+-----+ | ADMINISTRATIVE DIRECTIVE | TRANSMITTAL: 92 ADM-13

DIVISION: Administration

TO: Commissioners of Social Services

DATE: March 24, 1992

SUBJECT: Services Funding Changes

SUGGESTED

DISTRIBUTION: | Accounting Supervisors

| Directors of Services

| Staff Development Coordinators

CONTACT

PERSON: | Bureau of Local Financial Operations

| Upstate Office: Roland Levie 1-800-342-3715,

extension 4-7549;

| Metropolitan Office: Marvin Gold (212) 804-1108.

| Programmatic questions should be directed to the representative in your Services Regional Office.

ATTACHMENTS:

| Attachment I County Examples(Available on-line)

| Attachment II COLA's Form & Instructions

(Available on-line)

FILING REFERENCES

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
			1		1
91 ADM-16		600.1	L.1991,c.53;		91 LCM-65
		600.3(c)(1)	L.1991,c.407	Reference	
		609.6	L.1991,c.408	Manual,	
		633		Vol. I	
			1		1
			1		1

I. PURPOSE:

This directive summarizes and continues to implement the recent changes State budget negotiations and enacted appropriations have had on the State share of Title XX expenditures and funding of other Services programs.

II. BACKGROUND:

Local districts were advised by 91 LCM-65 of the provisions in the Governor's budget proposal which would significantly affect funding of Services programs. Recent budget negotiations and appropriations enactments have altered some of the provisions described in that release.

III. PROGRAM IMPLICATIONS:

The impact of the recent budget and appropriations enactments/activity is as follows:

- 1. The State match for Title XX eliminated by Line Veto #226 was restored in the supplemental budget appropriation, but it was reduced to 80% of the amount of the appropriation. We will continue to require the filing of claims at the 75% Federal, 12.5% State, and 12.5% Local shares level up to the Federal and State ceilings for Title XX, but the State share paid will be reduced by 20% as required by the language of the supplemental budget enacted as Chapters 407 and 408 of the Laws of 1991. This provision will affect reimbursement for prior time periods beginning on or after the federal fiscal year beginning October 1, 1990.
- 2. The maintenance of effort level (MOE) for Preventive Services has been set for each district at 24% of its Federal Title XX allocation. This provision will also affect reimbursement for prior time periods beginning on or after the federal fiscal year beginning October 1, 1990.
- 3. State reimbursement for Welfare Reform Transitional Day Care was reduced from 75% (net of Federal) State share to 50% (net of Federal) State share effective for the State fiscal year beginning April 1, 1991.
- 4. Low Income Day Care funding remains at the level it was for the previous State fiscal year, but as stated in 91 LCM-65, it will be used to reimburse the State share of the Federal "Families At Risk" Day Care as well as the State share of the Low Income Program. This provision relates to federally reimbursable expenditures beginning October 1, 1990. Please remember that the local share of the day care costs for both of these programs is 12.5%. For the Federal Program, the local share must be a cash match.

5. State reimbursement is unavailable for local cost of living adjustments for the Preventive Services Program and for Foster Care, including the Committee On Special Education Program. For Preventive Services, these provisions apply to cost of living adjustments effective after October 15, 1990. Foster Care and the Committee On Special Education, these provisions apply to cost of living adjustments effective after the increases reflected in the maximum state reimbursable rate established for the period July 1, 1990 through June 30, These provisions apply to each district's own salary rates and purchase of service contracts as well as to the Foster Care rates. The cost of living increases should be reported on the new DSS 4304 (10/91), Cost of Living Allowances (COLA's). A copy of this form and line by line instructions is in Attachment II. The report must be submitted by each district on a monthly basis retroactive to July 1, 1991.

Please note that the rates for July 1, 1991, to June 30,1992, promulgated by the Department and State Education for the Foster Care and Committee On Special Education Programs did not contain an amount related to a cost of living adjustment. Therefore, if the local district paid agencies at or below the rates issued by either DSS or SED, then no amount will need to be reported on line 6, columns 2, 3, and 6 of the DSS 4304 form.

6. Services to persons who are Victims of Domestic Violence during the state fiscal year 1991-92 must be offered and provided to individuals who are ineligible for public assistance, without regard to the client's income, effective January 1, 1992. For costs that exceed the local district's Title XX allocations, there will be 50% State reimbursement for expenditures made on or after January 1, 1992.

IV. REQUIRED ACTION

Local districts must report any amounts representing Cost of Living Allowances related to Preventive Services, Foster Care or the Committee on Special Education Programs as described in Attachment II.

As stated in 91 LCM-65, if you decide to alter your expenditure plans, please remember that the two new federal day care programs that are being implemented this year (Title IV-A Families At Risk and the Child Care and Development Block Grant) have the requirement that a day care maintenance of effort level will need to be met to access the Federal funding.

Despite the funding reduction, please remember that certain services are mandatory. The following represents a summary of the services that need to be offered under various conditions.

- 1. Services Mandated Without Regard to Client Income:
 - * Adoption,
 - * Information and Referral,

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- * Preventive Services for Children,
- * Protective Services for Children, and
- * Protective Services for Adults.
- * Victims of Domestic Violence Services (effective January 1, 1992)
- 2. Services Mandated to All Clients Whose Income Falls Within State-Specified Limits:
 - * Foster Care for Children,
 - * Residential Placement Services for Adults, and
 - * Unmarried Parent Services
- 3. Other Services Mandated Under Certain Conditions:
 - * Child Day Care Services,
 - * Family Planning Services,
 - * Home Management Services,
 - * Homemaker Services,
 - * Housekeeper/Chore Services,
 - * Housing Improvement Services,
 - * Health Related Services.
- 4. Other Services Not Mandated:
 - * Educational Services,
 - * Employment Services,
 - * Preventive Services for Adults,
 - * Social Group Services for Senior Citizens, and
 - * Transportation Services.

V. SYSTEMS IMPLICATIONS

The Title XX Shift Diskette was revised and distributed for the 1990-1 Federal Fiscal Year. You should be receiving within the next few weeks another Title XX Shift Diskette which contains the shift for Victims of Domestic Violence. This diskette will be for the 1991-92 Federal Fiscal Year.

VI. ADDITIONAL INFORMATION

Attachment I has been included to illustrate how the Federal, State, and Local shares would be calculated under both the former, and the new provisions.

VII. EFFECTIVE DATE

These changes are effective as of March 31, 1992, retroactive to October 1, 1990. The changes involving COLA's are retroactively effective to October 15, 1990, for Preventive Services, and July 1, 1991, for Foster Care.

The examples portrayed on the next few pages demonstrate the difference in State reimbursement resulting from the funding changes contained in the recent legislation described previously for Federal Fiscal Year 1990-91. As an aid in understanding the calculations, the following paragraphs briefly summarize the shifts in order of their priority in the year end analysis. A more detailed description, especially of the various maintenance of effort levels, is contained in Chapter 8, Vol. I of the Fiscal Reference Manual. Please remember that these shifts are operational only for costs that exceed the Title XX ceiling for that district.

Mandated Preventive Services Shift

If a district meets its Child Protective Maintenance of Effort (MOE) Expenditure level and the district meets its Preventive Maintenance of Effort level, then 75% State reimbursement would be available for the Mandated Preventive Services that exceed the Title XX MOE. If the Child Protective MOE is not met, then Mandated Preventive Services will be used to make up the deficiency and will be reimbursed at the rate of 50%.

Adoption Services Administrative Costs

The State reimburses the locals at 75% State share for Adoption Services administrative costs not reimbursed under Title XX. There is no MOE for this category. For those adoption services that were funded under Title XX under the existing claiming procedures, additional State reimbursement is calculated to bring the State share up to 75% after Federal reimbursement.

Child Protective Pre-Determination and Post Determination

Child Protective Services are categorized into two classifications: Predetermination and Post-determination. A social services district can apply for 75% State reimbursement for either or both classifications if the district complies with certain programmatic requirements. This reimbursement is available if the district exceeds its Pre-Determination MOE and/or its Post-Determination MOE and the programmatic requirements are met.

Adult and Child Protective at 50% State Share

There is also reimbursement available for Adult Protective and Child Protective Services at the 50% level. There is no MOE requirement for Adult Services. The 50% State share is for the Child Protective costs that are under the Pre-Determination and Post-Determination MOE levels, but in excess of the Title XX Allocation and the calculations for the Preventive and Adoption shifts.

Non IV-E Foster Care

All foster care administrative costs related to non-IV-E eligible children (not eligible for Federal reimbursement under either Title IV-E or EAF) would be reimbursed at 50% State share. These costs are included under Title XX on the DSS-2347-B entitled, "Schedule D-2 Allocation for Claiming Services Expenditures. Reimbursement at 50% State share is available for costs in excess of the Title XX funding ceilings.

Victims of Domestic Violence

State reimbursement is available for expenditures made for services for Victims of Domestic Violence at the 50% reimbursement rate. This provision applies to expenditures made on or after January 1, 1992.

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County X Example (continued) Funding Under Former Reimbursement Rules

	Gross	Sha		
	Expenditures	Federal	State	Local
Title XX Allocation	\$276,482	\$207,362	\$34,560	\$34,560
Total claimed	(543,297)	(407,473)	(67,912)	(67,912)
Amount overclaimed	(\$266,815)	(\$200,111)	(\$33,352)	(\$33,352)
Reallocation of Un- spent Funds from other				
districts	541	405	68	68
Net overclaim	(\$266,274)	(\$199,706)	(\$33,284)	(\$33,284)
Adjustment to Local Share for Amount Over-				
claimed		199,706	33,284	(232,990)
Local Share of over- claim before any shift involving State				
reimbursement	(\$266,274)	\$ -0-	\$ -0-	(\$266,274)

ATTACHMENT I COUNTY EXAMPLES

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County X Example (continued) Shifts of Overclaim Under Former Reimbursement Rules

Comparison of	!Total Amount !	Adjustme	ant a
-	Available for	Additional	Local
To MOE Amount		State Share	Share
Overclaim from			4266 274
page 1.	\$266,274		\$266,274
Mandated Pre-			
ventive:			
From Schedule G \$ 3,152			
From Schedule D-2 16,727			
Total mandated pre-			
ventive services \$ 19,879			
Plus: Sched. G non-mandated 11,342	i i		
Sched. D-2 non-mandated 48,625	 		
Total Prev. Svcs. \$ 79,846			
Less: Preventive MOE (25,168)			
Prev. Svcs over MOE \$ 54,678			
Total Preventive Svcs. \$ 79,846			
Less:Title XX MOE (18,721)			
Excess over MOE \$ 61,125			
Adjustment @ 75% for	i I		
mandated svcs.			
(Child Prot. MOE met)	(19,879)	\$ 14,909	(14,909)
Subtotal	\$246,395	<u>\$ 14,909</u> \$ 14,909	(14,909) \$251,365
Adjustment for adop-		Г Г43	(5 542)
tion expenditures @ 75% Subtotal	(7,391) \$239,004	<u> </u>	(5,543) \$245,822
Subcocal		Ψ 20,132	ΨZ 13,0ZZ
Child Protect. Pre-Det.			
From Schedule G \$ -0-			
From Schedule D-2 97,679			
Total Pre-Deter. \$ 97,679			
Less: Pre-Det. MOE (29,652) Pre-Det. over MOE \$ 68,027	i I I		
Adj. for Pre-Det. over	 		
the MOE @ 75% State	(68,027)	51,020	(51,020)
Subtotal	\$170,977	\$ 71,472	\$194,802

County X Example (continued) Shifts of Overclaim Under Former Reimbursement Rules

	Comparison of	Total Amount	Adjustme	ents
		Available for		Local
	To MOE Amount	Shift	State Share	Share
Child Protect. Post From Schedule G From Schedule D-2 Total Post-Det. Less: Post-Det. MOE Post-Det. over MOE Adj. for Post-Det. @ 75% State share Subtotal	\$ 400 41,386 \$ 41,786	 	 5,209 \$ 76,681	(5,209) \$189,593
Total Child Protect Less: Child Prot. M Child Prot. over MO	OE (20,544)	i 	i 	
Adult Prot. Svcs. From Sched. G From Sched D-2 Total Adult Prot. Total Child Prot. Total Prot. Svcs. Less:	\$ 715 47,000 \$ 47,715 139,465 \$187,180			
Pre-Det. over MOE Post-Det. over MOE Prot.Svcs. @ 50% sh	<u> </u>			
Adjust. for Prot.Sv Subtotal	cs	(112,208) \$ 51,824	56,104 \$132,785	\$133,489
Non IV-E Foster Car From Sched. D-2 @ 5 State share Subtotal		(20,578) \$31,246	10,289 10,289 \$143,074	(10,289) \$123,200
Non-mandated Prev. Title XX MOE Excess over MOE Adjustment for non- mandated @ 50% Stat		 (31,246)*	 	(15,623)
Total	C 311.	(31,240)" \$ -0-	<u>15,623</u> \$158,697	\$107,577
10001				

^{*}The amount shifted cannot exceed the amount available for shift.

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County X Example (continued) Funding Under Former Reimbursement Rules Recap of Shares After Adjustments

	Total Costs	Shares		
		Federal	State	Local
Costs under Title XX	\$276,482	\$207,362	\$ 34,560	\$ 34,560
Additional Title XX				
from reallocation	541	405	68	68
Costs in excess of				
	266 274	0	150 607	107 577
ceiling (with shifts)	266,274		158,697	107,577
Grand Total	\$543,297	\$207,767	\$193,325	\$142,205
Grana 10tar				

County X Example (continued) Funding Under New Reimbursement Rules

	Gross	Sha		
	Expenditures	Federal	State	Local
Title XX Allocation	\$ 262,658	\$207,362	\$ 27,648*	\$ 27,648
Less:Total Claimed	(543,297)	(407,473)	(67,912)	(67,912)
Amount overclaimed	(\$280,639)	(\$200,111)	(40,264)	(40,264)
Reallocation of Un- spent Funds from other				
districts	513	405	54	54
Net overclaim	(\$280,126)	(\$199,706)	(40,210)	(40,210)
Adjustment to Local Share for Amount Over- claimed	-0-	199,706	40,210	(239,916)
Local Share of over- claim before any shift involving State reimbursement.	(\$280,126)	-0-	-0-	(\$280,126)
= = =				

^{*}Although the claim procedures call for 75% Federal, 12.5% State, and 12.5% Local shares, the State reimbursement is capped at 80% of the amount of the appropriation. Please understand that to obtain State reimbursement, an equal local match is required. No local match will be required to obtain the remaining Federal share once the State ceiling is exhausted.

County X Example (continued) Shifts of Overclaim Under New Reimbursement Rules

	Comparison of	Total Amount	Adjustme	ents
	Expenditures	Available for	Additional	Local
	To MOE Amount	Shift	State Share	Share
Overclaim from		4000 106	1	4000 106
page 5.		\$280,126		\$280,126
Mandated Pre- ventive:		i I	i I	
From Schedule G	\$ 3,152	i I	[[
From Schedule D-2		! !	 	
Total mandated pre-		! !	 	
ventive services	\$ 19,879	! !		
Plus:	Ψ 10,010	! !		
Sched. G non-mandat	ed 11,342	 		
Sched. D-2 non-mand				
Total Prev. Svcs.	\$ 79,846	! !		
Less: Title XX MOE	(49,767)	! !		
Prev. Svcs over MOE	\$ 30,079	· 		
				
Adjustment @ 75% for				
mandated svcs.				
(Child Prot. MOE met)	(19,879)	\$ 14,909	(14,909)
Subtotal		\$260,247	\$ 14,909	$\frac{(14,909)}{$265,217}$
Adjustment for adop-				
tion expenditures @	75%	(7,391)	5,543	(5,543) \$259,674
Subtotal		\$252,856	\$ 20,452	\$259,674
Child Protect. Pre-D				
From Schedule G	\$ -0-			
From Schedule D-2	97,679			
Total Pre-Deter.	\$ 97,679			
Less Pre-Deter. MOE	(29,652)			
Pre-Deter. over MOE	\$ 68,027			
Adj. for Pre-Det. ov	er	(60,000)	F1 000	(51 000)
the MOE @ 75% State		(68,027)	51,020	(51,020)
Subtotal		\$184,829	\$ 71,472	\$208,654
Child Protect. Post-	Dot	i I	i I	
From Schedule G	\$ 400	 	 	
From Schedule D-2	41,386	l İ	 	
Total Post-Determ.	\$ 41,786	l Į	 	
Post-Determ. MOE	(34,841)	! 	 	
Post-Determ. over MO		 		
_ 120 2001m. Over Mo		1	ı	

County X Example (continued) Shifts of Overclaim Under New Reimbursement Rules

		Total Amount Available for	Adjustme Additional	nts Local
	MOE Amount		State Share	Share
Adj. for Post-Determ. @ 75% State share Subtotal		(6,945) \$177,884	 	(5,209) \$203,445
Total Child Protect. Less: Child Prot. MOE Child Prot. over MOE	\$139,465 (20,544) \$118,921			
Adult Prot. Svcs. From Sched. G From Sched D-2 Total Adult Prot. Total Child Prot. Total Prot. Svcs. Less: Pre-Det. @ 75% Post-Det.@ 75% Prot.Svcs. @ 50% share	\$ 715 47,000 \$ 47,715 139,465 \$187,180 (68,027) (68,945) \$112,208			
Adjust. for Prot.Svcs	<u></u>	(112,208)	56,104	(56,104)
Subtotal	!	\$ 65,676	\$132,785 !	\$147,341
Non IV-E Foster Care From Sched. D-2 @ 50% State share Subtotal		(20,578) \$ 45,098	10,289 \$143,074	\$\frac{(10,289)}{\$137,052}
Remaining Prev. (after Title XX MOE) Mandated Balance Adjustment for non-	30,079 (19,879) 10,200			
mandated @ 50% State s	h.	(10,200)	5,100	(5,100)
Total	i	\$ 34,898*	i \$148,174	\$131,952

^{*}Amount remaining not shiftable.

ATTACHMENT I COUNTY EXAMPLES

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County X Example (continued) Funding Under New Reimbursement Rules Recap of Shares After Adjustments

	Total Costs	Shares		
		Federal	State	Local
Costs under Title XX	\$262,658	\$207,362	\$ 27,648	\$ 27,648
Additional Title XX from reallocation	513	405	54	54
Costs in excess of ceiling (after shifts)	280,126		148,174	\$131,952
Grand Total	\$543,297	\$207,767	\$175,876	\$159,654

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Summary of Fiscal Impact of New Rules on Shares

	Total Costs		Shares	
Under New Rules	\$543,297	Federal \$207,767	State \$175,876	Local \$159,654
Less:Under Former Rules	(\$543,297)	(\$207,767)	(\$193,325)	\$142,205)
Difference	\$ -0-	\$ -0-	(\$ 17,449)	\$ 17,449

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The New York State budget as enacted for State fiscal year 1991 made State share reimbursement unavailable for Cost of Living Allowances (COLA's) for the local district's Preventive Services (mandated and non-mandated), Foster Care and Committee On Special Education Staff and contract staff.

The effective date for Preventive staff COLA's was October 16, 1990 and the effective date for both Foster Care and Committee On Special Education COLA'S was July 1, 1991. COLA'S effective on or after these dates will not be reimbursable by the State.

The local districts, to properly identify the dollar amounts effected and for adjustment for deduction from their State share settlements, should complete the DSS-4304 (10/91) Cost of Living Allowances (COLA's) Report on a monthly basis as follows:

Reporting Instructions:

Enter the district name.

Enter the date (month and year) for the month being reported.

Section A - Administration

- Line 1 Cost of Living Increases Salaries of Staff For each column report only the dollar amount of any cost of living increases granted to the above identified local district staff after the effective dates specified. Do Not Enter Total Salaries.
- Line 2 Federal Share Determine the federal share by multiplying the amount on line 1 in the appropriate columns by the corresponding Federal participation rate and entering the result on this line. For Title IV-E, the rate would be 50%. For Mandated and non-Mandated Preventive Services under Title XX, the rate would be 75%. There is no federal share for Non-Title IV-E Foster Care and Committee on Special Education costs.
- Line 3 Balance Subtract line 2 from line 1 and enter the results on line 3.
- Line 4 State Share For each column on line 3, multiply the amount by 50% and enter the results on this line.
- Line 5 Local Share Enter for each column the result of subtracting line 4 from line 3.

Section B - Program

Line 6 - Program Related COLA's - For each column report only the dollar amount of any cost of living increases granted by the above local district for program related expenditures issued after the effective date specified. For example, if you have a purchase of service contract for Preventive Services which included a higher price to cover the COLA's for the workers performing the service, then report the dollar amount of the expenditures which represent that portion of the contract price covering the COLA's.

Please note that the rates for the July 1, 1991 to June 30, 1992 period promulgated by the Department and the State Education Department for the foster care and the Committee on Special Education Programs did not contain an amount related to cost of living adjustment. Therefore, if the local district paid agencies at or below the rates issued by either SDSS or SED, then no amount will need to be reported on line 6, column 2,3, and 6 of the DSS-4304 form.

- Line 7 Federal Share Determine the Federal share by multiplying the amount on line 6 for Title IV-E Foster Care by 50% and the amounts for Mandated and Non-Mandated Child Preventive by 75%. Enter the results on line 7 in the appropriate columns. There is no federal share for Non-Title IV-E Foster Care and Committee on Special Education costs.
- Line 8 Balance Subtract line 7 from line 6 and enter the results on line 8.
- Line 9 State Share For each column on line 8 multiply the amount by 50% and enter the results on line 9.
- Line 10 Local Share Enter for each column the results of subtracting line 9 from line 8.

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Section C - Total

- Line 11 Total Federal Share For column 1, enter the sum of line 2 and line 7.
- Line 12 Total State Share For column 1 enter the sum of line 4 and line 9. This will be the dollar amount representing COLA's that will be deducted from the State Share Settlement.
- Line 13 Total Local Share For column 1 enter the sum of line 5 and line 10.

Columns

- Column 1- Total Enter in this column for each line the sum of the amounts under columns 2,3,4,5 and 6 for that line.
- Column 2- Title IV-E Foster Care For each line in Sections A and B, report under this column the dollar amount related to the Title IV-E Foster Care Program.
- Column 3- Non-Title IV-E Foster Care For each line in Sections A and B, report under this column the dollar amount related to Non-IV-E Foster Care.
- Column 4- Mandated Child Preventive For each line in Sections A and B, report under this column the dollar amount related to Mandated Child Preventive Services.
- Column 5- Non-Mandated Child Preventive For each line in Sections A and B, report under this column the dollar amount related to Non-Mandated Child Preventive Services.
- Column 6- Committee on Special Education For each line in Sections A and B, report under this column the dollar amount related to the Committee on Special Education Program.

This report should be submitted on a monthly basis retroactively to July 1, 1991.