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| LOCAL COMMISSIONERS MEMORANDUM |
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DSS-4037EL (Rev. 9/89)

Transmittal No: 92 LCM-34

Date: February 20, 1992

Division: Family & Children's
Services

TO: Local District Commissioners

SUBJECT: 1992 Domestic Violence State Aid Rates (DVSAR) for Domestic
Violence Residential Programs in New York State

ATTACHMENTS: A.-1992 NYS Domestic Violence Residential Program Rate
Chart
B.-1992 Flat Rates for Domestic Violence Programs in NYS
C.-Staff (Direct Care and Administrative) included in the
Domestic Violence Flat Rate Models
All attachments are on-line

The purpose of this letter is to advise you of the 1992 Domestic Violence State Aid Rates (DVSAR) for licensed Domestic Violence (DV) residential programs in New York State. The promulgated rates have been calculated using the approved Domestic Violence rate methodology. Local districts are required to pay these promulgated per diem rates to licensed Domestic Violence residential programs providing residential care to all eligible victims of domestic violence.

This year is a transitional year for public funding of Domestic Violence residential programs in New York State. Historically, Domestic Violence residential programs were funded through a combination of local district approved per diem rates and grant revenue from various government and private organizations. All departmental grants for Domestic Violence residential programs have been eliminated in the 1992 rate year.

Per diem rate revenue funded only 70% of Domestic Violence Program/Shelter operational expenditures; 55% of Domestic Violence Safe Dwelling operational expenditures; and 52% of Domestic Violence Safe Home operational expenditures in 1990. The State Department of Social Services (SDSS) promulgated per diem rates are intended to provide sufficient revenue to operate Domestic Violence residential programs in compliance with regulations at a reasonable level of program utilization.

Highlights of 1992 DSS Domestic Violence rate methodology are as follows:

- o The flat rates are based upon staffing requirements mandated by regulations and are intended to ensure fiscal stability of Domestic Violence residential programs.
- o Two year phase in of residential flat rates for programs with historically low program expenditures.
- o Discreet flat rates for Domestic Violence programs located in New York City and the Rest of State.
- o Various minimum program utilization percentages depending upon program type and location in State.
- o Discreet flat rates for Domestic Violence Programs/Shelters with bed capacity of 20 or less; Domestic Violence Programs/Shelters with bed capacity of 21 or more; Domestic Violence Safe Dwellings; and Domestic Violence Safe Homes.
- o Rate consultation period for Domestic Violence residential programs with promulgated DVSAR's less than the applicable flat rate.
- o Future year per diem rate reductions equal to any current year program surplus caused by underspending per diem revenue.
- o Food per diem add-on for residential programs which ensure meal provision for all their clients.

A. Principles of Domestic Violence Rate Setting Methodology:

1. The flat rates for New York City and Rest of State were developed by using the FY 1990 fiscal data submitted by these programs. The data was arrayed in ascending order for each specific cost account. The 66th percentile was used to establish the salary and fringe benefit standard for each specific job title used in this model. The 50th percentile was used to establish the amounts used for each of the other-than-personnel services (OTPS) in our model.
2. Rate appeals will only be allowed if a program's promulgated DVSAR is below the applicable program flat rate. No program rate will be promulgated above the flat rate established for each program type and location. In the 1992 rate year, we will increase per diem rates (up to the flat rate amount) for all Domestic Violence residential programs which can document that they had a higher local district negotiated per diem rate in 1991.
3. New or expanding Domestic Violence residential programs will be allowed funding for start-up expenses if the resident county approves those expenditures. A start-up rate will be calculated and added to the program's DVSAR.

4. The Food add-on rate is to be negotiated between the host county and the residential program in the first instance. The Department will revise the DVSAR to include the food add-on when we have been notified. Thereafter, the food add-on will be included until otherwise notified. Notification to the Department can be made by either the program (with documentation from the local district) or directly by the local district.
5. Funding for Domestic Violence provider billings must follow a funding decision-making hierarchy of EAF, ADC, HR or 50/50 eligibility for each provider billing.

When a person is deemed ineligible for public assistance pursuant to 18 NYCRR Section 351.8(a)(2), and has income:

- o The social services district must determine the person's ability to pay all or part of the costs of emergency shelter, services and care based upon the information the person provided on their public assistance application;
- o Financial eligibility for services must be based only on the monthly gross income of the applicant and must not include exploration of resources, pursuant to 18 NYCRR Part 404.5(b);
- o The public assistance budgeting rules set forth in 18 NYCRR Part 352 must be used in determining available income to be applied toward the costs.

Attachment B represents the official promulgation of the 1992 Domestic Violence residential programs' mandated state aid rates in New York State.

We will notify you of regional technical assistance meetings, to be held in the next few weeks, to discuss the Domestic Violence rate methodology. In addition, we will be happy to provide telephone consultation regarding program specific fiscal data to help you to determine what operational costs were included in the promulgated per diem rate when you negotiate non-residential grants and/or supplemental residential grants.

Note: You should be aware that all program per diem rates will be increased to the flat rate levels beginning January 1, 1993.

We suggest that copies of this information be shared with Income Maintenance and Services Staff and Accounting Supervisors. If you have any questions, please contact Mr. Santo Vivona, Bureau of Resource Management at 1-800-342-3715, extension 6-3438 or directly at (518) 486-3438.

Joseph Semidei
Deputy Commissioner
Division of Family and
Children's Services

NEW YORK STATE
DOMESTIC VIOLENCE RESIDENTIAL
1992 FLAT PER DIEMS RATES

A. NEW YORK CITY BASED DOMESTIC VIOLENCE RESIDENTIAL PROGRAMS

EFFECTIVE JANUARY 1, 1992 THROUGH JUNE 30, 1992

	<u>20 Beds or Less</u>	<u>21 Beds or More</u>	<u>Food Add-on</u>
DV PROGRAMS/SHELTERS	\$75.88	\$61.54	\$3.79
DV SAFE DWELLINGS	57.82	N/A	5.22
DV SAFE HOMES	33.44	N/A	5.13

B. REST OF STATE BASED DOMESTIC VIOLENCE RESIDENTIAL PROGRAMS

EFFECTIVE JANUARY 1, 1992 THROUGH DECEMBER 31, 1992

	<u>20 Beds or Less</u>	<u>21 Beds or More</u>	<u>Food Add-on</u>
DV PROGRAMS/SHELTERS	\$65.22	\$53.98	\$3.72
DV SAFE DWELLINGS	51.04	N/A	5.28
DV SAFE HOMES	22.75	N/A	5.28

NEW YORK STATE DEPARTMENT OF SOCIAL SERVICES
DIVISION OF SERVICES
PER DIEM RATES FOR RESIDENTIAL DOMESTIC VIOLENCE PROGRAMS

K E Y

- # - Under Review
- *** - Fiscal Reports Not Received
- POC - Pending issuance of an operating certificate. No one can be placed in this program until an operating certificate has been issued by Regional Office.
- CODE - Each residential facility has been assigned a facility specific 4-digit code number. The first number identifies the Regional Office responsible for oversight, the second identifies the facility type and the last two is the agency's number.
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|-----------------------------------|---|---|
| Metropolitan Regional Office | = | 1 |
| Albany Regional Office | = | 2 |
| Syracuse Regional Office | = | 3 |
| Rochester Regional Office | = | 4 |
| Buffalo Regional Office | = | 5 |
| | | |
| Domestic Violence Program/Shelter | = | 1 |
| Safe Dwelling | = | 2 |
| Safe Home | = | 3 |