

DEPARTMENT OF HUMAN SERVICES
(Division of Child Welfare, Division of Child Care, Division of Youth Corrections)
FY 2012-13 JOINT BUDGET COMMITTEE HEARING AGENDA

Tuesday, December 13, 2011
1:30 pm – 5:00 pm

1:30-2:00 INTRODUCTIONS AND OPENING COMMENTS

2:00-2:40 TREATMENT SERVICES FOR YOUTH INVOLVED IN THE CHILD WELFARE AND YOUTH CORRECTIONS SYSTEMS

[Note: The Department of Health Care Policy and Financing was also invited to attend this portion of the hearing]

1. Provide your perspective on the current multiple funding streams that support treatment services for youth involved in the child welfare and youth corrections systems.
 - a. How does the current system affect what services are available?
 - b. How does it affect how youth are placed (e.g., hospital, therapeutic residential facility, DYC)?
 - c. Is DYC being used as a placement of last resort for youth with mental illness?
 - d. To what extent is there an exposure to civil rights lawsuits if we are failing to serve kids with mental illness in the least restrictive environment (e.g., if they are being committed to the Division of Youth Corrections due to insufficient treatment alternatives in the community)?

2. How should the State tackle the problems resulting from the multiple funding streams?
 - a. How do other states manage this funding? Is there a model we could use to improve our system?
 - b. Do we need to change some of the current funding streams (e.g., carve more or less out of mental health capitation/county departments?)
 - c. Is more state oversight or review of placements for youth with multiple needs required?
 - d. Does the issue need further study? If so, what would be the best forum for this, e.g., an existing Executive committee or task force? A new group tasked with this created by the Executive or through legislation?
 - e. Are there actions you believe the JBC or Committees of Reference could or should take to help address this problem?

3. Is there any current work being done on this issue that relates to the work of the JBC or the Audit Committee?
 - a. Are there any initiatives in this year's budget request for Human Services or Health Care Policy and Financing that address this issue?
 - b. Have there been any audit findings or recommendations that identify this problem and/or recommend a solution?

4. Have you determined why the Departments of Human Services and Health Care Policy and Financing have such different estimates of the number of children receiving Child Welfare Core Services who are eligible for Medicaid (one department was reflecting 35 percent; the other 64 percent)? If not, when do you expect to know this?

2:40-3:30 DIVISION OF CHILD WELFARE

Strategic Plan and Performance-based Goals

5. What is the basis for the “benchmarks”/targets established for FY 2012-13 child welfare performance measures?
 - a. How did you determine where to set these benchmarks?
 - b. To what extent are these based on federal versus state targets?
 - c. One performance measure is the percentage of time the safety assessment process for child welfare investigations was completed accurately. For the first quarter of FY 2011-12, you reported that the assessment was completed accurately just 50 percent of the time. What kinds of problems are you seeing? Why is this figure so low?
6. How did the Department determine that 212.8 is the correct benchmark for the average number of days in out of home placement for a child age 13-21? Is there an ideal number of days for this? What constitutes a positive versus negative outcome?
7. With respect to the benchmark for “compliance rate on CFSR safety measure associated with protecting children”:
 - a. Why are you reflecting a performance decline between the FY 2010-11 actual (81.6%) and the FY 2011-12 benchmark (80.0%)?
 - b. Why would the benchmark change over time (80.0% in FY 2011-12 and 82.1% in FY 2012-13)? Shouldn’t a benchmark be stable until met consistently?

County Child Welfare Allocations, Expenditures, Workload, and Outcomes

8. Why does the Department believe child welfare assessments and open involvements fell in FY 2010-11? Does it see this as a positive development or should this cause concern?
9. How does the Department explain the declines in county spending for child welfare services? Have counties managed to reduce expenditures by figuring out a better way to do child welfare services? Have counties reduced expenditures for child welfare by shifting expenditures to other funding streams or accessing funding that is not visible in the state budget?
10. What do you see happening with child welfare outcomes? Why do some outcome measures appear to be getting worse?

Federal Title IV-E Revenue Waiver Option

11. Based on information currently available, does the Department believe a federal IV-E waiver would require state legislation?
12. Based on information currently available, how do you envision a waiver going forward at the county level? Would it be voluntary by county?
13. When will the department be able to provide initial estimates on the form and fiscal impact of a waiver; statutory changes that might be desired; and the optimal timing for both the waiver application and any statutory changes?
14. How often does a case not become Title IV-E eligible because a court has failed to make the required finding that remaining in the child's home would be contrary to the child's best interest? Is this an issue that should be addressed through additional judicial training?
15. Describe some of the administrative issues that, if addressed, might increase the State's Title IV-E revenue.

3:30-3:45 BREAK

3:45-4:30 DIVISION OF YOUTH CORRECTIONS

Strategic Plan and Performance-based Goals

16. Why were there no performance measures in the strategic plan for DYC? Was this an oversight?

DYC Population and Outcomes

17. With respect to pre-discharge and post-discharge recidivism, is the offense which results in recidivism of the same nature as what the youth was originally sentenced for? To what extent is recidivism related to "technical" or relatively minor violations?
18. Are there other measures we should be looking at, in addition to recidivism and Colorado Juvenile Risk Assessment (CJRA) scores, to demonstrate the success/cost-effectiveness of DYC services?
19. Are you able to provide a cost-comparison between state-operated and privately operated DYC facilities that incorporates medical and educational costs for privately operated facilities and thus makes amounts shown comparable?

DYC Right Sizing

20. How did the Department determine that just under 40 percent of the commitment population requires a secure state-operated placement and that this is the figure it should target in "right sizing"?

21. A constituent advised Representative Gerou that a judge had requested that a youth be placed at Ridge View, but the State placed the youth at Lookout. Does this occur? If so, how often does this occur? How does the Department determine in which facility to place a youth?

4:30-5:00 DIVISION OF CHILD CARE

Child Care Licensing/ Strategic Plan and Performance-based Goals

22. What is the history of the rules governing daycare centers?
- Has the number of rules increased? If so, why?
 - Which, if any, of these rules are being reviewed by the Department for revision/elimination?
 - How does this relate to the Division's Strategic Plan goal of reducing the number of requests for waivers to child care licensing rules?
23. Please explain the process for developing rules governing home-based and commercial daycare centers. How does this process ensure collaboration and involvement by stakeholders?
24. Do the rules distinguish between home-based and commercial daycare centers? What are examples of how these two centers are distinguished? If the rules do not distinguish the two centers, why not?
25. When the Department clarifies rules or makes new rules for child care facilities, does the Department stagger implementation dates to provide the day care provider adequate time to make adjustments to their facilities in order to comply with the rule changes or new rules?
26. Is the Department changing its focus from safety to quality in child care? If so, why is the Department doing so? How does the Division see its role as distinct from that of schools (*i.e.*, pre-schools, kindergarten, etc.) with respect to the overall educational process?

Decision Item R-10: Refinance Child Care Assistance Program General Fund

27. Could the federal dollars used in the refinance be available to increase spending for child care as opposed to refinancing? Isn't a refinance in reality a cut?

ADDENDUM: OTHER QUESTIONS FOR WHICH SOLELY WRITTEN RESPONSES ARE REQUESTED

1. Please list and briefly describe any programs that the Department administers or services that the Department provides that directly benefit public schools (*e.g.*, school based health clinics, educator preparation programs, interest-free cash flow loan program, etc.).