.

8 Thank you so much for your testimony.

9 ACTING DIRECTOR OLSEN: You're
10 welcome.

11 CHAIRWOMAN WEINSTEIN: Thank you. So
12 I think that is the end of your time here.
13 There may be some follow-up questions that
14 members have, and we will --

15 ACTING DIRECTOR OLSEN: Well, it's
16 always great to be here. Thank you all. I
17 appreciate it.

18 CHAIRWOMAN WEINSTEIN: Thank you for
19 your help here, Greg.

20 So now we begin the sort of
21 stakeholder advocates' comments portion of
22 the hearing that we will have witnesses come.

23 Just by way of information, both with
24 the next witnesses and members, there's five

1 minutes for the witness to present their
2 testimony. Remember, you've all submitted it
3 by -- or hopefully you have all submitted it
4 by email already. It's been circulated to
5 the members. So to the extent that you can
6 summarize your positions, that is great. And
7 by sending it in advance, it was able to help
8 prepare us for dealing with the commissioners
9 here.

10 And then members, if they choose to
11 ask questions, will have a three-minute
12 timetable.

13 So we will begin with Beth Finkel of
14 AARP, who has brought a backup team with her.

15 (Laughter.)

16 CHAIRWOMAN WEINSTEIN: Welcome to the
17 hearing. Welcome, AARP members.

18 (Applause.)

19 MS. FINKEL: Hi. Good afternoon. So
20 nice to see all of you again, and in these
21 roles. So congratulations, it's really cool.

22 So I guess, first of all, good
23 afternoon to Senator Krueger and
24 Assemblymember Weinstein and members of the

1 committee. I'm Beth Finkel, AARP. I'm
2 looking forward to getting to know all of you
3 shortly. And those who are old advocates for
4 aging in New York, I appreciate seeing you
5 here today.

6 AARP has 2.6 million members in
7 New York State. We've got 38 million across
8 the country. And our membership is 50-plus,
9 and the 50-plus have a huge impact on the
10 economy of New York. And I think Greg
11 started to tell that story, but maybe I can
12 just tell it real quickly, because it is
13 incredibly important.

14 It's called the Longevity Economy, and
15 the 50-plus in New York supply 50 percent of
16 the GDP of New York State, 50 percent of the
17 GDP. And it equals \$704 billion. That's B,
18 billion dollars. And it not only feeds into
19 the coffers of New York State, but it's
20 essential to local county and town economies.
21 The people are able to age in place in their
22 own homes and communities, those
23 neighborhoods that they built up, that they
24 are very vested in. And they don't want to

1 leave them, and we believe that they
2 shouldn't have to leave them.

3 And so all of the things that I'm
4 going to lay out to you today really build up
5 to that thought of keeping people in their
6 community because, number one, it's what
7 people want, and then, number two, it really
8 is the fiscally responsible thing to do.

9 So the other part of that is that
10 older New Yorkers are the largest growing
11 contingent. You know, across the country,
12 10,000 people a day turn 65. And so we do
13 have to be prepared for them, and it's --
14 we're all aging rapidly. I'm feeling it
15 myself, actually.

16 So number one I want to say that we
17 support Governor Cuomo's State Prevention
18 Agenda and his Health Across All Policies
19 approach which Greg laid out so clearly. It
20 requires all the state agencies to
21 incorporate health considerations into their
22 planning, programs, initiatives. And that
23 goes back to the fact that Governor Cuomo
24 named New York State as the first

1 age-friendly state in the country, and I
2 think that's really distinctive and
3 important. And by the way, a number of
4 states have already followed in our footsteps
5 and they're watching what we're doing,
6 because we're number one and they're going to
7 follow how we do it.

8 So for AARP nationally, there's a lot
9 of eyes on New York to make sure that we
10 really do it right. So we're excited about
11 this because now all the agencies will be
12 actually examining what they're doing for
13 older adults and then putting in plans of how
14 they're going to even improve it and --

15 CHAIRWOMAN WEINSTEIN: I think you may
16 want to go through the rest of your testimony
17 and summarize it, Beth. I don't want you to
18 be running out of time before you hit your
19 main points.

20 MS. FINKEL: I'm a fast talker, too.

21 Okay, so number one, we're very
22 anxious that unpaid family caregivers who
23 care for older relatives, spouses and other
24 loved ones are able to be taken care of and

1 kept in place. There are 3 million adult
2 family caregivers in New York State, and they
3 are supplying unpaid care valued at a
4 staggering \$32 billion. Which if we had to
5 pay it out of pocket, is \$32 billion worth of
6 services.

7 And these people are sacrificing
8 themselves and their own earnings. As a
9 matter of fact, the average is 20 percent out
10 of pocket of their earnings -- and if it's a
11 person of color, it's even higher. For
12 Hispanics, it's 44 percent of their earnings
13 go to care for their family members in the
14 home.

15 Thousands of New Yorkers are stuck on
16 waiting lists in non-Medicaid home- and
17 community-based services for the elderly.
18 And we feel it's important that we eliminate
19 those waiting lists and we go even a step
20 further. So we're really pleased that the
21 Governor put in \$15 million into his budget
22 to take care of those waiting lists, but it
23 is our contention that in fact that's not
24 really -- the waiting list numbers are not

1 totally what they should be represented at,
2 because counties don't always count everybody
3 who comes in and wants those services. So it
4 is our belief it's much more.

5 But more importantly, it will pay for
6 so much more in services, because we know
7 that all adults need these vital services to
8 keep them in their homes and communities.

9 Next part is the caregiver tax credit,
10 which goes back to the point I made before
11 about the out-of-pocket costs that caregivers
12 are giving.

13 We are asking for \$1.9 million for
14 local kinship programs and another \$100,000
15 for New York State Kinship Navigator. Kin
16 care is very important in the state, but on
17 top of that with the opioid crisis I know
18 you're all looking at, even more people are
19 ending up in the homes of their family
20 members. The Governor only put \$38,000 in --

21 CHAIRWOMAN WEINSTEIN: You can take a
22 minute more to just summarize.

23 MS. FINKEL: Okay, so it's the kin
24 care money that I just mentioned. Elder

1 abuse money, which is \$500,000 for enhanced
2 multidisciplinary teams to fight senior
3 financial exploitation. We also want to --
4 we're happy about the issue around -- to make
5 it illegal for landlords to discriminate
6 against potential tenants based on lawful
7 sources of rental income, including Social
8 Security and housing choice vouchers.
9 Strengthening rent laws is very important,
10 ending that vacancy decontrol.

11 And finally I just want to quickly
12 mention that we would like a million dollars
13 to establish an office for an independent
14 utility consumer advocate. Forty-four other
15 states in the country have it right now. If
16 you go to the PSC, there is nobody
17 representing consumers. When they want to
18 put an increase in, nobody can speak up for
19 consumers, which is absolutely incredible.
20 And the 44 other states can do it and
21 New York hasn't been able to do it? A
22 million dollars, I think we should be able to
23 find that.

24 And finally, \$20 million to continue

1 vital housing counseling for legal services.
2 So many people are faced with foreclosure,
3 and the money for Communities First runs out
4 March 31, 2019. So we're asking for
5 \$20 million to help people fight foreclosure.

6 Thank you very much. Oh, Secure
7 Choice. We're glad you put \$4 million in.
8 You put \$4 million in, we're very happy about
9 that.

10 CHAIRWOMAN WEINSTEIN: Senator May?

11 CHAIRWOMAN KRUEGER: Senator May.

12 SENATOR MAY: We talked a lot about
13 this private-pay protocol with the
14 commissioner, and I'm wondering what your
15 position is on that.

16 MS. FINKEL: We're very supportive of
17 it. We think it's really important that all
18 consumers can get objective services. You
19 know, you can go pick off one by one and go
20 into private care and you don't know what
21 you're getting. But if you get a case
22 manager from a SOFA agency, you know you're
23 going to get directed both to the best
24 quality, the most efficient, and have

1 everything coordinated, which is so important
2 when you're planning for how someone who
3 needs care gets their care. It must be
4 totally coordinated.

5 SENATOR MAY: Great. Thank you very
6 much.

7 MS. FINKEL: Yeah, I think it's great.

8 CHAIRWOMAN WEINSTEIN: Thank you.

9 Assemblyman Bronson for a quick
10 question.

11 ASSEMBLYMAN BRONSON: Yeah, this is a
12 very quick question. So the Governor is
13 putting 15 million additional dollars in the
14 EISEP program. And you're calling for
15 \$25 million -- and I'm reading your
16 language -- for community-based services to
17 keep pace with need.

18 The director indicated that he was
19 using data that would help us close the
20 waiting lists, and that's how he came up with
21 the \$15 million. How did you come up with
22 the dollars that you're requesting?

23 MS. FINKEL: The number has fluctuated
24 over the years, and it's the way the number

1 is calculated, right? If you are maintaining
2 a waiting list and encouraging people to go
3 on the waiting list, you would have one set
4 of data. If you are fulfilling what you
5 have, you might not have as robust a waiting
6 list as really might be called for. And so
7 that's the --

8 ASSEMBLYMAN BRONSON: In my
9 understanding -- and correct me if I'm wrong,
10 I'm new to this -- not all counties keep data
11 relating to their waiting lists. Is that
12 correct? Or if they even have a waiting
13 list.

14 MS. FINKEL: I'm not sure that they
15 all keep it in the same way.

16 ASSEMBLYMAN BRONSON: Okay. All
17 right, thank you.

18 CHAIRWOMAN WEINSTEIN: Thank you.

19 Senator Savino for a question.

20 SENATOR SAVINO: Just one quick
21 question.

22 First of all, Beth, wonderful to see
23 you, and of course everybody in your red
24 shirts.

1 So we worked so hard in getting Secure
2 Choice Retirement finally across the finish
3 line. We did such a good job that the
4 Governor stole the idea and put it in the
5 budget last year.

6 (Laughter.)

7 SENATOR SAVINO: Right? All good
8 ideas go to the budget.

9 To your knowledge, has the Department
10 of Financial Services developed the rules and
11 promulgated the rules for the plan so that it
12 can actually be implemented?

13 MS. FINKEL: My understanding is that
14 they're putting together a commission. It
15 will have seven members, according to the
16 legislation that was passed. They're
17 completing appointing those members. The
18 \$4 million I think for the program, to get it
19 up and running, will make it available to get
20 all those pieces in place and get it going.

21 So I'm very encouraged and I know that
22 some people have already been reached out to
23 be part of that commission, so they are
24 moving forward.

1 SENATOR SAVINO: Good. Thank you.

2 MS. FINKEL: Thank you.

3 CHAIRWOMAN WEINSTEIN: Thank you.

4 Thank you for being here.

5 Next, New York StateWide Senior Action

6 Council, Gail Myers, deputy director --

7 (Scattered applause.)

8 CHAIRWOMAN WEINSTEIN: I don't know if

9 that's for Gail or Beth, but they're both

10 accepted.

11 And to be followed by UJA Federation

12 of New York.

13 MS. MYERS: Hi, all. So thank you for

14 the opportunity to testify today --

15 CHAIRWOMAN WEINSTEIN: Gail, hold it.

16 Can we just keep the noise down?

17 Thank you.

18 I'm sorry.

19 MS. MYERS: The StateWide Senior

20 Action Council is a membership organization

21 from throughout the state. For more than

22 45 years we have been advocating for seniors,

23 and through two state contracts -- which I

24 will talk about, of course -- we get more

1 information and are able to bring those
2 system changes that are needed back to you.

3 Today I can tell you that of the many
4 issues that we hear from our helplines, there
5 are issues related to poverty and the need
6 for more benefits, and the need to understand
7 how to access benefits.

8 And in addition to that, the other
9 major issue is the home care worker shortage.
10 You're going to hear more about that in a
11 moment, but we have testified at length for
12 the last several years about the home care
13 worker shortage in much more than the
14 20 seconds I have just left for that.

15 Patients' rights helpline. We started
16 our program in 1987 with \$180,000 of state
17 funding. That has been cut down to \$31,500.
18 The Assembly and the Senate have been very
19 helpful in helping us restore some of that
20 funding. Last year there was a
21 much-appreciated \$100,000 of legislative
22 funding added to the Governor's submitted
23 \$31,500, for a total of \$131,500.

24 We respectfully ask you to add that

1 \$100,000 back in. In the last year since
2 that appropriation has occurred, in this
3 fiscal year, we have added a Buffalo office
4 and staff and been able to more fully address
5 the needs in Western New York. We have an
6 office in the Southern Tier, in Albany and in
7 New York City as well.

8 The Managed-Care Consumer Assistance
9 Program is run by six not-for-profit
10 agencies. We supplement the work that the
11 HIICAP agencies in the offices for aging do
12 for information and assistance enrolling
13 people in Medicare, helping them understand
14 their benefits, enrolling them in EPIC, and
15 in the premium assistance programs that are
16 available that really are federally funded.

17 But we understand that, on average,
18 New Yorkers leave over \$5,000 of these
19 benefits on the table, that they are not
20 enrolled in. Our network of not-for-profit
21 providers is asking for an increase in our
22 budget lines so that we can move forward and
23 reach more of the underserved populations and
24 get people enrolled in benefits, most of

1 which are federal, that they are entitled to.
2 Our recommendation for that is on page 3 of
3 the testimony.

4 We are pleased to see that the
5 Governor has included in the baseline funding
6 for Community Services for the Elderly the
7 money that the Legislature has previously
8 added. That is a welcome addition to the
9 budget, since not always do the legislative
10 items get added right in. That's good.

11 But we have two major concerns, some
12 of which you have already touched on this
13 morning, so I've provided you with a thousand
14 pages of questions related to the two new
15 models that are being offered. One is the
16 private-pay model that we'll talk about
17 shortly -- but again I'm leaving you with
18 lots of questions in writing -- and the other
19 is the \$15 million in EISEP.

20 We appreciate and we like the addition
21 of funds into programs, and we like
22 innovation. So you may be surprised to hear
23 us have major concerns about the private-pay
24 model. You've already expressed some of

1 those this morning -- how will that work, who
2 will pay, how will they pay. I'm
3 particularly concerned in hearing about
4 monies being returned into the network to
5 expand services to other people. The state
6 should be expanding services to other people.
7 If money is being returned into the network,
8 does that mean that they are being sold at a
9 profit? So that is a concern, and we suggest
10 that you do that perhaps more in a
11 demonstration base with more legislative
12 oversight.

13 The second is money in the EISEP
14 program. We have previously always asked
15 that money be added into the CSE line that
16 can be used for EISEP and other services
17 because it gives more flexibility where it's
18 needed to the local commissioners of aging to
19 determine where is the most need locally.

20 In addition, we are particularly
21 concerned that in the language that is
22 presented for you for the \$15 million in
23 EISEP, it is a very open-ended ability for
24 the Office for Aging to transfer, between

1 lines, funding. And so the language says "Up
2 to \$15 million hereby appropriated may be
3 increased or decreased by interchange or
4 transfer with any other General Fund
5 appropriation within the Office for Aging to
6 address the unmet needs of the elderly."

7 I would suggest that we would prefer
8 to have legislative and local offices for
9 aging oversight into that.

10 If I can just beg 30 more seconds, I
11 wanted to also point out that the EPIC
12 program is facing a cut in the budget. The
13 EPIC line shows about a 9 percent reduction,
14 and that is a cut of \$11,223 that I certainly
15 urge you to look into. The Governor's
16 justification is that there is more filling
17 of the Medicare Part D donut hole, the
18 coverage gap, because of the Affordable Care
19 Act. While that is true, if it should
20 continue to prevail as the ACA, which we
21 hope, there is also more people coming into
22 the program, every year more people aging
23 into 65 and over. And if there's going to be
24 a savings attributed to the federal dollars,

1 we'd rather see you invest it in expanding
2 EPIC for Medicaid, medical marijuana, as well
3 as to the populations younger than 65 who are
4 on Medicare. Thank you.

5 (Laughter.)

6 MS. MYERS: I'm going to get some
7 oxygen.

8 (Laughter.)

9 CHAIRWOMAN WEINSTEIN: We'll provide
10 that later.

11 (Laughter.)

12 CHAIRWOMAN WEINSTEIN: Fine. And as
13 you mentioned and we've said, we have the
14 testimony. The written testimony is part of
15 the formal record of these hearings, and they
16 will be posted. Also, additional testimony
17 can be submitted up to seven days after the
18 close of this hearing if people heard things
19 that they want to amend or comment on.

20 CHAIRWOMAN KRUEGER: I have one
21 Senator. Senator May. Oh, also Senator
22 Serino.

23 SENATOR MAY: That's okay. Go ahead.

24 SENATOR SERINO: Hi, Gail, nice to see

1 you.

2 MS. MYERS: Hi, Senator.

3 SENATOR SERINO: I just want to
4 commend you on your work that you're doing at
5 Marist College with the students in social
6 work and helping our seniors. I'm wondering
7 if you have any thoughts on how we can expand
8 that program in other areas, because you're
9 doing such an amazing job. And I think we
10 need to be doing everything we can to
11 encourage young people to get involved and do
12 work with our seniors.

13 MS. MYERS: Thank you.

14 The Marist undergraduate social work
15 class invited me to participate in
16 teaching -- I say that very lightly, since I
17 have no background in teaching -- but to
18 share about how aging services work and to
19 encourage those students to go into the
20 field. And we brought -- had them do some
21 actual community organizing around it.

22 I think the answer is cloning. Don't
23 think that that's an option for us now. But
24 we would add certainly more staff if we had

1 the resources to be able to fulfill that
2 function. It's not part of the contracted
3 work that we do for the state, and we rely on
4 our membership and grants and other things in
5 order to have some extra time to get that
6 type of work done.

7 But more significantly, I think, is
8 that we have members from throughout the
9 state. And I was just special supplementing
10 our local membership there, and our members
11 are happy to have that type of relationship
12 with schools and students and talk about
13 aging. And we have speakers bureaus, so we
14 are really trying to pump that up.

15 But thanks for the recognition.

16 SENATOR SERINO: Thank you.

17 CHAIRWOMAN WEINSTEIN: Thank you,
18 Gail.

19 UJA-Federation of New York, Ariel
20 Savransky, to be followed by the New York
21 State Coalition against Domestic Violence.

22 MS. SAVRANSKY: Good afternoon. My
23 name is Ariel Savransky, and I'm a policy and
24 advocacy advisor at UJA-Federation. I thank

1 you for the opportunity to testify today.

2 Established more than 100 years ago,
3 UJA federation is one of the nation's largest
4 local philanthropies. Our mission is to
5 fight poverty, connect people to their
6 communities, and respond to crises both
7 locally and around the world. We work with a
8 network of about 100 nonprofit organizations
9 to provide services throughout the state.

10 You have my testimony, so I'm just
11 going to take the next few minutes to
12 highlight three areas. First I'd like to
13 talk about Holocaust survivors. So New York
14 State is home to about 45,000 Holocaust
15 survivors, which is almost half of the total
16 population of survivors in the country. In
17 the 2016-2017 fiscal year, there was \$200,000
18 invested to help four organizations provide
19 services to this population. We are
20 requesting an extra \$1 million to be included
21 in this year's budget so that we can respond
22 to the increased needs of this population.

23 Very often these individuals
24 experience complications beyond the scope of

1 just normal aging. Many survivors also live
2 in poverty, subsisting on fixed incomes that
3 do not allow them to be able to afford things
4 such as housing, food, utilities or
5 medication. Specialized programs and
6 services are really needed to respond to the
7 needs of this population.

8 Assistance for aging survivors in our
9 state is critical so that we may help enhance
10 the quality of life for Holocaust survivors
11 as they live out their remaining years. So
12 this \$1 million is really critical.

13 I'd also like to touch on some of the
14 investments that need to be made for our
15 nonprofits to be able to continue to provide
16 the services that our constituents rely on.
17 So we talked a lot about this throughout the
18 testimony today, so I won't spend a lot of
19 time on it. But our nonprofit partners
20 deliver programs, services and resources such
21 as access to food, education and after-school
22 programs, mental health services, workforce
23 development, and a whole host of others that
24 support the well-being of New Yorkers all

1 throughout their lives.

2 Static or reduced funding has forced
3 nonprofit program budgets to adjust, leaving
4 them unable to expand service delivery to
5 meet the needs of New Yorkers. Over the long
6 term, expanded investment will allow for
7 contracts that cover the real cost of
8 services and will allow our nonprofits to pay
9 their workers with competitive and efficient
10 salaries, and invest in core programs that
11 help bring communities from crisis to
12 stability.

13 So the state can make the following
14 investments to really assist our nonprofits
15 in doing that. First of all, cover the
16 minimum wage increase so that our nonprofits
17 are not forced to provide yet another
18 unfunded mandate. And this will cost
19 \$25 million for FY2020.

20 Second, provide salary increases for
21 some human services workers that have not had
22 a salary increase for over nine years. A
23 statutory cost-of-living adjustment would
24 cost \$140 million this fiscal year and would

1 encompass the entire human services sector.
2 This would allow our agencies to provide
3 essential services and that their programs
4 can be sustained throughout the state.

5 Last, allocate \$100 million for
6 nonprofit infrastructure and technological
7 improvements, which would enable targeted
8 investments in projects to improve the
9 quality, efficiency, accessibility and reach
10 of nonprofit human services organizations
11 throughout the state.

12 And these three investments will
13 really promote a healthy, stable nonprofit
14 sector capable of delivering high-quality,
15 efficient and effective services to our
16 clients.

17 And the last area I want to touch on
18 is adult literacy education, which while not
19 a hundred percent related to human services,
20 really does fuel some of the workers that
21 will go into these jobs.

22 So in New York State there are over
23 3.5 million New Yorkers who lack their high
24 school diploma or English-language

1 proficiency or both. And in New York City
2 alone, a lot of our programs have wait lists.
3 A total of about 15,000 individuals are on
4 these wait lists -- and that's just programs
5 that actually keep wait lists.

6 The Executive Budget proposal cuts the
7 \$1.5 million that was added by the
8 Legislature last year, so it funds the
9 program at \$6.3 million. So we're requesting
10 the restoration of that \$1.5 million and then
11 an additional 7.5 to bring the adult literacy
12 education funding to \$15.3 million.

13 It's especially concerning that this
14 program was cut because changes to the
15 federal Workforce Innovation and Opportunity
16 Act really emphasized employment and
17 post-secondary outcomes for some of our adult
18 learners. So really the adult literacy
19 education funding stream is the only funding
20 stream that can respond to these lower-level
21 learners and fill the gaps that New York
22 State will continue to see because of these
23 changes.

24 So we would respectfully request your

1 support for this restoration for the
2 increase.

3 Thank you for the opportunity to
4 testify, and we look forward to working with
5 you in this session to make sure that our
6 nonprofits have the resources they need to
7 provide essential services.

8 CHAIRWOMAN WEINSTEIN: Thank you. And
9 thank you for keeping within the time limit.

10 CHAIRWOMAN KRUEGER: I do have one
11 question.

12 CHAIRWOMAN WEINSTEIN: Senate.

13 CHAIRWOMAN KRUEGER: Oh, Diane go
14 first, please. Senator Savino.

15 SENATOR SAVINO: Thank you. Thank you
16 for the testimony.

17 I want to focus on one section of your
18 proposal. It talks about the funding for
19 Holocaust survivors, the initiative in
20 New York. In the testimony you reflect the
21 number of Holocaust survivors that are left
22 in New York State, about 45,000. I would say
23 more than half of them probably live in my
24 district, between Coney Island, Sheepshead

1 Bay, and Brighton Beach. And they are
2 getting increasingly frail and elderly.

3 And a lot of them are living in public
4 housing, and the conditions that they're
5 living in in public housing are absolutely
6 deplorable. So are we looking to increase
7 the funding that we're putting in there in
8 more intensive social services? What is the
9 plan for it, and how can we help make that
10 happen?

11 MS. SAVRANSKY: Yeah, essentially we
12 are looking to increase funding for programs
13 that do serve Holocaust survivors currently.
14 Also with an increase in funding there are
15 some organizations that might further be able
16 to serve Holocaust survivors and then just
17 provide an increased level of service.

18 As you mentioned, Holocaust survivors
19 are getting older and more frail, their needs
20 are becoming a lot more complex. So this
21 increased funding will help to serve those
22 needs.

23 SENATOR SAVINO: I think two years ago
24 the JCC of Greater Coney Island, they ran a

1 meal delivery service for many of them. It
2 wasn't through Meals on Wheels, it was a
3 separate funding program, and somehow or
4 other the city pulled the funding. So
5 they've been struggling to find a way to fill
6 that gap, because so many of these seniors
7 now are, as I said, they're frail, they're
8 not mobile, and they're living in areas
9 where, you know, they're in high rises and
10 it's much more difficult for them to come
11 down just even to participate in senior
12 centers in the buildings.

13 MS. SAVRANSKY: Well, we definitely
14 would really love your support and would love
15 to talk to you more about your specific
16 questions as well.

17 SENATOR SAVINO: Great. Thank you.

18 CHAIRWOMAN WEINSTEIN: Senator
19 Krueger.

20 CHAIRWOMAN KRUEGER: Well, Senator
21 Savino and I had similar questions. Of the
22 45,000 Holocaust survivors who are still
23 alive, you said mostly in New York City, I'm
24 going to take the leap that the -- almost all

1 of them are continuing to receive reparation
2 payments from their country of origin if it
3 involved the Holocaust.

4 So is it the actual poverty of the
5 people -- because again, it's tax-free
6 reparations -- or is it actually a service
7 issue? Because I got a little confused about
8 whether you're asking for money that will
9 then go to the people, or you're asking for
10 money for administration of social service
11 programs.

12 MS. SAVRANSKY: It's more for the
13 administration for social service programs.
14 But we can get specific numbers to you about
15 what the funding would really be used for.

16 CHAIRWOMAN KRUEGER: Because I'm very
17 curious, if there are people not getting
18 reparation payments, my question as a Jew to
19 the Jewish community, what did we do wrong
20 that this many years later we still have
21 people who have not been able to be found
22 eligible for reparations?

23 MS. SAVRANSKY: Right. So I don't
24 have that number with me, but I can

1 definitely look into that.

2 CHAIRWOMAN KRUEGER: Thank you.

3 CHAIRWOMAN WEINSTEIN: Thank you.

4 Thank you for being here.

5 Next, New York State Coalition Against
6 Domestic Violence, Connie Neal.

7 Connie, I assume you're going to
8 summarize your --

9 MS. NEAL: Yes, I am.

10 Good afternoon, everyone. I'm Connie
11 Neal, executive director of the New York
12 State Coalition Against Domestic Violence. I
13 want to thank you for the opportunity to
14 discuss highlights from our written
15 testimony.

16 My organization was established
17 40 years ago as a statewide nonprofit
18 organization. Our purpose is to serve as an
19 information clearinghouse, primary point of
20 contact, and resource center on domestic
21 violence for the State of New York. We also
22 provide training and technical assistance for
23 domestic violence service providers and
24 support development of policies and protocols

1 that enhance domestic violence intervention
2 and prevention.

3 Here in New York we have the highest
4 demand for domestic violence services in the
5 country, now for three years in a row. Also
6 over the past three years, 273 domestic
7 program positions across the state were
8 reduced or eliminated. Simply put, we are
9 losing ground.

10 During this legislative session we
11 have the opportunity that comes around once
12 in a generation to look at our domestic
13 violence services and do something incredibly
14 innovative and forward-moving for survivors
15 of domestic violence. In my comments I want
16 to summarize four proposals that are at the
17 top of our list as far as priorities with
18 this opportunity that we have in front of us.

19 The first is that we can create the
20 strongest statewide network of domestic
21 violence services in the country by
22 implementing a new funding and regulatory
23 structure for domestic violence programs.

24 In the Governor's Justice Agenda in

1 the State of the State, he has included a
2 plan to create a new model for domestic
3 violence services. This proposal recognizes
4 that the state's system of funding and
5 oversight of domestic violence programs has
6 not been updated since it was first
7 established 30 years ago.

8 This proposal includes eliminating the
9 requirements that survivors seeking shelter
10 apply for TANF and eliminating fees for
11 services that in New York are statutorily
12 required to be charged to survivors. And as
13 you heard this morning, the federal
14 government has advised the state that these
15 requirements contradict federal rules for the
16 Family Violence Prevention Services Act. In
17 order to comply with federal rules, the
18 state's laws and regulations addressing
19 domestic violence service delivery must be
20 updated. This process of reform is long
21 overdue.

22 But in the meantime, we have
23 longstanding gaps in funding for domestic
24 violence programs as a result of years of

1 flat or reduced funding. The proposed state
2 budget includes \$3 million for nonresidential
3 domestic violence services. However, this is
4 the same exact amount of funding in the state
5 budget 19 years ago. Thus we are urging the
6 Legislature to increase state funding for
7 nonresidential services to 6 million.

8 Also, because funds for domestic
9 violence residential programs have been flat
10 for years, domestic violence shelters are in
11 critical need of additional support as well.

12 Our second priority is to establish a
13 state fund to support the critical work of
14 New York's domestic violence service
15 providers. We know that far too many
16 domestic violence program advocates are
17 living on minimum wage and just a little bit
18 above minimum wage, so it's time to create
19 living wages and benefits for the staff.

20 And we also know that domestic
21 violence advocacy work is rooted in the
22 women's movement and remains work that is
23 still primarily provided by women. It's
24 clear that we must do more to value these

1 advocates who provide critical lifesaving
2 services for survivors and their children.

3 State funding will also permit
4 domestic violence providers to implement
5 primary prevention programs, which focus on
6 stopping violence before it starts.

7 Our third priority is to provide
8 critical funding for statewide coordination
9 efforts to ensure that the voices of domestic
10 violence survivors and advocates are heard.
11 Domestic violence is a serious widespread
12 public health issue -- in fact, for every
13 20 New Yorkers, five women and three men will
14 experience or have already experienced
15 domestic violence.

16 The Legislature can ensure a better,
17 more efficient system by hearing directly
18 from domestic violence survivors and
19 advocates, and as the coalition serves as a
20 voice for more than 100 domestic violence
21 programs throughout the state, we are in a
22 prime position to assist you throughout this
23 reform process.

24 Unlike many of our peer domestic

1 violence coalitions across the country, we do
2 not receive any state-originating funding for
3 the work that we do on behalf of New Yorkers.
4 Thus we are asking the Legislature to provide
5 \$250,000 in the state budget to enable the
6 coalition to represent domestic violence
7 providers during this critical time of
8 assessment and revisioning.

9 And our fourth priority is to ensure
10 stable funding for domestic violence
11 services. The state budget relies very
12 heavily on federal funding for domestic
13 violence services, and as we can see that
14 federal funding is not nearly enough. We
15 know that the partial federal government
16 shutdown has had incredible impacts on many
17 domestic violence programs across the state.
18 Many programs are draining reserve accounts,
19 maxing out their lines of credit, cutting
20 back on critical services, or furloughing or
21 laying off staff.

22 The situation is amplified in
23 New York, where federal funding flows through
24 state agencies to domestic violence programs

1 only four times a year, aggravating an
2 already challenging fiscal environment. In
3 light of this perfect storm of system
4 breakdowns, we urge the state to revert to
5 the system of monthly vouchering and payment
6 instead of the current quarterly process, so
7 that domestic violence programs can maintain
8 the cash flow they need in order to retain
9 staff and keep the doors open.

10 Just 20 seconds more. We still have
11 much work in front of us to not only be in
12 compliance with federal laws and regulations,
13 but also do the best we can for survivors and
14 advocates. No one who is asking for shelter
15 or domestic violence services should ever be
16 turned away, and I urge you to value the
17 lifesaving work of advocates in a way that
18 the state has not done before.

19 This opportunity is really once in a
20 generation. And in the midst of all the
21 challenges that we're facing, I know together
22 we can do the right thing for survivors and
23 advocates. The coalition looks forward to
24 working with you on these issues, and I want

1 to thank you again for the opportunity to
2 highlight our testimony.

3 CHAIRWOMAN WEINSTEIN: Thank you,
4 Connie.

5 Assemblyman Hevesi.

6 ASSEMBLYMAN HEVESI: Yes. Hi,
7 Ms. Neal. How are you?

8 I'd say about a year ago -- can you
9 guys hear me? But a year ago it was brought
10 to my attention that domestic violence
11 surpassed the rising rents as the number-one
12 driver of homelessness. But I was unaware
13 that we were charging domestic violence
14 survivors rent to stay in shelters. How long
15 have we been doing that?

16 MS. NEAL: This is part of the
17 original system which created domestic
18 violence shelters and regulatory oversight
19 back in 1987. I believe at that point in
20 time that was the best effort and the best
21 choice available in order to provide funding
22 and support for a newly developed network of
23 domestic violence shelters and programs
24 around the state. So it's looking at

1 available funding.

2 Since that point in time, that has
3 carried forward to this present day. It is
4 certainly very much on the radar of the FVPS
5 office, and they are really encouraging the
6 State of New York to really take a look at
7 this and make some changes on behalf of
8 survivors.

9 ASSEMBLYMAN HEVESI: And I'm happy
10 that they're doing that, and I support that
11 effort. My only concern is once that money
12 is taken away, if the state doesn't step in
13 to try to help the providers, the providers
14 will be on the hook, and some of the
15 providers will be forced to go out of
16 business is my fear.

17 So what happens now that we get rid of
18 this requirement?

19 MS. NEAL: I believe that we continue
20 to work with Commissioner Poole at OCFS and
21 other state agency representatives, including
22 the Governor's Office staff, to make sure
23 that domestic violence programs are whole.
24 And what that means is not only that they are

1 whole with the shift in the funding, but even
2 then it's not nearly enough for what we need.

3 We know the incredible demand that we
4 are facing in our state. We are losing
5 advocates now with the current level of
6 funding, so a dollar-for-dollar shift is not
7 going to go anywhere near where we need to go
8 in order to support and value domestic
9 violence services.

10 ASSEMBLYMAN HEVESI: I'm excited about
11 the potential reforms here, and I'd like to
12 talk to you offline about them.

13 But thank you for all your work.
14 Thank you.

15 CHAIRWOMAN WEINSTEIN: Senate?

16 CHAIRWOMAN KRUEGER: Senator Rivera.

17 SENATOR RIVERA: Thank you. Thank
18 you, Madam Chair.

19 I was going to play the game of like
20 turning on and turning off, turning on and
21 turning off, but --

22 MS. NEAL: You've got the green light
23 now.

24 SENATOR RIVERA: -- I'm not going to

1 do that.

2 So you are a coalition of 250
3 residential and nonresidential programs
4 around the state. I wanted you to talk a
5 little bit more about the breakdown as far as
6 the federal funding shortfalls that you're
7 seeing now that there's the -- I figure that
8 the shutdown has meant that there might have
9 been some grants that need to be paid to
10 different agencies across the state that are
11 not coming.

12 I want to get a sense of that, because
13 I know that you're asking for some increase
14 in stabilizing funds, et cetera. So I just
15 want to get a sense of the type of impact,
16 because even if we do everything that you
17 folks would like, it wouldn't happen until
18 the beginning of our fiscal year. So
19 obviously there's -- God knows when this is
20 going to end in Washington, so I just want
21 to know a little bit more about the impact
22 that it's having on agencies that you --

23 MS. NEAL: There are actually about a
24 hundred agencies, domestic violence agencies

1 that provide services at 250 locations around
2 the state, and many of them also rely on
3 direct federal grants.

4 We know with the partial government
5 shutdown certainly there are impacts that are
6 very clear in the Office on Violence Against
7 Women. HUD grants that have to do with the
8 housing services is also another area where
9 programs are really feeling an incredibly
10 difficult situation brewing if they didn't --
11 had not already addressed this.

12 I know of programs that have already
13 furloughed staff. They've reduced their
14 office hours, they've cut back on what they
15 can do. And for those they're projecting,
16 maybe we'll be okay for another payroll,
17 maybe we'll be okay for two more payrolls.

18 There's also the issue -- one program
19 mentioned that they also provide a food
20 pantry. And they're seeing federal workers
21 come in and ask for food. So we're seeing
22 this issue where the stop and the start -- is
23 the federal government open, is it closing,
24 if you have this many days to do a drawdown

1 or not. It's incredibly difficult to run a
2 program and an organization, to maintain
3 staff that are deeply committed to doing this
4 work.

5 And also, how can this not impact
6 survivors as well? Also wondering, are these
7 services going to continue to be available?
8 So we're seeing this ripple effect in
9 conjunction with the process of state grants
10 that are a quarterly vouchering process,
11 which many times nonprofits have to front the
12 money, oftentimes six months, waiting for
13 reimbursement.

14 So it's a combination. That's the
15 perfect storm that's happening for many
16 programs right now, the delay in access of
17 funds from the federal government and the
18 delay that they are going through when they
19 have a quarterly vouchering process for the
20 grants that go through state agencies.

21 SENATOR RIVERA: Thank you, ma'am.

22 CHAIRWOMAN WEINSTEIN: Thank you.

23 Assemblywoman Jaffee.

24 ASSEMBLYWOMAN JAFFEE: I just wanted

1 to -- can you hear me? I just wanted to
2 question -- there is a very difficult
3 addiction situation in New York State and
4 throughout this country. Is that something
5 that has impacted this and created and
6 increased the domestic violence situation?

7 And the second question I'll ask, what
8 happens with the children in circumstances
9 such as this? And is there sufficient
10 support and assistance to be able to respond
11 to this issue with the children?

12 MS. NEAL: That certainly is quite an
13 emerging area, that we're seeing more
14 survivors who are dealing with opioid issues.
15 And certainly, historically, alcohol and drug
16 abuse issues of other kinds due to the trauma
17 of being abused, to the trauma of going
18 through really horrific, horrific life
19 situations with people who say they love
20 them.

21 So we know that this issue is present,
22 it's growing, and I think domestic violence
23 programs are looking for additional
24 opportunities and support, ways that we can

1 build coordinated community responses in
2 collaborations with other programs in their
3 communities so they can provide not only
4 better and stronger services for adults, but
5 also make sure that the kids are going to be
6 okay through this process as well.

7 But that's one of the areas where
8 advocates are struggling to do what they can
9 within shelters and with programs that
10 oftentimes they don't have the ability to be
11 out and about in the community to build those
12 kinds of relationships and connections.

13 So that's where prevention funds can
14 really support that work, can really
15 strengthen responses to these emerging
16 issues, that we can really get out in front
17 of it the best we can.

18 ASSEMBLYWOMAN JAFFEE: One other --
19 and is there opportunity for counseling? Is
20 that something that's also provided?

21 MS. NEAL: Most definitely, and a
22 whole range of counseling -- it goes anywhere
23 from support groups -- if there are
24 situations where a survivor might ask for

1 additional support, definitely looking at
2 strong connections with mental health
3 professionals within communities nearby and
4 to be able to help bridge that gap for
5 survivors who are asking for help and
6 assistance. That's all part of the process.

7 CHAIRWOMAN WEINSTEIN: Thank you.
8 We look forward to continuing our work
9 together over this budget session.

10 Next we have the Association on Aging
11 in New York, Ann Marie Maglione, to be
12 followed by Supportive Housing Network of
13 New York, then the Schuyler Center for
14 Analysis and Advocacy.

15 MS. MAGLIONE: Thank you for the
16 opportunity to testify regarding the impact
17 of the '19-'20 Executive Budget proposal for
18 older New Yorkers and the aging services
19 network in New York State. My name is Ann
20 Marie Maglione, and I'm the legislative chair
21 for the Association on Aging in New York.
22 And I'm also the director of the Orange
23 County Office for the Aging.

24 I'd like to thank Assemblywoman

1 Weinstein and Senator Krueger for chairing
2 these hearings, as well as send our
3 appreciation to our new legislative Aging
4 Committee chairs Senator May and Assemblyman
5 Bronson, and of course our ranking member,
6 Sue Serino, for their leadership on aging
7 issues.

8 You have my written testimony before
9 you, so I'm just going to touch base on a few
10 topics. The Association on Aging in New
11 York, also known as Aging New York,
12 represents the 59 mostly county-based area
13 agencies on aging, the triple As, which are
14 local offices for the aging. Overall, the
15 Governor's 2019-2020 proposed budget for
16 aging service networks under the State Office
17 for the Aging is really a great positive
18 budget. And it has an historic investment in
19 programs that allow older New Yorkers to age
20 independently in their homes, and we are
21 absolutely thrilled and very, very grateful.

22 Specifically, the Governor has
23 included an additional \$15 million
24 appropriation dollars for community supports

1 for EISEP, Expanded In-Home Services for the
2 Elderly Program, and this funding will allow
3 AAAs to address the unmet needs in their
4 communities to provide additional support for
5 older New Yorkers to live independently in
6 their homes and delay or even prevent the
7 need for more medically intensive or costlier
8 services.

9 This increase is unprecedented, and
10 the results are going to be felt through
11 thousands of homes across this state. And we
12 respectfully request your support of this
13 \$15 million increase.

14 In addition, we're really pleased the
15 Executive Budget maintains the additional
16 Community Services for the Elderly or CSE
17 funding that the Legislature secured under
18 the 2018-2019 enacted budget. And as you are
19 aware, as the population continues to age,
20 the unmet need for agency services continues
21 to grow. As such, we are requesting an
22 additional \$19 million in funding in the
23 '19-'20 budget, for a total of \$50 million
24 without the local match for CSE.

1 There are a few things that were
2 eliminated in the Governor's budget which I
3 wanted to chat with you about. And I'm
4 really delighted that Acting Director Greg
5 Olsen had talked about the \$250,000 Education
6 and Technical Assistance Fund, that it wasn't
7 eliminated.

8 However, we're concerned that the
9 dedicated line item was eliminated and that
10 the funds are used to provide specific
11 training and educational needs not just for
12 the business acumen but also for case
13 management and HIICAP training. And as
14 Assemblyman Bronson said, it's really
15 important to stay current with all of our
16 certifications. So we are going to not only
17 talk to our acting director, Greg Olsen, who
18 we have a really wonderful relationship with
19 and we really value his support and guidance,
20 but we're going to respectfully request that
21 this line item be reinstated.

22 Lifespan's elder abuse and outreach
23 funding was cut by \$200,000, and these funds
24 are essential to insuring elder abuse

1 outreach programs are continued throughout
2 the state. We also hope the Legislature will
3 restore the funding of this important
4 program, as we know elder abuse is an
5 epidemic and we must eradicate it.

6 In addition, the home-care worker
7 shortage has impacted the aging services
8 network and is leaving thousands of hours of
9 home care unfilled due to the lack of
10 individuals working in home care. And while
11 we're working on innovative programs in our
12 counties, we also request the state to take a
13 look at career pathways and solutions to this
14 problem.

15 One final proposal. We support the
16 Article VII language that allows for private
17 pay for aging services at a local level. We
18 respectfully disagree with StateWide. They
19 don't represent the 59 AAAs, so they don't
20 really understand, but we're very supportive
21 of it.

22 Aging New York is committed to working
23 with Governor Cuomo and the Legislature, who
24 has designated New York State as the first

1 age-friendly state in the nation, and we're
2 going to be doing our part by ensuring
3 New Yorkers have the supports that they need
4 and independence in their homes, and that
5 they live healthy, quality-based lives.

6 We continue to need your help, and we
7 sincerely thank you for your support. These
8 important hearings allow us to illustrate the
9 issues facing older New Yorkers and their
10 families. And thank you so much for the
11 opportunity for having me appear today.

12 CHAIRWOMAN WEINSTEIN: Thank you for
13 being here, and thank you for summarizing
14 your testimony. Hopefully you'll be a good
15 model for those to follow you.

16 (Laughter.)

17 CHAIRWOMAN WEINSTEIN: And we do, all
18 of us up here, appreciate the public thank
19 you. But we would hope you use your time
20 wisely so that we get the meat of your
21 substance. So I appreciate you for doing
22 that.

23 MS. MAGLIONE: Thank you.

24 CHAIRWOMAN WEINSTEIN: I have the

1 feeling that I don't believe we have any
2 questions for you.

3 MS. MAGLIONE: Thank you.

4 CHAIRWOMAN WEINSTEIN: So we may call
5 upon you and the other AAAs for information
6 follow-up.

7 MS. MAGLIONE: That would be fine.
8 Thank you so much.

9 CHAIRWOMAN WEINSTEIN: Thank you.

10 Next, Supportive Housing Network of
11 New York, Laura Mascuch.

12 Hopefully I didn't totally destroy
13 your name.

14 MS. MASCUCH: Hi, good afternoon. My
15 name is Laura Mascuch. I am with the
16 Supportive Housing Network of New York.

17 Thank you to Senator Krueger and
18 Assemblymember Weinstein for holding this
19 hearing and for the Legislature for their
20 rapt attention to these many important
21 issues.

22 We are a membership organization of
23 over 200 nonprofits statewide that own and
24 operate 50,000 units of supportive housing.

1 Supportive housing, as you know, is extremely
2 affordable housing with on-site support
3 services for people who are chronically
4 homeless or homeless being able to
5 reintegrate into the community, into an
6 affordable housing setting -- people who
7 suffer with mental illness, substance abuse,
8 HIV/AIDS, very successful with veterans,
9 youth aging out of care, families and
10 individuals alike. It removes people from
11 very expensive systems that we've talked
12 about today in this discussion and this
13 hearing like shelters, hospitals, prisons,
14 psychiatric centers.

15 So I too am going to try to summarize.
16 We have two issues today we'd love your
17 attention on from the OTDA budget. One is
18 the Homeless Housing and Assistance Program,
19 which we talked about, and also the New York
20 State Supportive Housing Program.

21 First one -- for HHAP, as you know, it
22 provides capital grants and loans for
23 acquisition and construction and rehab of
24 housing for persons who are homeless and

1 unable to secure adequate housing. HHAP is
2 the main source of capital for homeless
3 housing outside of New York City with
4 50 percent of its funding dedicated to those
5 communities. To date, it has built over
6 16,000 units of supportive housing throughout
7 the state.

8 There's two examples in my testimony
9 with beautiful pictures: WIN Stone House
10 residence in Brooklyn, which is 161
11 affordable and formerly homeless families
12 that used \$5.2 million of HHAP, as well as
13 the Albany Damien Center, which was 20
14 supportive housing apartments for people with
15 HIV and AIDS, which used \$4.3 million.

16 Because HHAP is particularly focused
17 on homelessness, it is one of the state's
18 ready sources for the capital deal. We have
19 continuously -- and I have been here every
20 year to say it is oversubscribed and
21 underfunded. This year it was three times
22 oversubscribed, to the tune of \$190 million
23 in applications for the available
24 \$64 million, and we closed within four months

1 of the RFP. So there was a total of 19
2 projects funded, 491 units, but that could
3 have easily been 1500 units and probably
4 still closing within six months.

5 So I think it's only appropriate that
6 we ask that the HHAP budget, as we have every
7 year, is doubled to \$128 million. And I
8 think listening to today's discussion, how
9 we've highlighted the need for answers to
10 homelessness, this program is a well-oiled
11 machine. If you give it more money, it's
12 going to use it efficiently, it's going to
13 build more supportive and affordable housing
14 and help us to end the homelessness crisis.

15 My second program just to speak about
16 briefly is the New York State Supportive
17 Housing program. It pays for critical
18 on-site support services. It has been the
19 only program for supportive housing rest of
20 state until the Empire State Supportive
21 Housing Initiative came, so it's been around
22 many years.

23 It's like the Little Engine that
24 Could. It is very minimally funded. It's

1 funded at \$200 a month for a single homeless
2 individual and \$275 a month for a family. So
3 currently it's working at five times less the
4 current ESSHI rates, and there's a chart to
5 kind of show you where it stands. There's
6 8,000 units that benefit from this funding,
7 and it has never received an increase nor a
8 COLA for its history.

9 So we are currently suggesting or
10 asking that it be increased to a \$20 million
11 budget increase over two years, so
12 \$10 million for each year. It did receive a
13 \$3 million increase this year. We would love
14 for that to be \$10 million, and we'd love for
15 some consideration to do a 2 percent annual
16 cost-of-living increase moving forward that
17 would really help sustain the program.

18 Again, these 8,000 units are
19 struggling. This is the only thing that
20 they're operating on, and we'd love to be
21 able to offer them some more support.

22 Thank you so much for your time.

23 CHAIRWOMAN WEINSTEIN: Thank you.

24 Assemblymember Hevesi for a question.

1 ASSEMBLYMAN HEVESI: Hey, Laura. How
2 are you?

3 MS. MASCUCH: Good.

4 ASSEMBLYMAN HEVESI: I'm going to keep
5 this brief. You guys are great, thank you
6 for all the work you do.

7 So the \$275 a month for a family,
8 that's regardless of family size?

9 MS. MASCUCH: It is.

10 ASSEMBLYMAN HEVESI: Okay. That's
11 terrible.

12 MS. MASCUCH: Yeah.

13 ASSEMBLYMAN HEVESI: How did you get
14 to the \$20 million over two years, the
15 \$10 million each?

16 MS. MASCUCH: So we -- we tried to be
17 measured. I think that if the program saw an
18 infusion of \$10 million this year and
19 \$10 million next year and we doubled the
20 rates, it would not nearly be anywhere close
21 to what the current supportive housing
22 rates are. But it would at least be a
23 significant bump up.

24 ASSEMBLYMAN HEVESI: So just to be

1 clear, this is what you need to survive.

2 MS. MASCUCH: Kind of survival mode,
3 yes.

4 ASSEMBLYMAN HEVESI: Okay. And I hear
5 you on the HHAP program as well. Thank you.

6 MS. MASCUCH: Yes.

7 ASSEMBLYMAN HEVESI: And my only
8 recommendation for you is to rest up, because
9 next year I hope we're going after more
10 supportive housing units, not just the 6,000,
11 to get up to the 20,000 the Governor
12 recommended.

13 MS. MASCUCH: Yes. Absolutely.

14 ASSEMBLYMAN HEVESI: But thank you for
15 everything you do.

16 MS. MASCUCH: Absolutely. Thank you.

17 CHAIRWOMAN WEINSTEIN: Senate.

18 CHAIRWOMAN KRUEGER: Thank you. Thank
19 you for your work. We've had lots of time to
20 talk.

21 MS. MASCUCH: Yes.

22 CHAIRWOMAN KRUEGER: But I'm always
23 confused. Help me. So the Governor puts
24 capital money for building supportive housing

1 in the DHCR budget, and I think he's claiming
2 we'll be at the 1.9 billion or 2.5 billion by
3 this year's budget.

4 But HHAP within OTDA existed long
5 before that. How was that different money
6 spent in a different way than the capital
7 money in DHCR?

8 MS. MASCUCH: Right.

9 CHAIRWOMAN KRUEGER: Or HCR. We got
10 rid of the D once.

11 MS. MASCUCH: Right. Right.

12 So HHAP will actually, on its own,
13 fund supportive housing without any resources
14 from HCR or from the city. So that's one way
15 that it's very effective, particularly rest
16 of state, for smaller projects.

17 When the city and the state are
18 funding projects together, there is often a
19 gap as they're negotiating a development
20 budget, and HHAP does a beautiful job of
21 filling in for a couple million dollars to
22 kind of close a deal. So it's been kind of
23 an integral part of the development landscape
24 for a very long time, and it continues to be

1 with the Governor's commitment and the
2 Mayor's commitment to kind of fill that need.

3 And again, I think a lot of projects,
4 if the money was doubled, there would be a
5 lot more projects that were just HHAP that
6 would be added to -- particularly the rest of
7 the state's housing stock.

8 CHAIRWOMAN KRUEGER: And if this was
9 the Housing hearing instead of the Human
10 Services hearing, would you be advocating for
11 a speed up of release of state money through
12 the Supportive Housing NY/NY funding stream?

13 That also might help address the
14 shortage of funds, because it's my
15 understanding that there are perhaps not
16 quite shovel-ready but close to shovel-ready
17 projects in line that just can't get the
18 money out of the state fast enough. Is that
19 still true?

20 MS. MASCUCH: I think -- so it was a
21 new program two years ago. I think it is
22 definitely increasing in speed. It takes us
23 a while when you get this funding, and this
24 is why we were so desperate to get it,

1 because it really does take two years-plus to
2 kind of get everybody up and going.

3 So we are seeing it increasing and
4 look forward to the additional funding for
5 the next 15 years and, you know, are pleased
6 with how the 6,000 units are going. But HHAP
7 really is just the small part of it that
8 really does increase it across the finish
9 line.

10 CHAIRWOMAN KRUEGER: Thank you.

11 MS. MASCUCH: Thank you.

12 CHAIRWOMAN WEINSTEIN: Thank you for
13 being here.

14 Next we have the Schuyler Center for
15 Analysis and Advocacy, to be followed by the
16 Council of Family and Child Caring Agencies
17 and then the Human Services Council.

18 So actually, those of you hiding in
19 the back, you might as well come on down so
20 you'll have a shorter walk when it's your
21 turn to testify.

22 I'm sorry, Dede Hill. I didn't
23 actually introduce you.

24 MS. HILL: Thank you. Thank you so

1 much for this opportunity to testify.

2 For more than 145 years the Schuyler
3 Center for Analysis and Advocacy has been
4 advancing state policies that strengthen
5 New York families and improve child
6 well-being.

7 I want to ground my testimony today in
8 a few terrible facts. More than one in five
9 New York children live in poverty, and that
10 rate rises to nearly one in three children
11 when we're looking at children of color. And
12 what this means is that more than
13 853,000 New York children are living lives
14 defined by deprivation. They live in homes
15 where food and heat are scarce, where housing
16 is unstable and transportation is unreliable.

17 And we know that childhood poverty can
18 contribute to numerous negative outcomes for
19 children in all areas of lives, including
20 physical and mental health, educational
21 outcomes, child welfare involvement, and
22 these impacts can last well into adulthood.

23 And yet missing from this Executive
24 Budget proposal are any bold investments in

1 services proven to improve family economic
2 security. And particularly there are no bold
3 investments around expanding access to
4 quality affordable childcare, to
5 evidence-based home visitation programs, to
6 primary prevention programs, or working
7 family tax credits.

8 There are a few bright spots in the
9 Executive Budget, and I will touch on some of
10 them for sure. But overall the Executive
11 Budget underinvests in children and families.
12 And this is coming on the heels of nearly a
13 decade of underinvestment so even flat
14 funding is really a step backwards. So we're
15 therefore looking to you, the Legislature, to
16 fill in really significant gaps, and we
17 recognize that.

18 I'm going to focus my remarks on two
19 areas, child welfare and childcare.

20 So first, with respect to child
21 welfare, there are some real opportunities
22 this year, and Commissioner Poole really
23 focused on some of those in the area of
24 family strengthening and prevention. And

1 there we're talking about services that keep
2 families together safely. The 2018 passage
3 of the Family First Prevention Services Act,
4 this presents a real opportunity for New York
5 State to bolster our preventive services, but
6 only if New York State affirmatively opts
7 into the prevention provisions of the Family
8 First Act.

9 So our first ask of you is that we're
10 urging New York State to opt into the Family
11 First Prevention provisions. The state has
12 gotten a two-year delay, so we're asking that
13 the state use this two-year period to prepare
14 for implementation.

15 With respect to state investment in
16 preventive services -- and this has already
17 been mentioned today -- the Executive Budget
18 once again reduces the state's share to
19 62 percent from the statutorily required
20 share of 65 percent. We're asking that the
21 state reassume the 65 percent state share --
22 again, this is provided in statute -- and use
23 that increased funding and direct that to
24 community-based primary prevention services.

1 These are services that reach families before
2 there is any risk of removal to foster care,
3 so further upstream.

4 In the area of foster care, we applaud
5 the Executive Budget's proposal to create a
6 new Family First Transition Fund. This will
7 support counties' efforts around recruiting
8 and supporting foster and kinship families
9 and will help with preparation for the Family
10 First Prevention Services Act. The Schuyler
11 Center, along with CHAMPS New York, which is
12 a statewide coalition of child advocates and
13 providers, we urge the Legislature to support
14 this proposal and to ensure that there is a
15 clean funding line of at least \$3 million in
16 state investment.

17 I also just want to point out that
18 this fund is structured to be a
19 public-private partnership, so we'll be
20 leveraging private dollars as well.

21 Oh, my goodness, I'm almost out of
22 time. All right, I'm going to shift quickly
23 to childcare.

24 The cost of quality childcare in

1 New York is among the most expensive in the
2 nation, and yet New York State at this point
3 is providing subsidies to fewer than
4 20 percent of New York families who need
5 these services. We appreciate that the
6 Executive Budget contains a small investment
7 of \$26 million, but this really just keeps us
8 treading water. This does nothing to expand
9 access to the tens of thousands of families
10 who do not have access to care.

11 And just one other point. I do want
12 to recognize, and this is very much under the
13 leadership of Assemblymember Jaffee, that the
14 state has just convened a Childcare
15 Availability Task Force, and we're engaged
16 and really excited about that task force.

17 But I want to note that it only has
18 met once, in December, which was a month
19 after the first report was supposed to have
20 been issued. New York families can't wait
21 for a year or two years for recommendations.
22 We need investment in childcare now.

23 CHAIRWOMAN WEINSTEIN: Thank you.

24 And I actually read your submitted

1 testimony last night after our 11-hour
2 hearing ended.

3 MS. HILL: Wow.

4 CHAIRWOMAN WEINSTEIN: It was actually
5 a good break.

6 Assemblyman Hevesi had a question.

7 ASSEMBLYMAN HEVESI: I didn't read it
8 last night, so --

9 (Laughter.)

10 ASSEMBLYMAN HEVESI: Very, very
11 quickly.

12 First, I also want to thank
13 Ellen Jaffee for putting in the legislation
14 that created that task force, that's a huge
15 step forward for us.

16 The only -- there's a bunch of stuff
17 we should talk about offline. The only
18 question I have for you is I didn't know that
19 New York State had to affirmatively adopt
20 into the Families First Prevention portion.

21 MS. HILL: Just to the prevention
22 portion of it.

23 ASSEMBLYMAN HEVESI: So hypothetically
24 we can say yes, we're not going to put kids

1 in congregate care?

2 MS. HILL: No, I'm sorry, I don't mean
3 to interrupt --

4 ASSEMBLYMAN HEVESI: No, no, no, no, I
5 want you -- please --

6 MS. HILL: So the first part, which we
7 are underway -- you know, right now we are
8 working on complying -- is with respect to
9 reducing our congregate care numbers --

10 ASSEMBLYMAN HEVESI: Right.

11 MS. HILL: -- and strengthening our
12 family-based foster care.

13 ASSEMBLYMAN HEVESI: But you can do
14 that in compliance with the federal
15 government's new rules and not opt into doing
16 more for prevention?

17 MS. HILL: That's my understanding,
18 yes.

19 ASSEMBLYMAN HEVESI: Because that
20 would be insane. That would be horrific
21 public policy. I'll leave it at that.

22 MS. HILL: Yeah, and to be clear, the
23 state has gotten a two-year waiver, and
24 which, you know --

1 ASSEMBLYMAN HEVESI: I know, I just --

2 MS. HILL: You know, there's a lot to
3 do to prepare for this, and so there's plenty
4 of time and we have no indication that the
5 state isn't going to.

6 ASSEMBLYMAN HEVESI: A hundred
7 percent. And Ms. Poole made it very clear
8 that they're actively engaged with their
9 partners to try and do it the right way. I
10 just didn't even know that that was a
11 possibility. Now that I know, I'm a little
12 bit more frightened.

13 But thank you. I appreciate it.

14 CHAIRWOMAN WEINSTEIN: Thank you.

15 Assemblywoman Jaffee.

16 ASSEMBLYWOMAN JAFFEE: Thank you so
17 much. Sorry. Can you hear this now? Okay.

18 So thank you for your support and
19 guidance. Very often the work that you do is
20 so essential.

21 With the Families First, there's so
22 much that needs to be done. We have to work
23 with our counties to be able to move forward
24 with giving them guidance. And I know that

1 the state has asked for the two years, and
2 hopefully within that context we'll be able
3 to create a system that will work as
4 requested but certainly that would work on
5 behalf of our children and families.

6 The congregate care is an issue
7 that -- certainly within Families First that
8 actually suggests that that would limit that.
9 But can we move forward with doing that
10 unless we have a structure in place to be
11 able to provide support for the families and
12 then assure that, if there is foster care or
13 kinship care, that it's done in the way
14 that's being suggested.

15 What did you -- how would you respond
16 to that?

17 MS. HILL: So I do think that the
18 state is taking a number of steps to prepare,
19 and I think the most significant step that is
20 contained in the Executive Budget is this
21 Family First Transition Fund. And it's, you
22 know, a terrific initiative and it's going to
23 drive investment to counties to assist them
24 in their preparation for Family First to

1 expand their pool of family-based providers
2 and kin providers and to provide them with
3 the supports that they need to care for
4 children in their homes.

5 ASSEMBLYWOMAN JAFFEE: We certainly
6 have to provide awareness to families,
7 because with that awareness there would be
8 their opportunity to share with them the
9 opportunity for mental health services and
10 other services that are actually being --
11 funding is being provided for -- that they
12 need to know that that is something that they
13 must do, but also that there is support. So
14 there has to be that awareness.

15 So we do need to assure that there is
16 a -- our sense of really raising the bar in
17 terms of awareness so that they can continue
18 to move forward within the context of the
19 rules. We had that hearing, so we all know
20 that it's going to take a while to get into
21 that place where they can then control the
22 foster care and then -- as well as
23 congregate -- but provide more support for
24 the families to provide more stability as

1 well.

2 But thank you so much for your --
3 always for your assistance in really
4 providing such intellectual capacity in terms
5 of the work that you do. Thank you.

6 CHAIRWOMAN WEINSTEIN: Thank you.

7 MS. HILL: Thank you very much.

8 CHAIRWOMAN KRUEGER: Thank you.

9 CHAIRWOMAN WEINSTEIN: Next, Council
10 of Family and Child Caring Agencies, Kathleen
11 Brady-Stepien, followed by the Human Services
12 Council, David Ng.

13 MS. BRADY-STEPIEN: Thank you. Good
14 afternoon. My name is Kathleen
15 Brady-Stepien, and I'm the associate
16 executive director of the Council of Family
17 and Child Caring Agencies or COFCCA. We are
18 a statewide membership organization, and we
19 have as our members the more than 100
20 not-for-profit child welfare agencies around
21 the state that provide foster care, juvenile
22 justice, preventive services, postadoption
23 services, and more services beyond that.

24 We all know that a budget is a

1 statement of priorities, and unfortunately
2 what is largely not present in this Executive
3 Budget proposal is funding for the human
4 services workforce. And we hope that we can
5 all work together to change that before the
6 final budget is passed.

7 What is in the Executive Budget
8 proposal, which you heard about earlier from
9 Commissioner Poole a bit, is this proposal in
10 the ELFA bill where OCFS would have the
11 ability to be able to appoint a temporary
12 operator for a foster care agency when OCFS
13 deems that the existing foster care agency is
14 not able to provide for the health and safety
15 of the children in its care.

16 We have very serious concerns with
17 this proposal. It's right there in its name,
18 "temporary operator," a Band-Aid fix on
19 frankly very serious systemic underlying
20 issues which have to do with underfunding of
21 these agencies which has created a workforce
22 crisis that I'll talk about in just a few
23 minutes.

24 We've also had a capital funding

1 request over each of the last couple of years
2 for the residential campuses around the state
3 to be able to make capital improvements on
4 their campuses that have to do, frankly, with
5 health and safety -- replacing boilers,
6 replacing roofs, all of those things. Our
7 foster care rate was held flat for many
8 years, and we did not have the resources to
9 make these needed maintenance investments.

10 And so we are asking the Legislature
11 to reject this proposal in the ELFA bill.
12 Frankly, Assemblywoman Wright, I really
13 appreciated the solution that you presented
14 earlier, which is that we all meet to have a
15 conversation together about workforce crisis,
16 about funding for these foster care programs,
17 and make sure that no agency is ever in a
18 position where OCFS would think that it would
19 need a temporary operator to come in.

20 Workforce. We have a 47 percent
21 workforce turnover in our direct care
22 front-line staff working in our foster care
23 programs. We have a 41 percent turnover in
24 the caseworkers in our foster care programs

1 around the state. These numbers are
2 unacceptable, and they should stop us all in
3 our tracks. And the reason for that,
4 frankly, is that it's not simply about
5 workforce in a vacuum.

6 When you have that level of workforce
7 turnover, it impacts your outcomes
8 negatively. Our work is driven by
9 relationships. It's all about the trust that
10 we are able to create between the worker, the
11 family, the children, foster parents, to make
12 sure that kids get to their permanency
13 outcome as quickly as possible. And frankly
14 we know that there is research in the field
15 that every time a worker turns over, it adds
16 up to six months to a child's length of time
17 in foster care. That's not acceptable.

18 So we have a couple of proposed
19 solutions for workforce. First of all, we
20 support the larger Human Services Council
21 advocacy for a 2.9 percent human services
22 COLA. We have truly appreciated the
23 Legislature's support and advocacy,
24 particularly speaking on behalf of direct

1 care staff over each of the last few years.
2 They've started to get some of those raises,
3 and it's a real signal to them that the state
4 values the work that they do and there's real
5 dignity in the work that they do.

6 So we support the Human Services COLA.
7 We also always come around to talk to you
8 about our foster care rate, which is set
9 administratively post-budget. The
10 Legislature has truly supported us over each
11 of the past few years in driving growth to
12 that rate so that we can give salary
13 increases.

14 And then there are a couple of
15 programs that the Legislature helped us to
16 create a few years ago under HESC, which
17 would support child welfare investment for
18 higher education aspirations of our
19 workforce. There is funding for loan
20 forgiveness and then there is funding for
21 tuition support for those staff that want to
22 be able to go back to school. The Governor
23 has proposed \$50,000 for each one of these
24 programs. We're asking for \$1 million for

1 each one. We want to really be able to get
2 at the recruitment and retention challenges
3 that we have.

4 Then, lastly, some of the members
5 spoke earlier about the Foster Youth College
6 Success Initiative. This is funding that New
7 York State has invested over each of the past
8 couple of years to help youth in foster care
9 in our state go to college. The Governor has
10 proposed a \$1.5 million in his budget for
11 that. We need \$4.5 million additionally to
12 be able to support the around 500 kids in
13 foster care that are right now utilizing that
14 program, because we have to make sure that we
15 support them through to graduation.

16 Thank you for your time.

17 CHAIRWOMAN WEINSTEIN: Senator Savino.

18 SENATOR SAVINO: Thank you.

19 Thank you for your testimony, and
20 thank you for reflecting on the challenges of
21 recruitment and retention for the workforce.

22 So, you know, I am a little old now,
23 but 28 years ago I was a caseworker. We
24 would routinely get staff in the public

1 sector who had previously worked in the
2 nonprofit sector -- as soon as an exam was
3 held, then they would move over. And the
4 salary disparity between the public and
5 private sector was not nearly as bad then as
6 it is now.

7 Do you have a -- like what does a
8 starting caseworker earn in a foster care
9 agency?

10 MS. BRADY-STEPHEN: So a starting
11 caseworker earns just about \$31,000 or
12 \$32,000 around the state.

13 SENATOR SAVINO: So just to keep that
14 in perspective, when I was hired September
15 17th of 1990 -- I still remember it -- my
16 starting salary was \$24,575. And a month
17 later I got a raise because we had a new
18 contract that kicked in, so it went up to
19 \$26,000.

20 So in almost 30 years, the salary for
21 the nonprofit sector has only exceeded \$5,000
22 in 28 years.

23 MS. BRADY-STEPHEN: That's right.
24 Unfortunately, that's right.

1 SENATOR SAVINO: That's a shocking
2 statistic.

3 MS. BRADY-STEPHEN: Yup.

4 SENATOR SAVINO: Now, I know in the
5 public sector, I know in ACS they start a
6 little bit higher, I think they start at 38.

7 MS. BRADY-STEPHEN: Yup.

8 SENATOR SAVINO: And they rapidly get
9 to about 42, and the Child Protective
10 Services staff is a little bit higher. But
11 even still, it's not what it should be.

12 This is a really stark contrast now.

13 MS. BRADY-STEPHEN: That's right.

14 SENATOR SAVINO: And I just hope that
15 people understand that. And we really do
16 need to do something about this, because even
17 if we were to provide tuition assistance or
18 the loan forgiveness, no one is going to stay
19 in these agencies. So we'll wind up
20 investing money and training people, maybe
21 helping them get a social work degree, with
22 skills that will really help this population,
23 and then they're just going to leave because
24 they have no choice.

1 MS. BRADY-STEPHEN: Thank you so much
2 for saying that, Senator. You know, frankly,
3 the public sector loves us because we are the
4 training ground for them.

5 SENATOR SAVINO: You're the training
6 ground.

7 MS. BRADY-STEPHEN: They learn all
8 about trauma-informed care, you know, and
9 they learn about therapeutic approaches, and
10 then they're able to go and earn thousands of
11 dollars more and to get a better benefits
12 package also.

13 SENATOR SAVINO: And also remind --
14 you know, when you speak to the
15 budget-makers, remind them that every time
16 you change a worker it is a whole new trauma
17 in a child's life.

18 MS. BRADY-STEPHEN: Yup.

19 SENATOR SAVINO: Particularly those
20 that have been separated from their parents,
21 and you become the person that they hold
22 onto, and then you change. And there's never
23 any explanation, it's as if they just
24 disappear from their life. It's really

1 horrible, and we really need to do something
2 about it.

3 Thank you.

4 MS. BRADY-STEPHEN: Thank you. I
5 couldn't have said it any better. I
6 appreciate that.

7 CHAIRWOMAN KRUEGER: Senator Rivera.

8 SENATOR RIVERA: Thank you.

9 I wanted to dig a little bit deeper
10 into the temporary operator that you
11 mentioned earlier. So they're concerned that
12 you have with the -- what is the current
13 procedure, if there is an -- I mean, this
14 would -- to back up, this would authorize --
15 if I understand it correctly, your concern is
16 that it would authorize the agency to put in
17 a temporary operator for an entity that is
18 doing something wrong.

19 But you feel that the standards that
20 are currently included in the language of the
21 bill do not -- they're just kind of vague and
22 leave it open to interpretation. Give me a
23 little bit more about what your concern is on
24 that.

1 MS. BRADY-STEPHEN: Sure, thank you
2 for asking that.

3 Our concern really is that we don't
4 understand how one financially stressed
5 foster care agency could come into another
6 financially stressed foster care agency and
7 in a period of 90 days, which is what the
8 bill language says, be able to address very
9 underlying challenges with the workforce
10 crisis, if there are capital improvements,
11 without any additional funding being
12 provided.

13 And the way that the language is
14 written it says that the established operator
15 is responsible for all of the costs that the
16 temporary operator bears. And so they're
17 turning over funding, you know, certainly to
18 the temporary operator when they come in.

19 But the question is, you know, what
20 were the circumstances that would lead the
21 agency to that point? And you heard
22 Commissioner Poole say earlier they don't
23 envision using this very often, but I think
24 our point is simply, you know, we're here

1 every year talking to all of you about the
2 challenges that we have in the system. And
3 so why not have that conversation rather than
4 go to this proposal, which is just really a
5 temporary fix?

6 SENATOR RIVERA: I'm always concerned
7 when there's nothing that clearly delineates
8 -- I think you can probably agree if there is
9 an entity that is not being responsible with
10 the money that they're using, if they're
11 providing a service to a particular
12 population -- particularly one that is as
13 much in need as this -- and they're not doing
14 the right thing, then certainly they should
15 be held accountable.

16 MS. BRADY-STEPIEN: Of course. Of
17 course.

18 And OCFS, you know, provides a lot of
19 oversight to these agencies. And through
20 their regional office, staff would come in --
21 and they do come in all the time right now,
22 if there are even problems as minimal as a
23 torn rug. You know, they're in conversation
24 there, and they are having that exchange

1 right now.

2 So I think I'm understanding what
3 you're saying --

4 SENATOR RIVERA: Since my time is
5 running out, is there a sense -- do you or
6 the coalition that you represent have any
7 sense of where this came from? Like has this
8 been proposed in the past?

9 MS. BRADY-STEPHEN: It was proposed in
10 the past, a couple of years ago, as a
11 standalone bill. And it was in the Senate
12 really at that time, under different
13 leadership. And so the language that we see
14 in this proposal is different than the
15 language in that bill, slightly --

16 SENATOR RIVERA: Is different as in
17 broader, or more --

18 MS. BRADY-STEPHEN: No, it's just a
19 little different in terms of the time period
20 that the temporary operator would take over
21 and things like that.

22 But I'd be very happy to follow up
23 with you and discuss more --

24 SENATOR RIVERA: Yes. Since my time

1 is running out, if we could talk offline --

2 MS. BRADY-STEPHEN: I know, yup.

3 SENATOR RIVERA: -- just because I'd
4 like to know a little bit more about that
5 proposal that existed before.

6 MS. BRADY-STEPHEN: Sure.

7 SENATOR RIVERA: I was just recently
8 assigned to this committee, it's not a
9 committee that I've served on before, so I do
10 not recall seeing this or hearing about it
11 before. So I certainly would like to talk to
12 you offline about it.

13 MS. BRADY-STEPHEN: Great. Let's do
14 that. Thank you, Senator.

15 SENATOR RIVERA: Thank you.

16 CHAIRWOMAN WEINSTEIN: Thank you.

17 MS. BRADY-STEPHEN: Thank you.

18 CHAIRWOMAN WEINSTEIN: David Ng, Human
19 Services Council, to be followed by New York
20 State Veterans Council.

21 MR. NG: Good afternoon. Thank you
22 for the opportunity to testify.

23 My name is David Ng; I'm from the
24 Human Services Council. We are an umbrella

1 organization of over 160 human services
2 providers throughout New York, and we're a
3 co-lead of the Strong Nonprofits for a Better
4 New York campaign, which has over 350
5 campaign members throughout the State of
6 New York.

7 And our campaign is here to advocate
8 for investments in the human services sector,
9 in particular two buckets, workforce and
10 infrastructure. You've heard a lot of
11 conversations today about the human services
12 COLA. Our workforce is a very skilled
13 workforce, a talented workforce, and also a
14 very diverse workforce. It's over 40 percent
15 women of color and over 80 percent female.

16 And we are advocating for this
17 investment because as you have heard from
18 those who have testified before me, the
19 importance of having strong organizations
20 that can retain a talented workforce is very
21 critical to making sure we deliver quality
22 services. And without investment from the
23 state, it's very difficult for us to continue
24 to do so.

1 So we're hoping that as the
2 Legislature enters into the budget
3 negotiations and considers really supporting
4 the human services COLA that has been taken
5 out year after year for our providers so that
6 we can continue to have a very strong and
7 talented workforce to provide those services.

8 The second thing around the workforce
9 is around the funding for the \$15 minimum
10 wage. It was a very important first step to
11 have the \$15 minimum wage, and we really do
12 appreciate the Legislature putting in funding
13 for it last year. Unfortunately, it was only
14 one-year funding, and of course the minimum
15 wage didn't stop and we need to continue
16 funding that for nonprofit organizations.

17 The impact it has on nonprofits
18 without the funding is that we are forced to
19 make difficult choices. Right? We don't
20 charge for our programs and services, and so
21 in order for us to fund the minimum wage we
22 would have to make cuts elsewhere, either to
23 employee benefits or to the programming
24 itself. And those are decisions that we

1 don't want to make.

2 And that's why it's very important
3 that the state continues to follow through on
4 its promise of supporting the \$15 minimum
5 wage and continues to put in funding for that
6 for next year.

7 And the last piece that we're really
8 advocating for is nonprofit infrastructure.
9 As you know, a lot of our contracts are
10 really focused on the programming. But the
11 infrastructure is also part of the tools that
12 we need to continue to provide services.
13 Without the building's facilities and the
14 technology to help track client data and to
15 provide those resources and programming, we
16 wouldn't be able to continue to deliver
17 quality services to constituents in your
18 districts.

19 And so we do appreciate the
20 legislature being advocates and putting
21 investments in the budget for infrastructure
22 year after year. I know the Nonprofit
23 Infrastructure Capital Investment Program is
24 very critical, and the Legislature was very

1 key to that. I'm not sure we were in the
2 State and Municipalities Funding program. So
3 we're hoping to see, again, a reoccurring
4 investment in infrastructure.

5 So to sum it all up, we're asking for
6 \$140 million to fund the human services COLA,
7 \$25 million to fund the minimum wage for
8 nonprofit contracts, and \$100 million for the
9 Nonprofit Infrastructure Capital Investment
10 Program.

11 The Legislature, I know all of you
12 here -- and I don't want to do a roll call,
13 but you have all been very supportive of our
14 issues and our asks, and we really do
15 appreciate that you continue advocating for
16 us in the budget. And I really want to thank
17 Assemblyman Hevesi, who's been one of our
18 longest allies on the Strong Nonprofits
19 campaign. But I do want to thank all of you
20 for all the work that you've done, and we
21 hope that we can see these investments that
22 are critical to human services in the
23 upcoming year.

24 Thank you.

1 CHAIRWOMAN WEINSTEIN: Thank you. And
2 you win so far for having most time remaining
3 and being able to summarize.

4 (Laughter.)

5 MR. NG: Thank you.

6 CHAIRWOMAN WEINSTEIN: Assemblyman
7 Hevesi has a question.

8 ASSEMBLYMAN HEVESI: Well, just very
9 briefly. David, thank you for all your work.
10 We hear you. We understand that the starving
11 out of the nonprofit sector which has been
12 going on for the past eight years is
13 unacceptable, and the human consequences of
14 it. We're going to fight alongside you to
15 make sure that you get as close to whole as
16 humanly possible.

17 But thank you for your work.

18 MR. NG: Thank you.

19 CHAIRWOMAN WEINSTEIN: Thank you.

20 CHAIRWOMAN KRUEGER: Thank you.

21 CHAIRWOMAN WEINSTEIN: Thank you for
22 being here.

23 Next, the New York State Veterans
24 Council, Kirby Hannon, legislative

1 coordinator -- is Linda here? I don't see
2 Linda. So Arthur Cody, coordinator for
3 Veterans Defense Program.

4 MR. HANNON: Thank you for that
5 introduction. My name is Kirby Hannon. I'm
6 an Air Force veteran, '65 to '69. I'm here
7 to represent the New York State Veterans
8 Council. It's a group of 30-some-odd veteran
9 service organizations. I'm here with Art
10 Cody, Afghan War vet and Navy captain. And
11 by the way, a Navy captain is actually a
12 colonel in the Air Force. He was a big-deal
13 pilot, and I was a desk jockey. But we all
14 served.

15 I wanted to point out something in the
16 Governor's budget that is remiss. And I
17 wanted to thank Joanne Martin for giving us a
18 heads-up on this. Because in the Governor's
19 budget message, he talked about funding
20 Dwyer, Joseph F. Dwyer Peer-to-Peer Program,
21 which has been funded for about the last six
22 years or so -- he talked about funding it in
23 all 63 counties. Fantastic. We rejoiced.
24 Well, when we looked at the numbers yesterday

1 when the budget numbers came out, there isn't
2 any money in there.

3 So what we want to do is we want to
4 point out to you that hopefully this becomes
5 a budget negotiation process. It sounds like
6 he's predisposed in that direction, so that's
7 nice. And to fund it properly in 63
8 counties, it would need to go from \$3.5
9 million in the 23 counties it's in now to I'm
10 going to say about \$10 million to go down the
11 Hudson Valley, turn the corner through the
12 city and go out to Long Island.

13 And Senator Montgomery, who isn't
14 here, and Linda McKinnis, who testifies with
15 us normally -- Senator Montgomery has always
16 asked why is the Joseph Dwyer program not in
17 her district. And we'd love to be able to
18 say to her this is the year.

19 So let me tell you a little bit about
20 what it does, though. The program embraces
21 immediate vet needs in peer-to-peer anonymous
22 counseling settings. So it's kind of like in
23 AA. And it gets the vet to where he or she
24 needs to be in terms of federal benefits and

1 in terms of community outreach that's
2 available.

3 And having said that, what you want to
4 do is you want to get that incoming vet to a
5 Veteran Service Officer. And the Veteran
6 Service Officers are kind of like the traffic
7 cop that basically takes the vet and finds
8 the federal benefits for the veteran that
9 they need in order to get the type of
10 underpinning necessary, be it substance abuse
11 counseling -- whatever it might be, that's
12 what that Veteran Service Officer does.

13 There's about 15 of them now. The
14 VFW's Veteran Service Officer, for example,
15 in the Buffalo office, is able to generate \$2
16 million a month in federal benefits to New
17 York State veterans. And if you take that
18 number, you take that times 15, it starts to
19 pick up exponentially. And finally, if we're
20 able to add five Veteran Service Officers to
21 fill in the gaps in the state, then we've
22 got, I think, a matrix that can serve
23 veterans in a very, very cost-effective way,
24 and the return on investment is clearly

1 there.

2 I think the VFW, who I also coordinate
3 for their legislative program -- they had
4 been funded for the last six years to the
5 tune of \$125,000 for two Veteran Service
6 Officers. Not apiece, but total. And that's
7 how we were able to do the Buffalo office,
8 the Albany office is rapidly getting to that
9 point. And so we're asking you to look at
10 that as a solid return on investment.

11 Now, I mentioned Art. Our most
12 successful program at this moment in time is
13 kind of at the end, where the veteran gets in
14 serious trouble with the law. But frankly,
15 that's where we feel we need to do the most
16 to prevent --

17 CHAIRWOMAN WEINSTEIN: Kirby, if
18 Arthur is going to speak --

19 MR. HANNON: Yeah, he is.

20 Go.

21 CHAIRWOMAN WEINSTEIN: -- he needs to.

22 CHAIRWOMAN KRUEGER: Give him a
23 minute.

24 MR. CODY: Sure. Thanks very much.

1 First of all, as has been for the last
2 several budget cycles, it's an honor for me
3 to come and speak before you on behalf of my
4 sisters and brothers in arms.

5 What the VDP does, what the Veterans
6 Defense Program does, it provides training
7 and support and legal assistance to promote
8 trauma-informed representation. To a great
9 degree, we deal with the T in PTSD. We talk
10 about what the veteran has gone through and
11 the trauma that they have experienced and the
12 way that trauma can be treated.

13 Today I'm asking for your support for
14 a legislative add of \$900,000. Previous
15 state funding has allowed us to help
16 justice-involved veterans, wounded warriors
17 suffering from mental health conditions. And
18 we've been able -- by diverting veterans from
19 incarceration, we've been able to save the
20 state over \$30 million. But more importantly
21 to us, we have been able to save literally
22 hundreds of veterans from years of
23 incarceration and instead have got them the
24 months of treatment that they need and

1 deserve. We think of that as bringing our
2 veterans all the way home.

3 This year we're requesting a \$500,000
4 renewal, \$250,000 from each house, for the
5 statewide VDP. We're going to ask the Senate
6 for a 220,000 renewal for our Long Island
7 office, which they granted last year. In
8 addition, our increased request is for
9 \$180,000 -- \$90,000 for an additional
10 attorney, because I suppose fortunately for
11 us, the demand -- people know of our services
12 and ask for them, so we're serving more and
13 more veterans, so we need an additional
14 attorney for that. And lastly, to develop a
15 legal practice manual that will help
16 counsel -- bang for the buck, help counsel
17 across the state understand some of the
18 things that we do when we're talking about a
19 veterans military occupation specialty where
20 they served, et cetera.

21 I thank you for considering our
22 request and I'm happy to take any questions
23 you may have.

24 CHAIRWOMAN WEINSTEIN: There will be

1 some questions.

2 Our Veterans chair, Didi Barrett.

3 ASSEMBLYWOMAN BARRETT: Thank you both
4 for being here.

5 Because we've had this conversation
6 just two days ago, I think it was, I don't --
7 and my colleagues have been here for a long
8 time today, I don't want to get into the
9 weeds here, but I do want to ask you about
10 the Dwyer funds and the funding there.

11 Do you feel like all of the counties
12 are ready to make those funds if it -- you
13 know, if the level that you're requesting and
14 the Governor's suggestion that it should be
15 in all of the counties --

16 MR. HANNON: Well, to answer your
17 question briefly, the program is actually
18 kind of managed in a very effective way by
19 OMH.

20 ASSEMBLYWOMAN BARRETT: Right, I know,
21 it's community-based service organizations.

22 MR. HANNON: Yeah. So are the
23 counties ready? Well, I think that --

24 ASSEMBLYWOMAN BARRETT: But not

1 everybody, every county has a program like
2 that, so --

3 MR. HANNON: No, no, definitely not.

4 OMH is ready. I think that they would
5 relish the opportunity to be able to reach
6 out into those counties. And I think the
7 veterans at the post level will embrace it in
8 a heartbeat.

9 ASSEMBLYWOMAN BARRETT: And do you
10 think there is a demand in every county at
11 this point -- I mean if we worked through the
12 New York mental health associations or -- I
13 mean, I'm just trying to get your read on the
14 demand and the need to really go from 16, is
15 it, or 23 counties to 64. It seems --

16 MR. HANNON: It's in 23 counties now,
17 upstate mostly. If we went to all 62, as I
18 had mentioned, you know, including New York
19 City, that's about a \$10 million investment.

20 ASSEMBLYWOMAN BARRETT: Right. No, I
21 understand that, I just want to be --

22 MR. HANNON: Now, what's the return on
23 investment? I think it would be that you'd
24 find more effective peer-to-peer counselors

1 within -- at the post level, who in turn
2 reach out in the community and effectively
3 identify the veterans in need, whether it's
4 with a homeless sign, you know, on the street
5 corner or whatever.

6 And then, under those circumstances --
7 and this is how it's working in some of the
8 counties, in most of the counties -- identify
9 the veteran and then make sure that that
10 veteran is finding where he or she needs to
11 go. In other words, if it's for federal
12 benefits and VA counseling or whatever, if
13 it's substance treatment. That's what a
14 peer-to-peer counselor does. And the OMH is
15 a wonderful --

16 ASSEMBLYWOMAN BARRETT: Right. Excuse
17 me. I know we're running out of time, and I
18 thank you for being here. I just wanted to
19 really get a sense of whether you thought
20 there was an infrastructure in place for --
21 in every one of the counties.

22 MR. HANNON: I do. I do, yeah. Every
23 post has a Veteran Service Officer.

24 ASSEMBLYWOMAN BARRETT: And I support

1 the program. I think it's a fantastic
2 program, and I thank you both for the work
3 that you're doing and for your service to our
4 country. And I know the Defenders Program is
5 -- we talked a lot about that.

6 So I just -- but, you know, I want to
7 be sure that if we're looking to expand this,
8 that we have an infrastructure for how to do
9 that. So thank you.

10 MR. HANNON: Thank you for being there
11 for us.

12 CHAIRWOMAN WEINSTEIN: Hold on. The
13 Senate has some questions.

14 CHAIRWOMAN KRUEGER: Senator Seward.

15 SENATOR SEWARD: Yeah, just -- I think
16 I know the answer to this question, but I
17 would just like to get it on the record and
18 hear your comments on a couple of Article VII
19 items that are in the budget impacting
20 veterans.

21 And the first being in Part W of the
22 ELFA portion, it's a proposal that would
23 prohibit any entity from receiving
24 compensation for helping veterans and their

1 dependents prepare a claim, except as
2 permitted under the United States Department
3 of Veterans Affairs standards, and also it
4 would require them to inform their customers
5 that the New York State Division of Veterans
6 Affairs and the county veteran service
7 agencies can provide them free services
8 regarding veterans benefits.

9 As you point out, our state Veteran
10 Service Officers of course in the various
11 counties do a tremendous job in terms of
12 assisting veterans. And also, of course, we
13 all benefit when all these additional federal
14 benefits come to our state.

15 And the second item is the extension
16 of the Service Disabled Veteran Owned
17 Business Act that we passed back in 2014.
18 That needs to be reupped; otherwise, it will
19 expire.

20 MR. HANNON: Thank you for pointing
21 that out. I think we missed that, yeah.

22 SENATOR SEWARD: I assume both of
23 these measures are something you could --

24 MR. HANNON: Yeah, we think that

1 there's confusion and we don't want people to
2 think that the services offered by Veteran
3 Service Officers could in any way be
4 compensated for in any other fashion. And it
5 doesn't happen a lot, but to preclude it is a
6 good thing, I think.

7 SENATOR SEWARD: Thank you.

8 CHAIRWOMAN KRUEGER: Oh, I'm sorry, I
9 do just have one question. Thank you,
10 gentlemen.

11 So just even the other day there were
12 stories about the federal government trying
13 to push for more privatization of VA
14 healthcare, even possibly in parts of New
15 York State. So I'm wondering, do you and the
16 people you represent have a position here?

17 MR. HANNON: Well, I can tell you what
18 my gut reaction is as regards New York State
19 and the VA hospitals in New York State. And
20 it is -- and I go to the VA Hospital here in
21 Albany. The care is excellent.

22 You know, I think that privatization
23 is always a complex issue and I'm not going
24 to speak to it except to say that I

1 personally, going to the VA on a regular
2 basis, I don't see the need for privatization
3 on a personal basis at all.

4 But, you know -- now, what they are
5 doing is in terms of women vet outreach,
6 they're bringing in people who I think are
7 much needed that have special expertise and
8 are able to, even with peer-to-peer, they're
9 able to actually connect women in the service
10 with other women who are actually able to --
11 and Linda McKinnis was going to talk about
12 that today.

13 But -- so to answer your question,
14 yeah, I think that it depends on what program
15 and what privatization they're talking about
16 in terms of my gut reaction.

17 CHAIRWOMAN KRUEGER: Thank you very
18 much for presenting today.

19 MR. HANNON: Thank you.

20 MR. CODY: Thank you.

21 CHAIRWOMAN WEINSTEIN: Thank you.

22 ASSEMBLYWOMAN BARRETT: Thank you.

23 CHAIRWOMAN WEINSTEIN: Next we have
24 the Redlich Horwitz Foundation, Robert

1 Horwitz, Sarah Chiles. Or maybe just Robert
2 Horwitz without Sarah.

3 MR. HORWITZ: Yeah, Sarah wasn't able
4 to come today.

5 CHAIRWOMAN WEINSTEIN: Okay. And then
6 the Early Care and Learning Council, followed
7 by the New York State Network for Youth
8 Success.

9 MR. HORWITZ: Good afternoon. My name
10 is Rob Horwitz, from Redlich Horwitz
11 Foundation. I want to thank you for the
12 opportunity to testify today before you.

13 And I'm here today to ask the
14 Legislature to provide funding for the Family
15 First Transition Fund that Commissioner Poole
16 mentioned in her opening remarks.

17 The proposed transition fund is
18 designed to be a private-public partnership
19 that can really change the course of foster
20 care here in New York. It's a proven,
21 effective program that has the potential to
22 improve the lives of foster youth across the
23 state and save money at the same time. It's
24 truly a unique proposition, and I hope we can

1 gain your support.

2 I'm the cofounder and a trustee of the
3 Redlich Horwitz Foundation, along with my
4 wife Cathy. The foundation's mission is to
5 ensure every child entering foster care is
6 raised in a permanent loving family. We're a
7 family foundation. We don't provide direct
8 services. What we do provide, from OCFS to
9 the counties to agencies and other service
10 providers, is strategic advice, targeted
11 funding, and consultative supports. The
12 foundation spends over \$5 million a year here
13 in New York on foster care, and we're the
14 only nonservice provider with the sole
15 mission of doing so.

16 We moved to the Hudson Valley in 2010
17 and decided on foster care as a single
18 mission. And I think it's important to
19 understand why New York spends more money per
20 child in foster care than any other state in
21 the country, yet gets the 48th best results
22 in terms of time to permanency and a
23 permanent family.

24 We immediately tried to identify what

1 those reasons were for that shocking outcome.
2 In our research we found that outside of
3 New York City, the rest of the state
4 institutionalized foster children at twice
5 the national rate. Why is that a concern?
6 The research is unequivocal that outcomes for
7 foster youth in prolonged institutional care
8 are far worse in all measures of
9 well-being -- number of placements,
10 education, mental health, employment -- than
11 foster youth who are placed in family-based
12 care. Furthermore, institutional care is
13 three to eight times more expensive than the
14 preferred mode of family-based care.

15 We started searching for strategies to
16 alleviate this situation and found many
17 jurisdictions -- Allegany County in
18 Pennsylvania is a prime example of this --
19 where they prioritize kin-based placements
20 first, foster parent placements second, and
21 institutionalization only in extreme cases of
22 severe emotional distress. They also
23 provided community-based mental health care
24 and other supports to ensure

1 family-based-placement stability and success.

2 Why a kin-first policy? Well, again,
3 research demonstrates that children placed in
4 foster care with a family and with known
5 parties do better, they encounter less
6 trauma, they return to their birth parents
7 more frequently and successfully and
8 generally achieve better outcomes than any
9 other placements.

10 In 2016, we issued an RFP to try a
11 kin-first policy here in New York. Several
12 counties applied; we accepted three counties.
13 The results have been really incredible. In
14 the first year, all three counties
15 dramatically increased their supported
16 kin-based foster care and significantly
17 reduced their institutional care.

18 Onondaga, as an example, doubled their
19 kin-based care in the first year and they
20 reduced their institutional placements in
21 that first year by 25 percent. All the other
22 counties did similarly. Westchester went
23 from the number one -- the highest rate of
24 institutional care, over 40 percent, down --

1 they reduced it by 10 points.

2 All the counties reinvested savings
3 into this program and still resulted in
4 substantial savings to their counties. We
5 recommend that 50 percent of the savings be
6 reinvested in order to ensure that the proper
7 supports are in place for sustainability of
8 this program.

9 In the beginning of 2018, the Family
10 First Act was passed, and that initiates a
11 fundamental shift in foster care practice,
12 incentivizing family-based care and placing
13 severe funding limitations on use of
14 unnecessary institutional care. New York
15 will lose tens of millions of dollars in
16 federal funding under the current system.
17 We've developed a proven, effective program
18 for increasing kin-based supports and
19 reducing the trauma of separation from birth
20 parents, as well as reducing unnecessary
21 institutional care, and we would urge you to
22 support this program.

23 One other point --

24 CHAIRWOMAN WEINSTEIN: Just quickly.

1 MR. HORWITZ: Yes. We want to thank
2 the Governor for including this transition
3 fund in his budget, but we're concerned about
4 the source of this funding and want to make
5 sure that this funding is clean funding and
6 does not distract from any other foster care
7 services.

8 Thank you.

9 CHAIRWOMAN WEINSTEIN: Thank you.

10 Assemblywoman Barrett.

11 ASSEMBLYWOMAN BARRETT: Yeah, I just
12 wanted to thank Rob and Cathy, who are
13 constituents and friends, for their
14 leadership in this and shining the spotlight
15 on how to really maximize funds for a really
16 important part of our communities and the
17 youth of our state. So I just really want
18 to, on the record, thank you for your work
19 and your leadership and your support.

20 CHAIRWOMAN WEINSTEIN: Thank you.

21 Assemblywoman Jaffee.

22 ASSEMBLYWOMAN JAFFEE: I too want to
23 thank you for this work.

24 And I think that this -- supporting

1 the counties to meet this challenge
2 especially with the Family First preparing
3 for what is about to occur, I think that it's
4 essential. And as you have discussed this
5 and led the counties in so many to be able to
6 be moving forward is essential. Because in
7 order for them to be able to do what is
8 appropriate for our children within the
9 context of foster care, they need to have the
10 kind of guidance that you are suggesting.

11 So I want to thank you very much for
12 the work that you're doing. Very insightful.

13 CHAIRWOMAN WEINSTEIN: Thank you.

14 CHAIRWOMAN KRUEGER: Thank you.

15 CHAIRWOMAN WEINSTEIN: Meredith
16 Chimento, Early Care & Learning Council.

17 MS. CHIMENTO: Hi, good afternoon. I
18 haven't spoken in a few hours.

19 (Laughter.)

20 MS. CHIMENTO: Thank you for the
21 opportunity to provide testimony today. My
22 name is Meredith Chimento. I'm the executive
23 director of the Early Care & Learning
24 Council. We represent the 35 childcare

1 resource referral agencies located in the
2 62 counties in New York State. The CCR&Rs
3 and ECLC provide direct assistance and
4 support to parents, childcare providers, and
5 employers.

6 I am pleased -- multiple times
7 today -- to hear childcare referenced as a
8 critical support for New York's workforce.
9 As New York continues to build on its
10 investments, focused on improving education
11 and programs that help prepare children to
12 enter kindergarten ready to learn, there must
13 also be a commitment to increasing access to
14 quality childcare. This will be realized
15 through increased financial support of ECLC
16 and the CCR&R contracts through the Office of
17 Children & Families, which have remained
18 flat-funded for over a decade and in fact in
19 2012 received a cut.

20 CCR&Rs have been forced to hold
21 already low wages stagnant and have not
22 received a COLA, which was referenced
23 multiple times today. Like childcare staff
24 and educators themselves, the overwhelming

1 majority of CCR&R staff are female. In order
2 to reach real pay equality, the specialized
3 and necessary work of the CCR&R agencies must
4 be compensated. CCR&Rs provide technical
5 assistance to childcare providers through
6 trainings, intensive interventions, and
7 support to both programs and individual
8 childcare providers.

9 As a partner and resource to OCFS, and
10 a critical mass responsible for ensuring the
11 delivery of quality care, our workforce must
12 not be overlooked. It is for that reason
13 that we ask for \$2.5 million to support the
14 Early Care & Learning Council and the
15 Child Care Resource and Referral network as
16 we deliver essential services to boost the
17 quality of childcare in New York State.

18 In addition to these quality issues,
19 in much of the state the available supply of
20 providers of care for infants and toddlers is
21 near capacity, at 90 percent. In urban
22 areas, wait lists occur, and in rural areas,
23 where I live in Greene County, for example,
24 simply stated, there is no childcare.

1 Therefore, we are requesting an additional
2 \$2.5 million to provide business development,
3 implementation and project oversight to
4 establish new childcare businesses.

5 Childcare businesses are predominantly
6 minority and women-owned businesses. This
7 increase will allow for CCR&Rs to hire
8 additional staff and recruit and support new
9 providers to serve infants and toddlers.

10 This increase will ensure that these MWBEs
11 will be guided through purposeful planning,
12 site location, program and budget development
13 to ensure their success. Also, it will allow
14 us to look at ways to develop strategies
15 around nontraditional hours of care,
16 specifically for shift workers, casino
17 workers, and hospital workers. One in four
18 low-income Americans work in nonstandard-hour
19 jobs and they cannot find care. Just today,
20 our national organization released a report
21 highlighting the childcare challenges workers
22 in those nontraditional hours face, as well
23 as the role CCR&Rs can play in improving that
24 access.

1 I am a member of the Childcare
2 Availability Task force convened by
3 Assemblymember Jaffee -- thank you very much.
4 And as we work on a systemic solution to the
5 childcare crisis, the state must increase
6 investment now to restore short-term
7 stability to both the childcare providers and
8 subsidy systems and to expand subsidies for
9 low-income working families whose ability to
10 participate in the workforce depends on
11 securing quality, affordable, accessible
12 care.

13 Thank you.

14 CHAIRWOMAN WEINSTEIN: Thank you.
15 thank you very much. I think you were
16 succinct.

17 Assemblywoman Jaffee.

18 ASSEMBLYWOMAN JAFFEE: Thank you for
19 what you do. The Early Care & Learning
20 Council does extraordinary work in my county.
21 It really provides such support for our
22 childcare providers that it really has put
23 them in a much more positive position,
24 providing all kinds of assistance and

1 guidance. So I really appreciate what you've
2 done for them and throughout the state. And
3 I look forward to working with you as we
4 continue on the task force.

5 MS. CHIMENTO: I do as well.

6 Absolutely. Thank you.

7 CHAIRWOMAN WEINSTEIN: Thank you.

8 CHAIRWOMAN KRUEGER: Thank you.

9 CHAIRWOMAN WEINSTEIN: We too thank
10 you for your work.

11 New York State Network for Youth
12 Success, Kelly Sturgis, to be followed by the
13 New York State Kinship Navigator.

14 MS. STURGIS: Hi, good evening. Thank
15 you for allowing me to testify today --

16 (Laughter.)

17 CHAIRWOMAN KRUEGER: It's afternoon!

18 MS. STURGIS: It kind of is. It's
19 getting there.

20 (Laughter; overtalk.)

21 CHAIRWOMAN KRUEGER: You haven't seen
22 the light for a while. It's still 4:15.

23 MS. STURGIS: My name is Kelly
24 Sturgis. I'm the executive director for the

1 New York State Network for Youth Success. We
2 are the statewide network for after-school,
3 summer and expanded learning programs.

4 Evidence shows that after-school
5 programs play a critical role in improving
6 student outcomes and that summer programs
7 halt summer learning loss. For students who
8 are fortunate enough to be enrolled in
9 high-quality after-school and summer
10 programs, these opportunities contribute to
11 the development of social-emotional skills
12 that employers look for in future employees.
13 They also provide protective factors such as
14 access to and relationships with nurturing
15 adults that we know result in healthier
16 children who make better decisions and are
17 able to build skills that last a lifetime.

18 After-school programs are crucial for
19 working families who need to know that their
20 children are safe between the end of the
21 school day and the end of the work day.
22 While we are pleased that the state has shown
23 an interest in after-school by supporting the
24 Governor's Empire State After-School Program,

1 New York still needs to increase investment
2 in the Advantage After-School Program, which
3 serves 16,000 children and youth statewide.

4 Of the 177 Advantage programs
5 operating across the state, 52 are located in
6 areas not currently served through the Empire
7 grant and serve nearly 4,000 students.

8 While we support additional
9 investments in after-school programs from the
10 state, we must ensure that existing funding
11 streams that support currently operating
12 after-school programs are adequately funded
13 as well. We urge the Legislature to restore
14 funding for the Advantage After-School
15 Program. The Governor's budget proposal of
16 \$17.2 million is a reduction from last year's
17 enacted budget. We thank the Legislature for
18 restoring the \$5 million cut last year and
19 ask you to do so again.

20 If funding is not restored to
21 \$22.3 million, at least 3600 students
22 currently enrolled in Advantage across the
23 state will be at risk of losing access to
24 their programs, starting in the 2019-2020

1 school year.

2 We thank the Executive for including a
3 \$10.7 million increase for the after-school
4 workforce and ask that you maintain this
5 much-needed cost of living adjustment and
6 extend it for at least five years to fiscal
7 year '23-'24. This would bring the base
8 funding for Advantage to \$32.9 million if the
9 Legislature restores the \$5 million cut.

10 Yet even with the increases just
11 mentioned, programs are underfunded and
12 struggle to provide the highest-quality
13 services to children and youth. Our research
14 shows that funding is spent predominantly on
15 salaries, with little left over for materials
16 or activities.

17 While the true cost of providing a
18 high-quality experience is just under \$3,000
19 in Buffalo and an estimated \$6,000 in
20 New York City, Advantage programs subsist on
21 \$1375 per pupil. Even the Empire State
22 After-School Program, with a \$1600 per-pupil
23 rate, does not reflect the true cost. This
24 year we are requesting that the per-pupil

1 rate increase to \$2320 to least accommodate
2 the increase in minimum wage. When the rate
3 was set at \$1375 back in 2009, the minimum
4 wage was \$7.25. This \$2320 rate would allow
5 for the same level of services originally
6 provided under this program, while accounting
7 for the minimum wage increases.

8 At the same time, we must continue to
9 serve the same number of children, which will
10 require an additional \$15.2 million
11 investment in the program.

12 To support other services that
13 contribute to high-quality programs, we urge
14 the state to increase funding for the
15 childcare subsidies by \$51 million, restore
16 1.698 million in funding for the Youth
17 Development Program that was included in the
18 fiscal year '16-'17 budget, increase
19 investment in the Summer Youth Employment
20 program by an additional \$4 million, and
21 finally, invest 25 percent of any revenues
22 secured through the legalization of adult-use
23 marijuana in after-school programs.

24 In closing, I want to note that I am

1 on the steering committee of Winning
2 Beginning NY, and the network supports the
3 coalition's agenda.

4 Thank you for your time.

5 CHAIRWOMAN WEINSTEIN: Thank you.

6 Senator Krueger.

7 CHAIRWOMAN KRUEGER: Hi. Thank you
8 for your testimony. And you raised something
9 that I think two or three people before you
10 also raised, that there was a reduction in
11 the after-school -- the Advantage
12 After-School Program. But some of my notes
13 showed that we just picked it up and took it
14 from OCFS into OTDA.

15 So are you actually convinced there's
16 a drop in the money for after-school in the
17 Advantage After-School, or is it possible you
18 didn't see that it got moved to a different
19 agency? Although I have no idea why they
20 would move it.

21 MS. STURGIS: We did. We're still
22 waiting on clarification as to how it will
23 actually roll out. And that's only for the
24 first year; there's still subsequent years in

1 the RFP that will not be reflected in.

2 CHAIRWOMAN KRUEGER: Got it. Thank
3 you for the clarification.

4 MS. STURGIS: You're welcome.

5 CHAIRWOMAN KRUEGER: And if you find
6 out why, let me know. Because I can't figure
7 out why they're moving it either.

8 MS. STURGIS: Absolutely.

9 CHAIRWOMAN KRUEGER: Thank you.

10 CHAIRWOMAN WEINSTEIN: Thank you.
11 Thank you for your testimony here today.

12 MS. STURGIS: Thank you.

13 CHAIRWOMAN WEINSTEIN: Next we have
14 the New York State Kinship Navigator, Gerard
15 Wallace, director, and Ryan Johnson, a
16 regional coordinator.

17 So, gentlemen, we have 5 minutes on
18 the clock. We do have your -- obviously, in
19 our reading, it's a rather long and
20 interesting testimony --

21 MR. WALLACE: Okay. I want to get
22 going, okay?

23 Chairpersons, Senators,
24 Assemblypersons, thank you very, very much

1 for giving us the chance to speak about
2 kinship care. We are focused on the private
3 kinship community, not those who are in
4 foster care.

5 You have before you in the testimony a
6 description of all this and the issues, so
7 we're not going to go into it, we're just
8 going to hit the high points.

9 There are two child welfare systems
10 in New York State. There is the public
11 foster care system, which serves 16,000
12 children in foster care -- of which 3,700 are
13 kinship foster children -- and has over a
14 billion dollars in funding.

15 And then there is the private kinship
16 foster care system, the private kinship
17 system, which has 195,000 children in care
18 and is served by grandparents, aunts and
19 uncles and family friends who are doing the
20 job on their own. Myself and Ryan Johnson,
21 with the Navigator, and the 22 local kinship
22 programs that serve them are the only
23 dedicated resources for those 195,000
24 children.

1 Those children are in care with
2 relatives for pretty much the same reasons
3 that children go into foster care. They're
4 primarily parental drug addiction, abuse,
5 neglect, abandonment, incarceration, and the
6 list goes on.

7 We are asking you to continue full
8 funding for those 22 programs in the
9 Navigator. The Governor always puts in
10 \$220,000 for the Kinship Navigator and
11 \$338,000 for the local programs. Through the
12 good graces of Assemblywoman Jaffee and
13 Assemblyman Hevesi and many years ago Senator
14 Montgomery, we've been able to get that up to
15 about \$2.5 million. The numbers are there.

16 We'd like to note, on top of that,
17 that the Family First Prevention Services Act
18 doesn't just try and open the door wider for
19 kin to be a resource for foster care, there
20 is a funding stream available for kinship
21 navigators to serve children in kinship care
22 so that they do not go into foster care.

23 That funding stream unfortunately was
24 hampered because it demands, requires that

1 the programs be successfully evaluated for
2 certain outcomes. The federal government in
3 its wisdom then put up money to try and get
4 those evaluations done. OCFS has
5 sole-sourced our program to do the
6 evaluations to show successful outcomes to
7 get the matching funds available from the
8 feds for kinship navigators. We're asking
9 you to add \$120,000 to our budget to help us
10 facilitate some of the actions that we need
11 around getting those evaluations successfully
12 done.

13 Ryan Johnson is going to talk a little
14 about the cost-benefit, and hopefully we're
15 going to get there. Okay? Thank you.

16 MR. JOHNSON: Thanks for your time.
17 As Gerry mentioned, there are 16,000 children
18 in foster care and the state spends hundreds
19 of millions of dollars to make sure that
20 those children remain safe. Again, at the
21 same time, the state spends \$2.5 million for
22 the private kinship community, as Gerry
23 mentioned. Last year the 22 local programs
24 served over 2,000 children, keeping them out

1 of foster care, saving the state over
2 \$50 million if those children had come into
3 foster care.

4 And so the investment into kinship
5 programs, the Kinship Navigator and the local
6 programs, really does have a return on the
7 investment, keeping children out of foster
8 care.

9 As Gerry mentioned, the Families First
10 Act provides funding, matching funds from the
11 federal government that we will be able to
12 draw down on in the future. And keeping kids
13 out of foster care really is the primary
14 purpose of that. The Navigator is well
15 situated to provide leadership and guidance
16 to the state on how those funds are
17 appropriated, and we've asked the Legislature
18 to make this small investment into the
19 kinship community that are not making it into
20 foster care.

21 MR. WALLACE: One other item. We
22 talked about the transition fund, and we
23 applaud that. And Ryan sits on the CHAMPS
24 committee that drafted that request.

1 The transition fund would attempt to
2 increase the number of children in kinship
3 foster care. Since the total number of
4 children in foster care is 16,000, if you
5 move from 33 percent to 50 percent in New
6 York City of all foster care being kin, and
7 if you move from 12 percent to 50 percent of
8 upstate all children in foster care being
9 with kin, you would have a grand total of
10 8,000 kinship children in foster care.
11 That's great. We want to see more kids in
12 kinship foster care. But the number again is
13 dwarfed by this informal community, the
14 Auntie Ems, the Dorothies of New York that
15 have no supports.

16 CHAIRWOMAN WEINSTEIN: Thank you so
17 very much for being here and for the work
18 that you do for New Yorkers. Thank you.

19 CHAIRWOMAN KRUEGER: I have a
20 question.

21 CHAIRWOMAN WEINSTEIN: Oh. Senator
22 Krueger.

23 CHAIRWOMAN KRUEGER: Might the Auntie
24 Ems of New York be better off if they applied

1 for kinship funding to take care of the
2 children --

3 MR. WALLACE: By kinship funding you
4 mean foster care?

5 CHAIRWOMAN KRUEGER: Yes, sir.

6 MR. WALLACE: Certainly. We have
7 supported more children going into foster
8 care for 15 years. And the original studies
9 on diversion of how children are misdirected
10 from foster care opportunities were done by
11 us.

12 But the numbers are there. We've got
13 195,000 children. Do you want them all going
14 into foster care? There are many reasons
15 they wouldn't qualify, there are many reasons
16 they wouldn't want to. They have to come in
17 contact with the system at the get-go so that
18 there's an Article X in order to be eligible.

19 No, I'm sorry to say the majority are
20 going to remain outside that system, and
21 New York needs to do more to support them.

22 CHAIRWOMAN KRUEGER: So perhaps I
23 worded it wrong, because no -- I mean, from
24 the state perspective, every extended family

1 who takes care of nieces, nephews,
2 grandchildren does what we call a mitzvah in
3 my family, but also saves the state a lot of
4 money.

5 But you also worry -- I worry -- that
6 these families who are doing good deeds and
7 trying to do the best for the children they
8 bring in from their extended family may be in
9 trouble themselves because now they're trying
10 to take on responsibilities that they never
11 imagined planning for. They may be
12 grandmothers who are trying to raise their
13 grandchildren without adequate money for rent
14 and food or may be overwhelmed themselves,
15 given their own age and perhaps physical
16 limitations.

17 So I'm just curious, in your work and
18 your navigators is there a way to try to make
19 sure that all of these wonderful people out
20 there aren't actually suffering while trying
21 to take care of children that they don't have
22 the resources to take care of?

23 MR. WALLACE: I think that's a
24 wonderful question, and we appreciate their

1 being described as wonderful, okay.

2 That's what we do. There is financial
3 funding to help them through the TANF system,
4 the child-only nonparent grant. Fifteen
5 percent of eligible families in New York
6 State are getting it, according to
7 Chapin Hall.

8 There are case management services
9 provided by these programs. They have
10 emergency funds at these programs. The
11 problem is they are not funded. As Ryan
12 said, if you fund the informal kinship
13 network of care, the savings is there and the
14 families are getting less supports but enough
15 supports to stabilize them and enable them to
16 do what they want to do.

17 Again, most of them do not come in
18 contact with the CPS system. You're going to
19 have to invent a way to take children out of
20 their home and make them eligible for Title
21 IV-E funding. There isn't such a way to do
22 that.

23 CHAIRWOMAN KRUEGER: Thank you.

24 MR. WALLACE: Thank you very much.

1 CHAIRWOMAN WEINSTEIN: Assemblywoman
2 Jaffee.

3 ASSEMBLYWOMAN JAFFEE: Thank you for
4 your constant guidance and our conversations
5 together.

6 In terms of the federal law, how do
7 you see this moving forward in terms of, you
8 know, the families and the children, in terms
9 of maintaining them in kinship rather than
10 moving forward much more -- many more of them
11 within the foster care system?

12 MR. WALLACE: Well, the federal law
13 provides a matching dollars for kinship
14 navigators. Kinship navigators is a kind of
15 a term of art. It's any, really, system of
16 kinship services. It's not -- we're called
17 Kinship Navigator, but the local programs on
18 the ground are kinship navigators also. So
19 there's matching dollars there.

20 This is the first time, after 20 years
21 of advocacy, that the feds have finally put
22 up some bucks to fund the private kinship
23 care system. Who knows where it's going to
24 go next? Everyone is recognizing the

1 importance of private kinship care and public
2 kinship care and that children do better when
3 they're with relatives. It is pretty much
4 going to be a done deal that over the next
5 decade more and more will be invested in the
6 private kinship community, given the numbers
7 and the opioid crisis and all the reasons
8 that children are forced into the arms of
9 their relatives.

10 This is a small step, but it's the
11 first step. And I'm telling you, it's been a
12 long time coming.

13 ASSEMBLYWOMAN JAFFEE: How do we raise
14 awareness for families so that they
15 understand that they're going to be getting
16 support for mental health services --

17 MR. WALLACE: One of the things we've
18 asked is an amendment to Social Services Law
19 392, which indicates that counties must
20 inform kinship caregivers about certain
21 benefits. But -- and we can give you rife
22 stories about the failure to inform. And
23 I've worked -- and I appreciate the
24 commissioner's work on this, Commissioner

1 Poole's work on this. But there's still a
2 lot of gaps. Some of it has to do with
3 turnover in staff, some of it has to do with
4 misinformation.

5 Our amendment would say that they must
6 refer any kinship family they come to, either
7 when they come for public benefits or the CPS
8 system is in touch with them. Whether or not
9 they get to an Article X, refer them to us
10 and our comrade programs so that nobody falls
11 through the cracks.

12 I'll sum it up. Bronx grandmother, a
13 few years ago: "CPS gave me my grandchild
14 eight years ago. This is the first time I've
15 found out there's help." We don't want that.

16 ASSEMBLYWOMAN JAFFEE: That's what is
17 concerning me. If you have language, that
18 would be helpful.

19 MR. WALLACE: Yes, ma'am.

20 CHAIRWOMAN WEINSTEIN: Thank you.

21 CHAIRWOMAN KRUEGER: Thank you very
22 much.

23 MR. WALLACE: You're welcome, folks.
24 Thank you very much too.

1 ASSEMBLYWOMAN JAFFEE: Thank you.

2 MR. WALLACE: Go home soon, hmm?

3 CHAIRWOMAN WEINSTEIN: The next
4 witness is Camille Mackler, New York
5 Immigration Coalition, then Melissa Sklarz,
6 SAGE, and to be followed by Timothy Hathaway,
7 executive director, Prevent Child Abuse
8 New York.

9 MS. MACKLER: Thank you for the
10 opportunity to testify today. I hope not to
11 take too much time; I know I'm one of the
12 last people standing on your way home.

13 I'm here because I wanted to talk
14 about legal services funding for immigrants,
15 which is a relatively new funding stream for
16 New York State. I want to be very clear,
17 though, when I say legal services funding,
18 I'm not only speaking of lawyer positions but
19 I'm also talking about supporting our
20 community-based organizations and all of the
21 other groups that really come into play when
22 we're trying to get immigrants access to
23 counsel and access to justice.

24 I work for the New York Immigration

1 Coalition. We're a statewide coalition of
2 over 200 nonprofit organizations that work
3 with immigrants in a variety of ways
4 throughout the state. We're from Long Island
5 to Buffalo. We have staff all over the
6 state.

7 And I am asking today to have the
8 \$10 million that was invested in the last two
9 budget cycles again invested this year and
10 increased to \$20 million, because frankly
11 that doesn't even come close to approaching
12 the need.

13 The reality is that in the last two
14 years alone we have seen lawyers and
15 individuals working on providing access to
16 counsel to immigrants become the best
17 protectors and defenders of our communities
18 that are currently under constant attacks
19 from Washington. This new funding stream
20 from New York State, the Liberty Defense
21 Project, which is run through the Department
22 of State Office for New Americans, is the
23 first time New York State has made a
24 significant investment in legal services

1 protecting individuals from deportation, from
2 arrest by Immigration Customs Enforcement,
3 ensuring that we're doing "Know Your Rights"
4 presentations and getting individuals alerted
5 and oriented to their rights.

6 As we have surveyed our community
7 members and our stakeholders, we know that
8 the biggest barriers to accessing legal
9 counsel for immigrants is financial. There's
10 no right to guaranteed counsel in immigration
11 law, even if you're incarcerated and facing
12 deportation in a language you don't
13 understand. They're geographical,
14 particularly upstate in Western and Central
15 New York and in the Southern Tier and in the
16 North Country and even here in the Capital
17 Region.

18 Immigrants, as you know, do not have
19 access to driver's licenses, at least
20 undocumented immigrants don't, so they can't
21 travel to see lawyers. They can't travel to
22 areas where they can receive more assistance.
23 Even in New York City, sometimes the outer
24 boroughs can be real geographical hurdles,

1 and even on Long Island, where we have a
2 better infrastructure.

3 But I also want to talk about the
4 impact that all of this has had on lawyers.
5 I myself am an immigration lawyer, and I can
6 tell you that the challenges over the last
7 two years alone have been tremendous. I have
8 run legal efforts out of diners in airports,
9 out of visitation rooms in county jails. I
10 have watched my colleagues cancel vacation
11 plans, work nights and weekends for years
12 now. But especially over the last two years,
13 they must pivot and go into crisis response
14 mode in a second. They must constantly learn
15 and relearn the law and the policies as they
16 change, as courts uplift them or strike them
17 down. And the toll this summer alone of
18 working with parents and children who were
19 separated at the border by our U.S.
20 government has had an effect like I've never
21 seen, on both our communities and on the
22 lawyers that try to serve them. You can
23 imagine how demoralizing all of this is.

24 The burnout in our lawyers is

1 extraordinary. You know, I know we've spoken
2 at times this afternoon of the impact on the
3 nonprofit sector of wages and high work
4 volumes, and this is absolutely true for this
5 community. We have very few nonprofit
6 immigration lawyers with over five years'
7 experience, even in New York City, where
8 75 percent of providers are located.

9 Because of the lack of funding,
10 there's also lack of flexibility in the types
11 of cases, which doesn't allow lawyers to
12 pivot as they need. And it means that they
13 must turn away from services individuals they
14 know qualify for relief under our current
15 laws.

16 The biggest issue we have is
17 supervising positions. Right now 76 percent
18 of organizations expect their supervisors to
19 carry full or nearly full caseloads, which
20 means that we can't bring in junior attorneys
21 and junior staff because there's no one to
22 supervise them. We can't leverage pro bono
23 help because there's no one to supervise
24 them. And in upstate, that is dramatic.

1 We also need more funding for things
2 like ESL classes, for mental health
3 providers, for social workers, case managers,
4 all those who can work with the lawyers to
5 take clients out of that moment of crisis.

6 In 2013, New York City started a
7 public defender model that was later adopted
8 by New York State for all detained
9 immigrants, and the studies of that, which
10 are the best studies we have on the impact of
11 representation in immigration court, show
12 that with a lawyer you have a 1100 percent
13 greater chance of winning your case and
14 exerting your rights under the laws than if
15 you don't have one.

16 So for that reason, I hope that
17 New York will step up and that we will be
18 able to continue to fund this critical
19 lifeline for immigrant New Yorkers.

20 Ten seconds left.

21 CHAIRWOMAN WEINSTEIN: Thank you. And
22 thank you for the work you do.

23 And, you know, I think you're aware
24 that for the last several -- going back

1 several years, the Assembly has added to the
2 budget funding for immigrant legal services.
3 And I know that some of the member
4 organizations have received that funding.
5 But clearly there's a need for much more.

6 MS. MACKLER: Yes, absolutely. And I
7 don't mean to discredit those discretionary
8 grants, but we -- I'm talking about the
9 Liberty Defense Project, which is a statewide
10 network that has been created, and that needs
11 to continue.

12 CHAIRWOMAN KRUEGER: Senator Rivera.

13 SENATOR RIVERA: Good afternoon.

14 MS. MACKLER: Good afternoon.

15 SENATOR RIVERA: Thank you for the
16 work that you do, certainly.

17 I need for you to break down for me a
18 little bit more -- I went to the last page,
19 which has the asks, right? And No. 3 says
20 "Ensure that funding is not tied to high case
21 numbers." Could you explain what that means
22 and why that's important?

23 MS. MACKLER: Yes. Oftentimes funding
24 comes with high case numbers, which means

1 that the cost per case is lower. Which means
2 that the organizations aren't able to cover,
3 for example, a more complicated case because
4 they're only going to get paid \$750 versus --

5 SENATOR RIVERA: I'm sorry to
6 interrupt, just because the time is short.
7 So you're saying that the way that the
8 current funding is structured, it is
9 allocated based on the amount of cases that a
10 particular attorney has?

11 THE SPEAKER: When you require
12 attorneys to take on a high number of cases
13 in order to meet those funding numbers,
14 they're going to take the easier, simpler
15 cases to meet their numbers. If you lower
16 the numbers, they're more likely to be
17 flexible in how they're able to take in that
18 work, and they'll actually end up helping a
19 greater number of people.

20 SENATOR RIVERA: So just to be clear,
21 the current funding that you've received from
22 years past does have this requirement?

23 MS. MACKLER: The reason I'm having
24 difficulty answering that question is that

1 actually the Governor's office and ONA has
2 reconfigured how they want to spend that
3 money, and the RFAs for last year's
4 \$10 million just went out in December. So
5 it's a little hard for me to --

6 SENATOR RIVERA: And that's requests
7 for --

8 MS. MACKLER: Requests for
9 applications, I'm sorry. So it's a little
10 hard for me to say how that's actually going
11 to play out in the field now, because it's
12 all new. But in the past that has been our
13 experience, yes.

14 SENATOR RIVERA: So in years past
15 there has been -- it has been attached to
16 that.

17 MS. MACKLER: Yes.

18 SENATOR RIVERA: And you're saying
19 that that's a problem because the more
20 complex cases take obviously more time, and
21 if the money that you are getting as either
22 an individual or an entity is going to depend
23 on the amount of cases that you get as
24 opposed to just the work that you do -- but

1 individual cases, then you're just going pick
2 the easier ones --

3 MS. MACKLER: Right. Yes. In other
4 words, you want to give lawyers the most
5 flexibility possible, because they're going
6 to try to serve the most number of people
7 possible instead of having them pick based on
8 their funding deliverables.

9 SENATOR RIVERA: Gotcha. Thank you so
10 much.

11 CHAIRWOMAN WEINSTEIN: Thank you.
12 Thank you so much for being here and for the
13 work you do.

14 CHAIRWOMAN KRUEGER: Thank you.

15 CHAIRWOMAN WEINSTEIN: Next, Melissa
16 Sklarz, SAGE.

17 MS. SKLARZ: You are a patient bunch
18 of people.

19 (Laughter.)

20 CHAIRWOMAN WEINSTEIN: You should have
21 been here last night. It was a 10.5-hour
22 hearing.

23 MS. SKLARZ: So I heard. I panicked a
24 little.

1 (Laughter.)

2 MS. SKLARZ: My name is Melissa
3 Sklarz. I'm the SAGE senior government
4 relations strategist. So thank you, members
5 of the joint committee, for holding this and
6 allowing me to speak on behalf of SAGE.

7 So SAGE is the country's first and
8 largest organization dedicated to improving
9 the lives of LGBT elders. Right now our
10 organization is 40 years old. We started
11 with one place; we've now branched out across
12 the country.

13 According to LiveOn New York, by 2030,
14 20 percent of New Yorkers will be over the
15 age of 60. I don't think that will surprise
16 anyone. LGBT elders are a significant part
17 of a rapidly growing older population.
18 Because of their gay background, though,
19 they're disconnected from services, sometimes
20 invisible, struggling to connect with family.
21 And so as a result, they have thin support
22 networks and they rely more heavily on
23 community service providers. For many LGBT
24 elders, SAGE is their safety net.

1 So very briefly I just want to discuss
2 two programs. One is obvious: Housing.
3 Housing, as one ages, goes from difficult to
4 impossible. As a senior, it's more
5 difficult. As an LGBT senior, it gets very,
6 very difficult.

7 And so I can tell you today that SAGE
8 is creating housing for LGBT seniors in
9 New York. Our first and larger place will be
10 the Ingersoll Senior Residences, 145 units.
11 That will be in Senator Montgomery's
12 neighborhood in Brooklyn. And second we have
13 Crotona Senior Residences in Senator Rivera's
14 district. That will be a smaller unit.
15 They're not LGBT, they're LGBT-welcoming.
16 LGBT-only would be illegal, and we wouldn't
17 want to do that. So these will be
18 LGBT-welcoming.

19 Why I'm here today is that SAGE is
20 seeking \$400,000 in funding from the New York
21 State Legislature to provide care management
22 and support services to the formerly homeless
23 and low-income building residents and elders
24 in the surrounding communities. We're not

1 building these buildings, we're going to be
2 providing services. Each of these facilities
3 will have state-of-the-art care centers. And
4 we've had great success in reaching out and
5 creating programs. And if I wasn't so busy
6 coming here and talking to you, I would go to
7 their class and learn Spanish.

8 The other program that I want to speak
9 to you about is our veterans program. The
10 testimony has a lot of data and information.
11 New York is home to many, many veterans.
12 New York State and New York City are among
13 the highest concentration of gay and lesbian
14 vets. Seventy-six percent of the vets live
15 upstate, 56 percent are over the age of 50,
16 and one-third identify as transgender.

17 When you take a look at the way the
18 government's been treating its veterans, its
19 LGBT veterans and now, of course, its trans
20 veterans, the work that we're doing with our
21 new SAGEVets Program is even more important.
22 Vets have faced a history of discrimination
23 that continues to today. We've added some
24 data for you to review late at night after

2 We have been offering much-needed
3 support for our LGBT older vets when they
4 have nowhere else to turn. What we are
5 asking today is that the Legislature continue
6 to provide \$100,000 in support for this
7 important statewide program that connects
8 LGBT veterans with the services that they
9 need.

16 That's the end of my testimony.
17 Although this is my third day at SAGE, I will
18 be happy to answer any of your questions.

20 CHAIRWOMAN WEINSTEIN: Well, it's hard
21 to believe, because you were quite expressive
22 and conveyed the issues and concerns facing
23 the community.

5 MS. SKLARZ: And informally I want to
6 thank you all for your vote on GENDA.
7 Seventeen years. Well worth the wait. Thank
8 you all for that work.

10 CHAIRWOMAN WEINSTEIN: Thank you.

15 MR. HATHAWAY: Thank you so much for
16 the opportunity to testify before this group.
17 And thank you for staying. I know it's been
18 a long day, although I do think this is a
19 record in briefness. Most of the time I'm
20 speaking at 7 o'clock.

1 training and technical assistance around
2 community-based prevention efforts as well as
3 policy and advocacy work.

4 Over the last year, we've trained over
5 4,000 individuals who in turn have gone back
6 to their communities and trained tens of
7 thousands of individuals, including parents,
8 law enforcement officers, teachers, childcare
9 workers, faith-based providers.

10 One of the things that's really
11 important to us -- and battling cleanup right
12 now, I have the ability to talk about this
13 whole web of prevention services that are
14 really represented. So just -- I would like
15 to acknowledge the work that you folks are
16 doing to support that web, whether it's
17 childcare services, whether it's things like
18 kinship navigator, parent education systems
19 represented through family resource centers
20 and the Children's Trust Fund -- we're doing
21 some work around that; hopefully you'll hear
22 a bill about that later in the session. The
23 child advocacy centers are an enormous
24 partner in prevention work that happens

1 across the state. Domestic violence centers,
2 the Network for Youth Success, Boys & Girls
3 Clubs. All of these organizations partner
4 with us to get this prevention work done so
5 we have less need for child welfare services
6 in the state.

7 Three budget asks that we're providing
8 you with today. The first is around home
9 visiting. Early children home visiting
10 works. We know that the research on this
11 program says that we're reducing child
12 maltreatment by about 50 percent. So we want
13 to increase the level of funding that is
14 there. The Governor did provide for a
15 \$3 million cost of living for Healthy
16 Families New York programs, and that is
17 fantastic. Those programs have gone for
18 years and years without a cost of living. So
19 that certainly is helpful.

20 There is continued need -- and so
21 you'll see in that ask -- for Parents as
22 Teachers, \$3 million; Parent-Child Home
23 Program, \$2 million; Healthy Families
24 New York, 2.5; and Nurse-Family Partnership,

1 \$6 million.

2 What that gets us is a much more
3 comprehensive system across the state. Right
4 now we have home visiting services, but
5 they're spotty and they need to be more
6 available, more accessible in all areas of
7 the state for families that need those
8 services.

9 Also we're supporting the 1,000 Days
10 initiative around home visiting pilots, as
11 well as the Home Visiting Coordinating
12 Initiative, which was supported last year and
13 continues to help these programs coordinate
14 more effectively with local partners, state
15 agencies, federal agencies.

16 Relative to childcare services, this
17 is the big opportunity, right? If the state
18 invests in childcare subsidies, there's the
19 opportunity to lift families out of poverty.
20 That is that simple. So if we're interested
21 in economic development, if we're interested
22 in reducing that number of kids in poverty,
23 childcare subsidies gets us there very
24 quickly. Thank you, Assemblywoman Jaffee,

1 for your work on that.

2 Finally, around the issue of housing,
3 the Home Stability Support work that's being
4 done by Member Hevesi, \$40 million for each
5 of the next five years, \$200 million to
6 bridge current shelter work and ensure that
7 families get adequate coverage there.

8 And then finally, I just want to say
9 that Prevent Child Abuse New York also
10 supports the Winning Beginnings New York
11 agenda.

12 Thank you very much. Questions?

13 CHAIRWOMAN WEINSTEIN: No, no
14 questions. Not no to what you said.

15 (Laughter.)

16 MR. HATHAWAY: No, I got it. I was
17 following you, yes.

18 (Laughter; overtalk.)

19 CHAIRWOMAN WEINSTEIN: We have no
20 questions, but we do appreciate the work and
21 the issues that you raised. And I know that
22 as we go on to debate the -- put together
23 negotiations on the budget, some of your
24 information will help guide us.

1 So this concludes the Human Services
2 budget hearing. On Monday we will be
3 reconvening the joint budget hearings for the
4 Higher Education budget hearing, starting at
5 11 a.m. Thank you all for your
6 participation.

7 CHAIRWOMAN KRUEGER: Thank you.

8 (Whereupon, the budget hearing concluded
9 at 4:49 p.m.)

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