

**DEPARTMENT OF HUMAN SERVICES
(Division of Child Welfare, Division of Child Care,
Division of Youth Corrections)
FY 2010-11 JOINT BUDGET COMMITTEE HEARING AGENDA**

**Wednesday, December 23, 2009
9:00 pm – 12:00 noon**

9:00-9:30 INTRODUCTION AND OPENING COMMENTS

Consolidation of Human Services, Public Health, and Health Care Policy and Financing

- 1a. Would it be possible to consolidate the Departments of Human Services, Public Health and Environment, and Health Care Policy and Financing? Would there be savings if the three were combined?

9:30-10:30 DIVISION OF YOUTH CORRECTIONS

Continuum of Care, Base Reduction #2 (Delay Additional Continuum of Care Investments), and Youth Corrections Population Trends

Continuum of Care

1. Provide an update on the continuum of care initiative. Where was it headed and where is it headed now? What are the implications of taking some of the money back/delaying program expansion?

Drivers for Population Trends

2. What does the Department see as the major drivers behind recent trends in the commitment population? Why is the parole population declining?

Recidivism

[Background: Post-discharge recidivism rates have not changed substantially, although pre-discharge recidivism and recommitment rates have declined in recent years]

3. As fewer youth enter the youth corrections system, has the average acuity of those who remain in the system increased? If so, is the lack of *increase* in post-discharge recidivism an indicator of success?
4. What violations are most prevalent in post-discharge recidivism? In particular: (1) to what extent are violations “technical” versus new crimes? What are the most common categories of new crimes? (2) To what extent are youth who are not legal residents of the United States considered to have “recidivated” because they had no legal means for earning funds to provide restitution?
5. How does recidivism in Colorado compare with recidivism nationally, to the extent this can be determined? Are there any common national definitions for recidivism for the

youth corrections system and/or the adult corrections system?

Going to Above-capacity in State Facilities

6. What is the status of state facility capacity since August? Is it at 120 percent?
7. How do you achieve 120 percent capacity in state facilities? Is the extra population comprised of lower risk youth who would typically be in less secure contract facilities? Do you double-bunk?
8. Does taking a youth facility to over-capacity present less of a risk than over-capacity at an adult facility? How much over-capacity is acceptable in a youth facility before the risk becomes too great?
9. Does it end up costing more when you go to over-capacity at state facilities because recidivism increases as a result?

Detention: Use of Capped Secure Detention Beds and Community Detention Placements

10. Clarify how the current secure detention beds are used, including the extent to which the beds are used for youth sentenced to detention versus pre-adjudicated youth.
11. How many of the kids that violate court orders actually get 45 days of detention? What are the alternatives to using detention for these violators of court orders?
12. Wasn't some of the money we took back when we put the cap in place supposed to be used for community placements and services? How much has the department done this? Is it a better option?
13. Do the caps result in bad decisions with regard to who to release because of the limited number of beds? How often does this happen? How is it resolved?
14. Who does the screening to determine a youth's security risk for purposes of determining an appropriate placement prior to adjudication?

Parole Board

15. How do the states that do not have a youth parole board determine which youth will be paroled and when? Would this be a better system for Colorado? What does the department think of this option?
16. If we get rid of the parole board and the Division does the evaluation for parole, would there be any savings? (a) Would the department need increased appropriations to cover parole assessments/other administrative costs? (b) Would there be savings related to youth who might be paroled earlier? How often does the parole board reject a Division recommendation to a parole a youth early? If the Division's recommendations were accepted, what would be the projected savings due to reduced average daily population?

17. Do we have data that shows recidivism data in Colorado versus other states that do not have parole boards?
18. Could a youth corps, such as that used in the 4th Judicial District, provide savings for the Division/more of the state? Could such a youth corps serve as an alternative to the parole board?

Other Options

19. What options does the Department believe should be considered for addressing a higher-than-projected ADP for FY 2009-10?

Mental Health

20. Discuss mental illness in the youth corrections system. (a) What share of the youth corrections population is mentally ill? (b) How well is the Division able to meet the needs of youth with mental illness? (c) How well is the Sol Vista facility on the Pueblo campus working to meet these needs? (d) Are youth being served in the youth corrections system because their mental health needs are not sufficiently well met outside the system?

System Structure

21. Specify the total FTE and the ratio of FTE to youth in each of the major DYC program areas: state-operated parole, detention, and commitment. What ADP (average daily population) do these FTE serve in each category?
22. Please clarify what share of commitment beds are contract beds. How does the Division use contract beds to manage its population? Are the contract beds secure beds? Are they less expensive than the state beds? Who are the vendors? Do the same vendors provide both youth and adult corrections contract bed?
23. How much does the State spend in Medicaid costs for youth in the youth corrections system, including medical care? To the extent the youth corrections population declines/increases, how much does the State save/expend in Medicaid costs?

August Base Reduction #21: Reclassify Ridge View YSC Licensing Category

24. Clarify the rules related to Medicaid eligibility for youth in a secure facility. For what kinds of youth corrections placements will Medicaid cover medical costs? Are all secure facilities excluded?
25. Clarify the relationship between the state and the contractor with respect to the Ridge View Youth Services Center. If the State owns the land and facilities on which the contractor operates, does the contractor pay the State to lease the facility?

August Base Reduction #23: Client Management Positions

26. What is the national recommendation for the ratio of client managers to youth in youth corrections placements?

10:30-10:45 BREAK

10:45-11:45 CHILD WELFARE

Change in Federal Position on Medicaid Bundled Rates for Residential Placement

27. It appears the federal government may have changed its position on bundled rates for residential treatment and may again allow states to pursue this option. Can you tell us more about this? Do you expect the Departments of Human Services and Health Care Policy and Financing will pursue this option? What would be the time-frames?
[Background: Colorado was required by federal authorities to abandon its former “residential treatment center” Medicaid waiver program in FY 2006-07. This program enabled the State to fund a portion of some child welfare and youth corrections out-of-home placements through a bundled Medicaid rate.]

Overview of FY 2010-11 Child Welfare Request

Trends in the Child Welfare Population

28. How does the percentage of the Colorado population that is involved in the child welfare system compare to the percentage in other states?
29. Is there any correlation between Colorado's increase in child poverty and the use of child welfare? Is there an explanation for why the number of open cases in Child Welfare has fallen at the same time child poverty has increased?
30. Does the trend in the number of open Child Welfare cases suggest fewer kids are being served in active Child Welfare services because there is less need? Because the state/counties are doing a better job? Are kids safer?

Management of Child Welfare Costs by Counties

31. How can some counties manage within their child welfare allocations with no deficit and no TANF transfer? Why doesn't Pueblo have a high deficit, given that they have double the child poverty of most of the largest counties? Is Pueblo really good at managing child welfare costs? Conversely, why does Boulder have such a big deficit, given their intensive efforts to keep kids in their own homes and out of more expensive out-of-home placement?
32. How does the Department expect counties will modify child welfare services to accommodate reductions in county block allocations? What are the options for counties to become more efficient? Will reductions to child welfare services drive a request for more funding next year from guardians ad litem (GALs)? [Background: in 2009, the Judicial Department requested additional funding for GALs because a shortage of caseworkers,

and frequent caseworker turnover, was causing delays in processing dependency and neglect cases.]

33. Are any of the recommendations from the Child Welfare Action Committee cost-savers?

State Child Welfare Administration

34. The Division appears to be spending moneys in a fashion other than was approved. Please explain your actions. [Background: funding provided in FY 2008-09 for a level of care study was not completed. According to the Division, the funds were “held within the appropriation and used for other purposes”. The Division also added an additional General Professional VII as part of an increase in staff, although only one GP VII was requested and approved. The Division indicated it would pay for this “within the current appropriation”.]

Miscellaneous

35. Do costs charged to county child welfare allocations include the costs of kinship care? Are costs for kinship care ever charged to other parts of the budget (e.g., Colorado Works/TANF)?

Federal Title IV-E Revenue Trends

36. Please review how “random moment sampling” of county activities is used to determine Title IV-E reimbursements for Colorado. What are the benefits/weaknesses of this system? What happens if sampling occurs on a county furlough day? Is there an alternative to this system?
37. To what extent do you believe declines in Title IV-E revenue reflect insufficient county efforts to identify children as Title IV eligible, or other administrative issues, as opposed to trends in the eligible population that are beyond administrative control (*i.e.*, the Title IV-E income cut off)?

Child Welfare Expenditures and Outcomes by County

County Outcomes

38. What factors do counties that perform well on Child and Family Services Review (CFSR) data indicators and other performance measures have in common? If county management decisions drive different outcomes, can you identify what county policies or practices drive better outcomes? Does the Department have sufficient data from counties to determine what factors drive good/poor performance on outcomes?
39. Are children placed out-of-home more likely to be placed in a very low income home if they live in a high-poverty county than if they live in a low-poverty county? Do you believe this affects child welfare outcomes in different counties?

Cross-system interactions

40. The Department has reported that 70.7 percent of youth who were newly committed to the Division of Youth Corrections in FY 2008-09 had passed through the Child Welfare system in the prior three years. Is this indicative of poor performance by the Child Welfare system? What percentage of children in the Child Welfare system end up in Youth Corrections?

Federal Child and Family Services Review 2009

41. How does the federal government determine a passing score on the Child and Family Services Review, *i.e.*, what is the “curve” on this test? Given the nature of the federal scoring and the performance of other states, how negatively should Colorado’s performance be viewed? Are there particular results that cause more concern than others?

Base Reduction #4: Provider Rate Cut

42. Please clarify what rate reductions were applied in FY 2009-10, given the proposed additional rate cuts for FY 2010-11.

August Base Reduction #4: Functional Family Therapy

43. Did you start these proposed pilots and then halt them, or were they simply never started in FY 2009-10?

11:45-12:00 DIVISION OF CHILD CARE

The Division of Child Care and the Colorado Child Care Assistance Program

44. The size of the Colorado Child Care Assistance Program has see-sawed since the program’s inception, driven by changes in county policies and county decisions related to transfer of TANF dollars for child care. How can the program be stabilized?

Child Care Licensing Fees

45. Is the Department going to increase child care licensing fees? If so, what is the planned proposal? How much will the fees increase under the proposal?

August Base Reduction #5: Child Care Licensing Staff

46. Was any assessment done to determine if there would be increased risk to kids if the number of child care licensing staff was decreased and caseloads increased? If so, what was the conclusion?