

HOUSE COMMITTEE ON CHILDREN AND FAMILIES

March 5, 1993
- 41

Hearing Room 50 1:30 p.m.

Tapes 40

MEMBERS PRESENT: Rep. Lisa Naito, Vice-Chair Rep. Ron Adams
(Alternate) Rep. Patti Milne Rep. Gail Shibley

MEMBER EXCUSED: Rep. John Meek, Chair

STAFF PRESENT: Annette Price, Committee Administrator Edward C.
Klein, Committee Assistant

INFORMATIONAL MEETING: Federal programs as they relate to
Children's Care Team Legislation

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These minutes contain materials which paraphrase and/or summarize
statements made during this session. Only text enclosed in quotation
marks report a speaker's exact words. For complete contents of the
proceedings, please refer to the tapes. [--- Unable To Translate Graphic
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TAPE 40, SIDE A

003 VICE-CHAIR NAITO: Calls the committee to order at 1:49 p.m.

ROLL CALL: PRESENT: Rep. Adams, Rep. Milne, Vice-Chair Naito
EXCUSED: Chairman Meek DELAYED: Rep. Shibley

FEDERAL PROGRAMS AS THEY RELATE TO CHILDREN'S CARE TEAM LEGISLATION --
EXHIBITS A & B

Witnesses: Damon Vickers, Staff Attorney, Legislative Counsel Vickie
Gates, Department of Human Resources

010 DAMON VICKERS, Staff Attorney, Legislative Counsel: Has been
asked to discuss Title IV-E dollars as they relate to the CCT
Legislation. -As states go to the Federal Government for funds, state
programs begin to reflect federal initiatives. -Title IV-E requires two
significant things from the states: -1. The states must designate a
single state agency to administer or supervise the programs. -The
statutes and regulations are very specific that there be only one

state agency. -2. That state agency must come up with a plan indicating
how the dollars are to be used. -It is his understanding of Title IV-E
that the Care Team plan to use a state agency or group of state agencies
to acquire federal dollars and

pass them through another agency or agencies to be used as they see fit,
would not be allowed under the Title IV-E regulations. -He was asked to
explore if the same constraints were on the Title XX

block grant. -The block grant is much less restrictive. -In addition,

states can apply of waivers for Title XX, but not Title IV-E.

067 REP. ADAMS: Have we tried to apply for any waivers for Title XX?

VICKERS: Does not know.

REP. ADAMS: Title IV-E requires one state agency and one approved plan administered by that agency. -Could the service be delivered by a county employee, even though it's a state grant?

VICKERS: It's his understanding that they could be an employee of another agency as long as they were acting under the direction of the state agency.

REP. ADAMS: A county organization that was making the decisions, even though it was an approved plan would be on the edge of your interpretation?

VICKERS: Correct.

REP. ADAMS: Could you give us this in writing?

VICKERS: Has submitted a memorandum with Annette Price. -Memorandum from Damon Vickers, later filed as EXHIBIT B.

102 VICKIE GATES, Director, Programs and Finance, Department of Human Resources: Presents "Federal Regulations: The Department of Human Resources" (EXHIBIT A). -She discusses Discretionary Grants. -She describes some of the grants they've received. -She discusses Categorical Grants.

158 REP. ADAMS: What does formula mean?

GATES: Responds. -She discusses Block Grants. -She describes the Child Care Development Block Grant. -She discusses Title XX. -She discusses Entitlement Programs.

289 VICE-CHAIR NAITO: Are all of these entitlement programs except for Title XX?

GATES: Yes.

VICE-CHAIR NAITO: IV-A, B, C, D, E.

GATES: Title XIX is Medicare. -Title XX is a block grant. It did start as a much more open-ended program. -She discusses Waivers. -Any waiver that is precedent setting is of national interest. -A waiver is fundamentally different from decategorization. -There can be creativity in regulatory reality. -She discusses Medicaid. -We've tried to make Medicaid work for Oregon.

TAPE 41, SIDE A

029 GATES: Annette and I didn't specifically talk about Title IV-E, but she'll be glad to answer any questions.

038 REP. ADAMS: Is it tougher than forest taxation? He doesn't understand that either.

GATES: It's very difficult.

060 REP. ADAMS: It's possible to get waivers, it's generally worth the time and effort to go after them, but he got the sense that you're better off working with the local governments than asking for waivers and drawing a lot of attention.

GATES: Some types of waivers you can't get. She explains. -You can get a waiver within the basic purposes of a program, you can't get a waiver to create flexibility or decategorization.

082 VICE-CHAIR NAITO: Got a sense that the Federal Government loses interest in the block grant formula?

GATES: Title XX has received very little increases over the last couple of decades. -Very few Congress people identify with it. -More identify with the day care block grant, for example -On the whole, block grants have not kept pace with inflation. -When we've talked about budget issues to Congressional offices we've said to them to pay more attention to supporting these basic more flexible underpinnings for programs and delivery of services. -She discusses a report she was requested to do by the legislature a couple of years ago.

128 REP. SHIBLEY: Is it worthwhile to take the cut of revenue sharing or

the cut in federal housing and urban development into consideration?

136 GATES: Another thing to look at would be the move away from federal support of community development. -Poverty is growing significantly and that has a lot to do with the stability of families.

156 REP. SHIBLEY: Believes in decategorized funding. -If she were a leader in a community, she would like the state to distribute the money to the locals to allow them to spend the money as

they need it. -One of our great tools to build accountability are the Oregon Benchmarks. -What would happen if the Federal Government had a set of benchmarks for the country in terms of housing, welfare, teen pregnancy, crime rates,

etc. and then the State of Oregon would negotiate with the Federal Government and then get a pot of money to help achieve it's goals. Would that work? -Is that the preferred future?

194 GATES: You probably could make it work if you had a series of recognitions of some fundamental facts and if you could negotiate what

you thought was appropriate. -It would be a very difficult place to get to, because of a basic set of concerns behind many of the federal programs--the provision of a basic

set of services in some basic ways. -This has resulted in a system that seems unnecessarily bureaucratic. -One reason the federal programs look the way they do is because of the number of differences in state interests and the way the states administer programs. -There has tended to be a feeling that there is a basic set of rights that ought to be extended across the states. -The Federal Government has never been responsive to more than a percentage of the identified need of any one group that qualified. -From an ideal perspective the answer is yes, but

from a practical perspective, it would be very hard to get there.

REP. SHIBLEY: Truly reinventing government.

GATES: It is. Major reinventions are easier when you know what the ramifications are. -They are more difficult than people realize. -In Oregon she has seen a number of bills that are much more geared to

control, monitoring and oversight of things at fairly small levels, rather than thinking about the set of issues that have to do with management incentives and how things are structured.

256 REP. SHIBLEY: From a practical viewpoint the Federal Government doesn't trust the states to know how to do this and to take care of an issue that's not high on their list, but ought to be?

GATES: Correct. -That's the reason that advocacy groups will have very strong interest

around federal waivers. -She discusses the interest around the Oregon health plan.

280 VICE-CHAIR NAITO: You're suggesting we in Oregon like to talk about local control. We talk the talk, but don't walk the walk.

GATES: There is major agreement around some things. -We all have the same diagnostic concerns. There are things we don't like about the way the system is operating. -We have different ways to approach that set of issues. -We have some basic agreement that we want our communities more vested

in these problems and issues. -Personally, it's sometimes counterproductive to put an issue in the sense of control. -On the big issues no one can say they have the handle on it. It will

take a lot of partnerships, people learning different ways to work together. -We don't advance some of these issues when we make control issues too

central. 331 VICE-CHAIR NAITO: Supports the benchmarks. -It's difficult to find the benchmark that some of these programs fit under. -We should be looking at the benchmarks and saying how can we best accomplish this? -Are other people looking at the same thing?

347 GATES: Responds. -It's important to be clear about what programs do work, and be clear about performance indicators. -We need to improve the planning, evaluation, information systems, monitoring, and tracking. -When you track things you find they don't always work. -We need to support evaluation to make what we do better and be able to change it.

400 VICE-CHAIR NAITO: Is concerned we spend so much time planning and if we spend the rest of the time measuring, nothing will go into the program.

TAPE 40, SIDE B

011 GATES: The vast majority of dollars go to service delivery. -An extremely small amount of money goes into planning and evaluation.

023 REP. ADAMS: We heard testimony that if we reduce the paperwork,

we could handle Level 7 children under existing funding. -Is the problem the federal requirements or do we impose state requirements that make it more difficult?

036 GATES: There are some state requirements that are not beneficial, but they're not nearly as significant as the federal issues of monitoring and tracking. -Title IV-E is unnecessarily complex, it is very closely monitored. She elaborates. -We've tried to have more lower level kinds of support. -Part of our answer is automation and to continue to push the Federal Government to be more flexible. -She thinks the new administration will be more responsive.

066 REP. SHIBLEY: Understands Vickie's frustration with federal requirements. -At the local level we get frustrated with a state agency, when it is the federal requirement that causes the problem. -The short conclusion to her waiver paragraph (EXHIBIT A) is that the waivers are complicated to negotiate and administer. -We have to weigh the benefit of the waiver with the cost to determine

if it's worth going after the waiver. Is that accurate?

093 GATES: Yes; and if you're actually able to get a waiver that does what you want it to do.

104 REP. SHIBLEY: Would you predict/anticipate that some state commission on children and families have either the technical wherewithal or political clout to get waivers on a variety of programs in order to use the monies most efficiently?

115 GATES: It depends on the program area, what you want to achieve, what you want to change. -She presents some examples.

145 VICE-CHAIR NAITO: What efforts are there on the federal level to communicate the success of these programs? -Is there a concerted effort by the Federal Government to notify states of successful demonstration projects?

GATES: It depends on the federal agency. -There is quite a large network. -The Federal Government and Association of Governors spend a lot of time developing material that talks about what other states have done. -We need to try and not reinvent the wheel when we can share things. -There are times things need to be tailored to fit.

174 REP. ADAMS: You commented that most waivers are granted as demonstrations, so we might be able to take advantage of this for the CCT legislation. -He presents an example of a failed program due to federal regulations. -He discusses the failure of trying to create a main frame data base for DHR. -How do we get at that problem of federal regulations?

218 GATES: Responds. -There is a belief you can do anything with technology. -The Federal government has been asking people to transfer systems and

upgrade in incremental ways. -There is a move away from massive mainframe systems to systems that a

more distributed and closer to the users. -Automation can be helpful, but it often means creating leaner more dedicated systems and being able to merge them when pieces of data need to be brought together.

VICE-CHAIR NAITO: adjourns at 3:05 p.m.

Submitted by,

Reviewed by,

Edward C. Klein,

Annette Price, Committee Assistant
Committee Administrator

EXHIBIT LOG:

A - Federal Relationships: The Department of Human Resources - Vickie
Gates - 2 pages B - Memorandum on Title IV-E - Staff - 2 pages