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

Transmittal No: 95 LCM-108

Date: September 26, 1995

Division: Services & Community
Development

TO: Local District Commissioners

SUBJECT: Family and Children's Services Block Grant

ATTACHMENTS: SFY 1995/96 Family and Children's Services Block Grant
Allocations to Local Districts (On-line)

The purpose of this memorandum is to provide you with additional information about the Family and Children's Services Block Grant which was authorized by the 1995/96 State budget and Section 231 of Chapter 83 of the Laws of 1995 and became effective as of July 1, 1995. We are providing this information in a question and answer format and have attached a listing of grant allocations to local districts.

Q. Which service program expenditures are included in the Family and Children's Services Block Grant?

A. The Block Grant limits, to the annual amount appropriated to the Block Grant, State reimbursement for the provision and administration of the following family and children's services:

1. FOSTER CARE SERVICES - including care, maintenance, supervision, tuition, and independent living services; supervision of foster children in federally funded job corps programs; and care, maintenance, supervision and tuition of adjudicated juvenile delinquents or persons in need of supervision in out-of-state residential programs;
2. ADOPTION SERVICES/ADMINISTRATION other than adoption subsidies;
3. CHILD PROTECTIVE SERVICES; and
4. PREVENTIVE SERVICES - including mandated, non-mandated and community optional preventive services.

Q. Are there any expenditures for services for families and children which are not included within the Block Grant?

A. Yes. The following program expenditures or services for children and families are not included in the Block Grant:

1. ADOPTION SUBSIDY PAYMENTS;
2. COMMITTEE ON SPECIAL EDUCATION (CSE) PAYMENTS;
3. DORMITORY AUTHORITY PAYMENTS IN EXCESS OF LOCAL DISTRICT FOSTER CARE CAP AND BLOCK GRANT ALLOCATION;
4. STATE REIMBURSEMENT FOR INDIAN TRIBES;
5. MA PAYMENTS FOR CHILDREN IN FOSTER CARE;
6. ADULT PROTECTIVE SERVICES; and
7. RESIDENTIAL and NONRESIDENTIAL SERVICES FOR VICTIMS OF DOMESTIC VIOLENCE (OVERCLAIM PAYMENTS)

SEPARATE APPROPRIATIONS ARE AVAILABLE FOR THESE EXPENDITURES.

Q. Are federal reimbursement funds included in the Block Grant?

A. No. The Block Grant allocation consists only of the State funds available for reimbursement of district's expenditures for the four types of services included in the Block Grant. District claims that are eligible to receive federal reimbursement under Title IV-E foster care or independent living services or under EAF (Emergency Assistance to Families) will be submitted for federal reimbursement even if the district is over their Family and Children's Services Block Grant allocation for the current fiscal year.

Q. How was each district's Family and Children's Services Block Grant allocation established?

A. Each local district's Block Grant allocation was determined by adding the higher of what the district's federal fiscal year (FFY) 1992/93 or FFY 1993/94 State share of foster care claims would have been absent the foster care cap provisions and the higher of those year's State share of district settlements for adoption services, child protective services, and preventive services. The highest amounts were then totaled for all districts and a percentage of the total was assigned to each district. These percentages were used to calculate each district's block grant allocation.

Each district's block grant allocation reflects any State sanctions that will be taken under Section 153-d of the Social Services Law and an adjustment for the on-going EAF reimbursement that will become available due to federal maximization efforts.

Q. Were in-kind or donated funds included in the calculation of the preventive service amounts?

A. Yes. The amounts used to calculate the Block Grant allocations included the amount of State reimbursement paid to districts for FFY 1992/93 or 1993/94 for preventive services including any State reimbursement that resulted from the submission of local district claims for in-kind or donated services.

Q. What changes to the claiming procedures will be required as a result of the Block Grant implementation?

A. The standard claiming procedures will be maintained during the SFY 1995/96 period. The Department will adjust the district's claims to reflect the Block Grant requirements including maximization of federal reimbursement.

Q. How will the Block Grant funds be distributed to local districts?

A. The funds will flow to the local districts in the following manner:
1. three-ninths (3/9) will be distributed in September; and
2. one-ninth (1/9) will be distributed in October and one-ninth (1/9) in November; and
3. the remaining four-ninths (4/9) will be distributed in December.

Q. What happens if a district's claims exceeds its Block Grant allocation?

A. The Block Grant has been established as a cash cap. Each district's over expenditure will be automatically "rolled over" to the next fiscal year. That is, any district claims that are not reimbursed with State or federal funds during a particular SFY will be pended and paid with funds from the district's Block Grant allocation for the next SFY. Those State payments will, however, reduce the amount of State funds available for reimbursement of the following year's program expenditures for those programs included under the Block Grant. The local district claims will continue to be eligible for the federal portion. The federal portion will not be pended by this Department. However, pursuant to subdivision 21 of section 362 of Chapter 83 of the Laws of 1995, once the Block Grant sunsets on March 31, 1999, the State is not responsible for providing State reimbursement to a social services district for any outstanding claims for family and children's services provided prior to April 1, 1999 that exceed the district's Block Grant allocation for SFY 1998-99.

Q. What happens if a district's claims are less than its Block Grant allocation during the State Fiscal Year (SFY) ending March 31?

A. The amount of any Block Grant savings will be automatically added to the district's Block Grant allocation for the next SFY and increase the amount of available State funding for that year.

Q. What period claims for each of the four program expenditures will be charged to the district's SFY 1995/96 Block Grant?

The original claim periods for the following programs are included in this year's Block Grant:

1. FOSTER CARE - a. Foster care administrative claims submitted for the period January through September, 1995 (nine months); and

b. Foster care maintenance claims submitted for the period April through December, 1995 (nine months).

c. Foster care maintenance claims which were not paid during the January-March 1995 period covered by the three month Foster Care Cap during April to June 1995 would be paid from the Block Grant.

2. ADOPTION SERVICES - a. FNP Adoption Services and Administration claims submitted for the period January through September, 1995 (nine months); and

b. Title IV-E Adoption Services and Administrative claims submitted for the period April through December, 1995 (nine months).

3. CHILD PROTECTIVE SERVICES - Claims submitted for the period January through September, 1995 (nine months).

4. CHILD PREVENTIVE SERVICES - Claims submitted for the period January through September, 1995 (nine months).

5. EMERGENCY ASSISTANCE TO FAMILIES (EAF) - EAF amounts claimed on Schedule H for Foster Care and Tuition; Out of State JD/PINS Foster Care and Tuition; Mandated and non-mandated preventive; and pre- and post-determination child protective from the period beginning with claims submitted April, 1995.

SUPPLEMENTAL CLAIMS WILL BE PAID IN ACCORDANCE WITH THE PAYMENT RULES IN EFFECT AT THE TIME THE CLAIMS ARE PAID.

Q. Is there any mandate or minimum financial standards that a local district must meet under the Block Grant?

A. The Block Grant does not include any mandate or minimum financial standards. However, a district's Block Grant allocation for a particular SFY will be reduced by the amount that the district's expenditures for preventive services in the previous SFY was less than 80% of that district's expenditures for preventive services for FFY 1993-94. This has been called the Preventive Services 80% maintenance of effort (MOE) clause of the Block Grant. The Department may waive or reduce a district's MOE requirement for preventive services upon a showing by the district that a substantial change in circumstances results in the requirement causing a substantial risk of harm to the health and safety of the children in the district. The Department will provide districts with their MOE levels and the provisions for seeking a waiver of the MOE requirements in a separate release.

Q. Are there any other MOE's beyond the 80% preventive services MOE?

A. Yes. The MOE for enhanced child protective services and the 24% MOE for preventive services under Title XX remained in effect until June 30, 1995 and were applicable to those claims reimbursed during the first quarter of SFY 1995-96. However, both of these MOE requirements were repealed effective July 1, 1995, the date the Block Grant provisions became effective.

Q. Can you give me more information regarding the foster care cap in place for the claim period January through March, 1995 and normally paid during the April to June 1995 quarter?

A. Yes, the foster care cap for that period was 25.0% of an updated cap allocation for each local district. The updated Foster Care Cap was determined by updating 1994 claims for foster care maintenance and tuition to reflect the projected 1995-96 expenditures. The foster care administrative claims for the period October through December, 1994 and the foster care maintenance claims for the period January through March, 1995 were applied against the one quarter foster care cap. Any foster care program spending surpluses or deficits under the Foster Care Cap will be added or subtracted from the district's Block Grant allocation for SFY 1995/96, as applicable.

Q. Why does the Block Grant cover only nine months of spending for the affected service programs.?

A. The one-quarter foster care cap allocation explained above is in effect for the first three months of foster care spending. Those district claims for FNP adoption, child protective, and preventive services and related administrative expenses claimed for the three month (October through December, 1994) period that exceed the district's Title XX allocation and that ordinarily would be settled by the State prior to July 1, 1995 will receive the traditional 75% or 50% State reimbursement, as applicable, in accordance with the provisions in Volume 1, Chapter 8 of the Fiscal Reference Manual. Claims that ordinarily would be settled by the State on or after July 1, 1995, will be charged against the district's Block Grant.

The Department will be releasing a separate LCM that will discuss the programmatic impact of the Family and Children's Services Block Grant. If you have any questions regarding the information in this LCM, please call Santo Vivona at 1-800-345-5437, ext. 4-9605 or directly at (518) 474-9605, User ID# AZ1440

Donald K. Smith

SFY 1995/96 Family and Children's Services Block Grant
Allocations to Local Districts

Child Welfare Block Grant Allocation - FINAL

	Net Allocation
Albany	5,159,218
Allegany	384,452
Broome	2,669,767
Cattaraugus	637,839
Cayuga	469,601
Chautauqua	1,271,483
Chemung	769,143
Chenango	299,003
Clinton	839,314
Columbia	501,322
Cortland	738,889
Delaware	800,484
Dutchess	2,201,443
Erie	6,389,463
Essex	291,536
Franklin	290,542
Fulton	557,965
Genesee	439,186
Greene	457,039
Hamilton	5,304
Herkimer	431,582
Jefferson	982,882
Lewis	228,880
Livingston	413,957
Madison	534,603
Monroe	9,157,538
Montgomery	423,682
Nassau	5,151,520
Niagara	1,744,492
Oneida	4,136,881
Onondaga	8,709,857
Ontario	853,804
Orange	4,900,086
Orleans	293,253
Oswego	1,844,278
Otsego	752,803
Putnam	441,674
Rensselaer	1,092,970
Rockland	3,843,456
St.Lawrence	845,056
Saratoga	505,821
Schenectady	3,613,428
Schoharie	323,929
Schuyler	140,299
Seneca	422,829
Steuben	1,017,512
Suffolk	7,851,457
Sullivan	1,410,891
Tioga	417,966

SFY 1995/96 Family and Children's Services Block Grant
Allocations to Local Districts

Child Welfare Block Grant Allocation - FINAL

	Net Allocation
Tompkins	1,050,736
Ulster	2,535,388
Warren	379,155
Washington	493,430
Wayne	516,191
Westchester	13,285,477
Wyoming	233,900
Yates	133,314
New York City	177,179,030
Upstate	106,287,970
Statewide	283,467,000