

San Mateo County of San Mateo County Manager's Office

Date May 17, 2001 Hearing Date May 22, 2001

TO:

Honorable Board of Supervisors

FROM:

John L. Maltbie, County Manager

SUBJECT: County Manager's Report #5

1. The urgent need to reform the foster care system has managed to capture the attention of a number of legislators: no less than 20 bills were introduced for this purpose. The Human Services Agency has identified five bills that are of particular relevance to San Mateo County.

Foster Care Assistance

The first three bills, AB 333, AB 1261, and AB 1666 would provide increased assistance to foster youth as they emancipate from the foster care system. Studies have found that such youth lack the practical life experience as well as financial means to support themselves after leaving foster care. Due to the shortage of foster family homes and other problems in the system, many children are subject to unstable placements and episodic school attendance. One study of former foster care youth in the San Francisco Bay Area found that: 38 percent had not completed high school, 25 percent were unemployed; 53 percent experienced serious financial hardships; 47 percent received some form of public assistance; 35 percent were homeless or moved frequently; and 38 percent did not have health care

Under existing law a child declared a ward or dependent child of the juvenile court, who is 16 years of age or older, and who is a participant in the Independent Living Program (ILP), may retain cash savings in an amount not to exceed \$5,000 Additionally, federal law sets a \$10,000 limit on the total amount of nonexempt resources that foster youth may retain before becoming ineligible for Title IV-E foster care payments.

Assembly Bill 333 (Wright) would increase that amount to \$10,000. In addition to seeking to increase emancipating youths' savings, AB 333 contains a provision to ensure that foster youth in group-homes have the opportunity to meet with their social worker, in private, on a monthly basis

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Comment Assembly Bill 333 could be amended to take full advantage of the federal resource exemption by. allowing all foster youth, rather than just those in ILP, to participate; and, expanding the exemption from cash savings to all non-exempt resources. The Board may wish to consider proposing such an amendment

Assembly Bill 333 was approved by the Assembly 77-0, and will next be heard by the Senate Health and Human Services Committee.

Attached is a resolution in support of Assembly 333 for your consideration

Assembly Bill 1261 (Migden) would increase the amount of cash savings that foster youth in ILP may retain, from the current limit of \$5,000 to the federal limit of \$10,000 Unlike AB 333, this bill is not limited to cash savings and allows youth to retain other non-cash resources, and expand eligibility for the transitional housing placement program (THPP). Currently, only youth aged 17 through 18 that are participating in ILP are authorized for placement in transitional housing. AB 1261 would expand eligibility to foster youth ages 16 to 20.

Additionally, AB 1261 would repeal the current transitional housing placement program (THPP) rate structure and instead requires that THPP providers be paid a rate that is not less than 90 percent of the average foster care group home expenditure for youth aged 16 to 18 in the county in which the provider operates.

Assembly Bill 1261 was approved by the Assembly Human Services Committee 7-0, and will next be considered by Assembly Appropriations Committee.

Attached is a resolution in support of Assembly Bill 1261 for your consideration.

Assembly Bill 1666 (Keeley) would repeal the existing transitional housing placement program (THPP) rate, which under current law can not exceed the aggregate placement costs that would have existed if participants had not participated in the program. Instead, rates would be set based upon the actual program costs, utilizing the following program components a youth allowance (telephone, rent, food, clothing, transportation, and spending money), agency services (salaries, overhead, direct care staff); and a rental increment (not to exceed the fair market rent for a one-bedroom unit plus utilities in the placing county)

Assembly Bill 1666 was approved by -- and will next be considered by the ---

Attached is a resolution in support of Assembly Bill 1666

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Recruitment and Retention of Foster Family Homes

California's foster care system is currently experiencing a significant shortage of Foster Family Homes (FFH) When a child is removed from its home due to abuse or neglect, and there is no suitable relative available to care for the child, our state has determined that FFHs are the preferred placement option as they offer the least restrictive and most family-like setting. Due to the shortage of homes, foster children are placed out of county or in much more costly alternative placements such as temporary shelters, foster family agencies (FFAs) or group homes. This shortage is particularly acute in counties with a high-cost of living, where most families rely on two incomes to meet their household expenses. In such counties, the monthly foster care stipend is inadequate to cover a foster child's basic needs, yet alone pay for child care to enable the foster parent to work outside the home. In the San Francisco Bay Area, counties report that the cost of providing child care out of a foster family's personal household budget presents a substantial challenge to recruiting new foster families as well as to retaining existing homes For example, San Mateo County currently has 180 foster homes, less than half the number it had in 1991. Santa Clara County has experienced an even larger decline, today, the county has 300 homes down from 800 licensed homes in 1991.

Assembly Bill 557 (Aroner) would establish the Foster Parent Recruitment and Retention Program (FPRRP) to increase the number of licensed foster family homes. Participating counties would be required to provide supplemental payments to foster homes caring for sibling groups; offer respite care, purchase first and third party liability insurance to cover property damage; utilize additional caseworkers to support licensing and training functions; use foster parents in recruitment efforts as well as for peer support; cover one-time costs to purchase necessary items; and offer other locally designed activities. Funding is subject to legislative appropriation. The Department of Social Services (DSS), in consultation with the California Welfare Director's Association would determine the program's annual funding allocations, based on the recruitment and retention plans submitted by each of the participating counties.

Assembly Bill 557 was approved by the Assembly Human Services Committee 5-2, and is on the Assembly Appropriations Committee Suspense File.

A resolution in support of Assembly Bill 557 is attached for your consideration

Assembly Bill 1105 (Simitian/Shelley), San Mateo County co-sponsored AB 1105 with Santa Clara County and the Youth Law Center This bill would establish a statewide child care program for children in licensed foster and kinship care This program would subsidize 50 percent of the cost of licensed childcare when such care

is documented in a foster child's case plan as necessary to enable the foster parent or relative caregiver to work outside the home, participate in foster parent training or fulfill foster care related duties such as attending judicial conferences or reviews AB 1105 is structured to draw down federal Social Security Act Title IV-E funds to offset half the cost of providing such childcare Although the basic plan is to reimburse 50 percent of the cost of child care, counties can submit a plan to DSS asking to reimburse up to 100 percent of the cost of care under certain circumstances, such as when the average cost of care in the county is higher than the statewide average, or if the county is facing a critical shortage of FFHs.

Assembly Bill 1105 was approved by the Assembly Human Services Committee 7-0, and is currently on the Assembly Appropriations Suspense File

Assembly Bill 1105 was introduced by Assemblyman Simitian at the request of your Board. No resolution is necessary, as San Mateo County is the sponsor.

Assembly Bill 1330 (Steinberg) would increase the Foster Family Home reimbursement rate in the following ways revise the FFH rate schedule to reflect past statutory rate adjustments plus a five percent rate increase beginning January 1, 2002, require the rate schedule to be adjusted by the cost of living adjustment established in the 2001/02 budget, require the FFH rates to be increased by five percent each year beginning in the 2002/03 fiscal year and continuing through the 2005-06 fiscal year

The effect of this adjustment is as follows:

Age of Foster Child	Rate FY 2000-2001	Rates as of 01/01/02	Rates as of 01/01/05
0-4	\$405	\$425	\$517
5-8	\$441	\$463	\$563
9-11	\$471	\$495	\$602
12-14	\$521	\$547	\$665
15-20	\$569	\$597	\$726

The Children's Advocacy Institute argues that the cumulative five percent rate increases are intended to make up for the eight year period (1991-1998) in which no cost-of-living increases were provided.

In addition to a rate increase, AB 1330 would require DSS to establish a training and certification program for FFH providers. Thereafter, a supplemental rate increase of 10 percent would be available to foster parents who become certified

Assembly Bill 1330 was approved by the Assembly Human Services Committee 7-0, and will next be considered by the Assembly Appropriations Committee

2. Senate Bill 1049 (Speier) would allow same sex domestic partners or opposite sex partners over the age of 62 of San Mateo County employees to be eligible for survivor benefits received by spouses of county employees. Domestic partners must have an Affidavit of Domestic Partnership on file with San Mateo County for at least one year; and the provisions would affect only those who retire or die after the effective date.

Comment: Last year similar legislation was vetoed. That measure, Senate Bill 1410 (Speier) would have allowed San Mateo County to provide domestic partners the same survivor benefits received by spouses of eligible county employees who die or after retirement from county service. San Mateo County's domestic partner registration includes opposite sex partners, as well as same sex partners. Senate Bill 1410 was vetoed by Governor Davis, stating:

This bill would allow San Mateo County to provide new domestic partner benefits using a definition of domestic partners that goes far beyond that of the State program. For these reasons I can not support this bill '

Attached is a resolution in support of Senate Bill 1049 (Speier) for your consideration.

On Monday, May 14, 2001 the Department of Finance released the Governor's revised 2001-02 Proposed Budget in the May Revision. It reports a \$5.7 billion diminution in the state's fiscal condition: \$4.2 billion downward revision of revenues and \$900 million in increased non-Proposition 98 costs and \$600 million in Proposition 98 spending resulting from prior-year adjustments

The Governor's proposed reductions include:

- \$1 4 billion from the budgeted reserves;
- Postpone transfer of the sales tax on gasoline to transportation programs,
- Eliminate \$1.3 billion in one-time spending proposals including \$250 million in local government relief;
- Transfer \$500 million in non-transportation special funds to the General Fund, and
- \$255 million in Proposition 98 school spending increase

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Other revisions include

- \$7.7 million reduction from the expansion of adult alcohol and drug treatment and \$5.7 million from expansion of youth treatment, but sustains \$540 million for adult substance abuse, \$35 million for youth substance abuse and \$121.3 million for local juvenile crime prevention programs;
- \$50 million reduction to reflect the delay in federal approval of the State Plan amendment to authorize federal funding for the discretionary expansion of Drug Medi-Cal day care rehabilitative, case management and after care services,
- * \$8.5 million reduction in Drug Court substance abuse treatment, but sustains \$9.5 million for treatment and court administrative costs;
- * \$100.4 million decrease for CalWORKs employment recipients due to proposed statutory change eliminating the \$97 million for county performance incentives earned *prior* to *July 1, 2000*, an additional \$153.9 million appropriated in the current year for performance incentives and of the \$1.2 billion counties have earned to date, but had spent only \$62 million the Governor proposes counties be required to prioritize performance incentives for base CalWORKs programs costs and providing development of a new employment services budgeting methodology;
- \$57 million additional funds for IHSS to improve provider services and \$23.7 million to provide a discretionary \$1 per hour increase in the State share-of-cost of employee wages to \$8.50 per hour for Public Authority providers;
- \$25.6 million to fund the State share of benefits up to .60 cents for various Public Authority providers;
- \$7 4 million reduction in foster care attributed to decrease in foster care caseload, coupled with \$25.5 million for a 4.85 percent cost-of-living rate adjustment,
- \$1.9 million for additional studies and hazardous tree removal resulting from Sudden Oak Death (SOD);
- \$14 million reduction from the proposed Cultural Infrastructure Development Fund within the California Arts Council, and
- \$4 million for judicial pay equity or \$12 million over three years to provide parity to former municipal court employees

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The major projects eliminated include \$200 million for housing incentive programs, \$90 million from the clean beach program; redirects and defers about \$460 million in capital projects, and eliminates the proposed \$27 million back-to-school sales tax holiday. Also, the Governor's revised spending assumes the statewide sales tax cut that was reduced by quarter cent this year, will rise by a like amount on January 1 -costing taxpayers \$1 2 billion over the coming fiscal year.

The decline in revenues is attributed in part to the sharp slowdown in taxable sales, and a decline in personal income, reflective of the general slowdown in employment. This also reflects the expected sharp decline in stock-option related income this year. According to state officials, 42 percent of the \$81 billion increase in last year s wages and salaries were the result of stock options being exercised, largely attributed to the Silicon Valley's technology firms, now in decline. Stock options and capital gains are expected to decline to \$138 billion this year, compared to \$201 billion in 2000 and \$141 billion in 1999.

When asked about the energy costs, the Governor indicated that he had not added up the total amount that the crisis is costing the state, but the revision included an additional \$39.2 million for state agency energy costs, and \$540.8 million to help school districts deal with their energy bills.

Funding sustained in the Revise

- \$6 million to expand outreach for Health Families enrollment through schools,
- \$150 5 million to expand Healthy Families (HFP) to uninsured parents of children in Healthy Families or Medical;
- \$20 million for breast cancer treatment and \$20 million to prostate cancer treatment for those 200 percent of federal poverty level;
- \$20 million for youth anti-tobacco use campaign,
- increases the Medi-Cal caseload by 74,300 to 5,284,500 eligibles, an increase of 3.4 percent above 1999-00 and 1.4 percent of the proposed budget,
- \$255.1 million for the Orthopaedic Hospital settlement to pay hospitals a portion of the lump sum settlement payment and increase outpatient rates by 30 percent;
- \$43.5 million for increased county administration costs,
- \$25 million in increased costs for the 2 percent managed care rate increase,
- \$24.8 million for emergency room doctors and trauma services (Proposition 99)
- eliminated the 3 percent cost-of-living adjustment saving \$5 million for mental health managed care; and
- \$20.1 million for supportive housing programs and \$55.6 million for Integrated Services for Homeless Adults

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The response by both houses to the Governor's revision is the cuts do not go deep enough, suggesting serious work yet to be done in order for a state spending plan to be accomplished by the July 1 deadline

I will continue to keep your Board apprised of progress made in this regard



Fostering better care

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CALIFORNIA has nearly 100,000 foster children, youngsters removed from conventional homes after abusive or drug-addicted parents don't live up to their adult duties. But rising costs are pressuring the fragile system of care.

In San Mateo County, there are 180 foster homes, half the number a decade ago In Santa Clara County, the total has dropped by 63 percent in the same period San Francisco had 249 homes in 1991 and now has 158

The culprit is money State and county payments ranging from \$405 to \$613 per month aren't enough in the costly Bay Area to cover the bills. These payments go for essentials such as food, clothing and shelter, but don't begin to pay for child care, necessary when foster parents go to work.

A practical, reasonably priced solution is within reach Assembly Bill 1105,

by Kevin Shelley, D-San Francisco, and Joe Simitian, D-Palo Alto, proposes matching state and local money with federal funds to come up with \$800 more per month per child.

The bill calls on Sacramento and the counties to allocate \$15 million to win an equal amount from Washington A similar bill was approved by the Legislature last year but was cut from the budget by Gov Gray Davis Despite the money-gobbling energy crisis, he should reconsider his opposition. A total of 28 other states are making use of the federal child-care subsidy for foster families California should, too.

The alternative to AB 1105 is the present situation. With few households available, foster children end up in larger group homes or shelters, which aren't intended for long-term stays Or high-cost counties may ship youths to cheaper rural areas, far from friends and family, as San Mateo County Supervisor Mike Nevin has pointed out

For a modest sum, California has a chance to improve foster care for both the children and surrogate parents. AB 1105 is a step worth taking

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OTHER VOICES

Victims of child abuse need our help

On March 28, 2001 George Bush signed a proclamation declaring the month of April "National Child Abuse Prevention Month.' In this proclamation, President Bush noted that each year, there are more than 800,000 confirmed incidents of child abuse in our country.

Tragically more than 1 000 children die each year from such abuse. "Every child deserves to live in a safe, permanent, and caring family," the proclamation read Few would question the sentiment of this proclamation. Nevertheless, I question whether we are doing enough as a state and as a country, to end the cycle of abuse and to help the victims find safe, stable, loving homes when they are removed from their families due to abuse.

Children that are removed from their homes due to abuse and neglect enter the state foster care system and are placed in foster home, emergency shelters, or group homes until they can be reunited with their parents or placed for adoption. According to a recent study by the University of California, Center for Social Research, as of July 1, 2000 there were 99,380 children in foster care in California. Children of color accounted for 70

Guest Opinion

percent of the foster care caseload. Despite the tremendous need for out-of-home placements, counties across the state are all experiencing precipitous declines in the number of families willing to care for these needy children The decline is particularly acute in regions with a high cost of living such as the San Francisco Bay Area. In high-cost counties, where the majority of households rely on two incomes to meet their household expenses, the monthly foster care stipend is simply inadequate to cover a foster child's basic needs, let alone pay for childcare to enable foster parents tò continue working.

For example, San Mateo County has fewer than half the number of foster homes it had in 1991; there are only 180 foster homes in the county, far less than the number needed to care for the 600 children in their foster care system Although placement in a foster home or with a relative caregiver is the preferred placement, this shortage of homes has resulted in children being placed out-of-county or

in much more restrictive and costly settings, such as temporary shelters or group homes.

Last month, state Assembly leadership announced the reform of California's troubled foster care system a top priority. To this end, a number of measures have been introduced to improve the system, including legislation specifically designed to recruit and retain more foster families, Bay Area legislators Assembly members Joseph Simitian and Kevin Shelley teamed-up to introduce Assembly Bill 1105 to create a program to reimburse the cost of child care to enable a foster parent to work, attend foster parent training or fulfill other foster care responsibilities This measure is the key to unlock the door to many new foster homes in Bay Area counties.

We can do more to protect our children We must do more I urge each of these officials, and the thousands of community participants, to take affirmative steps to support the foster care reform legislation, beginning with Assembly Bill 1105. What will you do to help?

Mike Nevin is a San Mateo County Supervisor

RESOLUTION IN SUPPORT OF ASSEMBLY BILL 333 (WRIGHT) EXPANSION OF FOSTER YOUTH SAVINGS

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that:

WHEREAS, a large percentage of the youth who emancipate from the foster care system lack the educational background and financial savings necessary to become economically self-sufficient, and as a consequence experience higher than average rates of unemployment, homelessness, and dependence on public assistance;

WHEREAS, Assembly Bill 333 (Wright) would increase the amount of cash savings that a foster child may retain before becoming ineligible for Title IV-E foster care payments, from the current state level of \$5,000 up to the federal limit of \$10,000, and

NOW, THEREFORE BE IT RESOLVED that the San Mateo County Board of Supervisors supports Assembly Bill 333 to increase the amount of cash savings that a foster youth may retain, up to the federal limit of \$10,000.

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RESOLUTION IN SUPPORT OF ASSEMBLY BILL 1261(MIGDEN) EXPANSION OF FOSTER YOUTH SAVINGS

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that:

WHEREAS, a large percentage of the youth who emancipate from the foster care system lack the educational background and financial savings necessary to become economically self-sufficient, and as a consequence experience higher than average rates of unemployment, homelessness, and dependence on public assistance,

WHEREAS, Assembly Bill 1261(Migden) would increase the amount of cash and noncash savings that a foster child may retain before becoming ineligible for Title IV-E foster care payments, from the current state level of \$5,000 up to the federal limit of \$10,000;

WHEREAS, Assembly Bill 1261 would also expand eligibility for the transitional housing placement program (THPP) from the current eligibility range of youth aged 17 through 18, to include foster youth ages 16 to 20 years old; and

NOW, THEREFORE BE IT RESOLVED that the San Mateo County Board of Supervisors supports Assembly Bill 1261 to increase the amount of cash and noncash savings that a foster youth may retain, up to the federal limit of \$10,000 as well as to expand eligibility for the THPP to include foster youth ages 16 to 20.

RESOLUTION NO	•

RESOLUTION IN SUPPORT OF ASSEMBLY BILL 1666 (KEELEY) INCREASING THE TRANSITIONAL HOUSING PLACEMENT PROGRAM RATE

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that WHEREAS, a large percentage of the youth who emancipate from the foster care system lack the educational background and financial savings necessary to become economically self-sufficient, and as a consequence experience higher than average rates of unemployment, homelessness, and dependence on public assistance;

WHEREAS, the transitional housing placement program (THPP) helps emancipating youth learn independent living skills, find stable employment and housing;

WHEREAS, the rate currently paid to THPP providers is below their cost of operation, in part due to the high cost of housing in counties with a high cost of living, such as San Mateo County;

WHEREAS, Assembly Bill 1666 (Keeley) would increase the rate paid to transitional housing placement program providers, based upon the cost of providing a youth allowance, agency services, and a rental increment not to exceed the fair market rent for a one-bedroom unit plus utilities in the placing county; and

NOW, THEREFORE BE IT RESOLVED that the San Mateo County Board of Supervisors supports Assembly Bill 1666 to increase the transitional housing placement program rate

RESOL	LUTION NO.	
10001		

RESOLUTION IN SUPPORT OF ASSEMBLY BILL 557 (ARONER) ESTABLISHING THE FOSTER PARENT RECRUITMENT AND RETENTION PROGRAM

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that **WHEREAS**, foster family homes (FFHs) are the preferred placement option when a child is removed from his/her family due to abuse of neglect and there is no relative able to care for the child;

WHEREAS, there is a statewide shortage of foster family homes (FFHs) which is particularly acute in high cost counties, including San Mateo County;

WHEREAS, it is extremely difficult to recruit and retain FFHs, especially in high cost counties, when the FFH monthly basic maintenance payment is insufficient to cover the costs associated with caring for a foster child,

WHEREAS, often when children are removed from their home it is impossible to find an FFH that can accommodate several children at one time, consequently, the child is further traumatized by being separated from his/her siblings;

WHEREAS, Assembly Bill 557 (Aroner) would establish the Foster Parent Recruitment and Retention Program to increase the number of licensed foster family homes, requiring participating counties to provide supplemental payments to foster homes caring for sibling groups, offer respite care, purchase first and third party liability insurance to cover property damage, utilize additional caseworkers to support licensing and training functions, use foster parents in recruitment efforts, and cover one-time costs associated with becoming a foster parent, and

NOW, THEREFORE BE IT RESOLVED that the San Mateo County Board of Supervisors supports Assembly Bill 557 to establish the Foster Parent Recruitment and Retention Program

RESOLUTION NO.	

RESOLUTION IN SUPPORT OF ASSEMBLY BILL 1330 (STEINBERG) INCREASING THE FOSTER FAMILY HOME RATE

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that.

WHEREAS, foster family homes (FFHs) are the preferred placement option when a child is removed from his/her family due to abuse of neglect and there is no relative able to care for the child;

WHEREAS, there is a statewide shortage of foster family homes (FFHs) which is particularly acute in high cost counties, including San Mateo County,

WHEREAS, it is extremely difficult to recruit and retain FFHs, especially in high cost counties, when the FFH monthly basic maintenance payment is insufficient to cover the costs associated with caring for a foster child;

WHEREAS, Foster Family Home rates have not kept pace with the cost of caring for a foster child and, in fact, for eight years during the 1990s did not receive any kind of cost-of-living adjustment,

WHEREAS, Assembly Bill 1330 (Steinberg) would increase the FFH basic rate by revising the rate schedule to reflect past statutory rate adjustments plus a five percent rate increase effective January 1, 2002, requiring the rate schedule to be adjusted by the cost of living adjustment established in the 2001/02 budget, and requiring the rate to be increased by five percent each year beginning in the 2002/03 fiscal year and continuing through the 2005/06 fiscal year;

WHEREAS, the California Welfare Directors' Association is working with the bill author and sponsor to amend the bill language to implement a simplified cost of living adjustment that will result in a 20 percent increase over a four year period; and

NOW, THEREFORE BE IT RESOLVED that the San Mateo County Board of Supervisors supports Assembly Bill 1330 in concept, increasing the FFH basic rate, and will work with CWDA to amend the bill language to simplify the rate increase

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RESOLUTION NO.	•

RESOLUTION IN SUPPORT OF SENATE BILL 1049 (SPEIER) DOMESTIC PARTNERS

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, Senate Bill 1049 (Speier) would allow the County of San Mateo, upon Board of Supervisors approval of a resolution to provide domestic partners, as defined in state law, the same survivor benefits now received by spouses of eligible county employees who die either before or after retirement from county service; and

NOW, THEREFORE BE IT RESOLVED that the San Mateo County Board of Supervisors supports Senate Bill 1049 (Speier) local option to extend survivor benefits to domestic partners.