



ANALYSIS OF THE NEW JERSEY BUDGET

**DEPARTMENT OF
CHILDREN AND FAMILIES**

FISCAL YEAR

2017 - 2018

NEW JERSEY STATE LEGISLATURE

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This report was prepared by the Human Services Section of the Office of Legislative Services under the direction of the Legislative Budget and Finance Officer. The primary author was David Drescher. The background paper entitled "Federal Monitor's Report, Period 18" was authored by Michele Leblanc.

Questions or comments may be directed to the OLS Human Services Section (Tel: 609-847-3860) or the Legislative Budget and Finance Office (Tel: 609-847-3105).

DEPARTMENT OF CHILDREN AND FAMILIES

Budget Pages..... C-3; C-9; C-16; D-31 to D-42

Fiscal Summary (\$000)

	Expended FY 2016	Adjusted Appropriation FY 2017	Recommended FY 2018	Percent Change 2017-18
State Budgeted	\$1,125,078	\$1,130,890	\$1,138,240	0.6%
Federal Funds	\$574,927	\$581,498	\$596,444	2.6%
<u>Other</u>	<u>\$53,908</u>	<u>\$52,276</u>	<u>\$52,276</u>	<u>0.0%</u>
Grand Total	\$1,753,913	\$1,764,664	\$1,786,960	1.3%

Personnel Summary - Positions By Funding Source

	Actual FY 2016	Revised FY 2017	Funded FY 2018	Percent Change 2017-18
State	4,698	4,789	4,789	0.0%
Federal	1,512	1,490	1,490	0.0%
<u>Other</u>	<u>317</u>	<u>307</u>	<u>307</u>	<u>0.0%</u>
Total Positions	6,527	6,586	6,586	0.0%

FY 2016 (as of December) and revised FY 2017 (as of January) personnel data reflect actual payroll counts. FY 2018 data reflect the number of positions funded.

Link to Website: <http://www.njleg.state.nj.us/legislativepub/finance.asp>

Highlights

The Governor's Fiscal Year (FY) 2018 Budget Recommendation provides a total of \$1.787 billion (gross) for the Department of Children and Families (DCF), for an increase of about \$22.3 million (1.3 percent) from the FY 2017 adjusted appropriation.

State funds account for \$1.138 billion (64 percent) of the total FY 2018 recommendation, representing an increase of approximately \$7.4 million from the FY 2017 adjusted State appropriations. Anticipated federal funds, which account for \$596.4 million (33 percent) of the FY 2018 recommendation, are \$14.9 million greater than the FY 2017 adjusted appropriation. \$52.3 million in anticipated other funds are unchanged from the FY 2017 adjusted appropriation.

The DCF budget features three main focus areas: Child Protection and Permanency, the Children's System of Care, and Family and Community Partnerships and the closely related Division on Women. It also includes four related program classifications: Education Services, Child Welfare Training Academy Services and Operations, Safety and Security Services, and Administration and Support Services.

Child Protection and Permanency

Child Protection and Permanency (CP&P) is the State's child welfare agency, with responsibilities to investigate allegations of child abuse or neglect; assist, preserve, and strengthen families in crisis; provide out-of-home placements, when necessary, to protect the safety and well-being of children; facilitate family reunification, when possible; facilitate permanent adoptions or kinship legal guardianship placements for children who cannot return home; and support adolescent youth aging out of the State's foster care system (from 18 to 20 years of age).

The department continues to receive federal monitoring under the "Sustainability and Exit Plan," announced in November 2015, the anticipated final phase of federal supervision for the State's child welfare system. In order to receive final approval to terminated federal monitoring, the State will need to meet several specified performance targets and maintain its performance levels for at least two six-month monitoring periods.

The most recent monitoring report, published in April 2017 and reporting on the period from January to June 2016, determined that DCF had definitively met 21 performance targets, definitively failed to meet six targets, and had partial or mixed performance on four targets; 17 measures lacked sufficient data to evaluate. For a more detailed summary of the latest report, see the *Federal Monitor's Report, Period 18* background paper at the end of this analysis.

The Governor's FY 2018 Budget recommends \$951.6 million in total funding for CP&P (\$623.6 million State, \$320.7 million federal, and \$7.3 million other funds), an overall increase of approximately \$3.3 million from the FY 2017 adjusted appropriation of \$948.3 million. The net funding increase includes an increase in appropriations for staff salaries (based on projections of need), and an additional \$5.0 million for the Statewide expansion of the Child Collaborative Mental Health Care Pilot Program, partially offset by the elimination of the \$4.8 million appropriation included in the FY 2017 Appropriations Act by the Legislature for the Child Advocacy Center Competitive Grant Program.

Highlights (Cont'd)

Children’s System of Care

The Children’s System of Care (CSOC) provides behavioral health services to children and adolescents with emotional and behavioral health challenges, substance use disorder challenges, and intellectual and developmental disabilities. CSOC services include 24-hour mobile crisis response and stabilization, case management, in-home and out-of-home treatment services, and family support services. Most CSOC services are included within the Medicaid/NJ FamilyCare program, and receive federal matching funds through Medicaid or the Children’s Health Insurance Program (CHIP).

The Governor’s FY 2018 Budget recommends a total of approximately \$589.1 million (gross) for the CSOC, an increase of \$24.3 million from the FY 2017 adjusted appropriation. This includes \$386.8 million from the General Fund, \$202.1 million in federal funds, and \$0.2 million in other funds. The overall increase includes \$12.0 million (\$6.0 million State) for the expansion of substance use disorder treatment services to youth aged 18 and 19 years. The remainder of the spending growth is driven by expected service utilization and associated costs, based on the department’s trend analysis.

**Family and Community Partnerships
and Division on Women**

Family and Community Partnerships (FCP) services focus on early childhood services, school-linked services, and family support services intended to prevent abuse and neglect and strengthen families and communities. FCP also provides services to victims of domestic violence, a responsibility shared with the closely linked Division on Women, which administers sexual violence programs, aid to women’s shelters, programs for displaced homemakers, and other services.

The Governor’s FY 2018 Budget recommends \$107.4 million in gross funding for the FCP, including the Division on Women, representing a net decrease of \$5.4 million from the FY 2017 adjusted appropriation. This includes \$56.3 million from the General Fund, \$49.8 million in federal funds, and \$1.3 million in other funds. The decrease is entirely the result of discontinuing Legislative additions to the FY 2017 Appropriations Act (\$2.2 million for Women’s Services, \$2.8 million for Sexual Violence Prevention and Intervention Services, \$100,000 for Project S.A.R.A.H., and \$250,000 for the Latino Action Network Hispanic Women’s Resource Center).

The Governor’s FY 2018 Budget Recommendation does not include any significant changes for the Education Services, Child Welfare Training Academy Services and Operations, Safety and Security Services, and Administration and Support Services program classifications.

Background Papers

Federal Monitor’s Report, Period 18 p. 13

Fiscal and Personnel Summary

AGENCY FUNDING BY SOURCE OF FUNDS (\$000)

	Expended FY 2016	Adj. Approp. FY 2017	Recom. FY 2018	Percent Change	
				2016-18	2017-18
General Fund					
Direct State Services	\$263,239	\$261,871	\$266,871	1.4%	1.9%
Grants-In-Aid	861,839	869,019	871,369	1.1%	0.3%
State Aid	0	0	0	0.0%	0.0%
Capital Construction	0	0	0	0.0%	0.0%
Debt Service	0	0	0	0.0%	0.0%
Sub-Total	\$1,125,078	\$1,130,890	\$1,138,240	1.2%	0.6%
Property Tax Relief Fund					
Direct State Services	\$0	\$0	\$0	0.0%	0.0%
Grants-In-Aid	0	0	0	0.0%	0.0%
State Aid	0	0	0	0.0%	0.0%
Sub-Total	\$0	\$0	\$0	0.0%	0.0%
Casino Revenue Fund	\$0	\$0	\$0	0.0%	0.0%
Casino Control Fund	\$0	\$0	\$0	0.0%	0.0%
State Total	\$1,125,078	\$1,130,890	\$1,138,240	1.2%	0.6%
Federal Funds	\$574,927	\$581,498	\$596,444	3.7%	2.6%
Other Funds	\$53,908	\$52,276	\$52,276	(3.0%)	0.0%
Grand Total	\$1,753,913	\$1,764,664	\$1,786,960	1.9%	1.3%

PERSONNEL SUMMARY - POSITIONS BY FUNDING SOURCE

	Actual FY 2016	Revised FY 2017	Funded FY 2018	Percent Change	
				2016-18	2017-18
State	4,698	4,789	4,789	1.9%	0.0%
Federal	1,512	1,490	1,490	(1.5%)	0.0%
All Other	317	307	307	(3.2%)	0.0%
Total Positions	6,527	6,586	6,586	0.9%	0.0%

FY 2016 (as of December) and revised FY 2017 (as of January) personnel data reflect actual payroll counts. FY 2018 data reflect the number of positions funded.

AFFIRMATIVE ACTION DATA

Total Minority Percent	49.0%	48.6%	N/A	---	---
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Significant Changes/New Programs (\$000)

<u>Budget Item</u>	<u>Adj. Approp. FY 2017</u>	<u>Recomm. FY 2018</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
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(Note: The Governor's Budget displays the Department of Children and Families budget line items in a gross budget format, indicating the aggregated total of State, Federal, and Other Funds. Below, the OLS disaggregates each line item into its various components, as applicable.)

Division of Child Protection and Permanency (CP&P)**DIRECT STATE SERVICES****Child Protection and
Permanency**

<u>TOTAL</u>	<u>\$460,072</u>	<u>\$469,012</u>	<u>\$8,940</u>	<u>1.9%</u>	D-38
General Fund	\$186,490	\$191,490	\$5,000	2.7%	D-38
Federal Funds	\$273,170	\$277,110	\$3,940	1.4%	D-38
Other Funds	\$412	\$412	\$0	—	D-38

Salaries and Wages

<u>TOTAL</u>	<u>\$410,245</u>	<u>\$414,185</u>	<u>\$3,940</u>	<u>1.0%</u>	
General Fund	\$165,364	\$165,364	\$0	—	
Federal Funds	\$244,881	\$248,821	\$3,940	1.6%	

Special Purpose:**Child Collaborative
Mental Health Care
Pilot Program
(General Fund)**

\$0	\$5,000	\$5,000	(new item)	D-39
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Overall funding for Direct State Services in the Child Protection and Permanency program classification is recommended to increase by \$8.9 million from the FY 2017 adjusted appropriation, to \$469.0 million (gross) in FY 2018.

The change includes a \$3.9 million increase in funding for salaries and wages (all attributed to federal funds), predominantly reflecting the cost of negotiated FY 2018 salary increases.

The Governor also recommends adding \$5.0 million for the Child Collaborative Mental Health Care Pilot Program. This program received appropriations of \$1.2 million in FY 2015 and \$2.4 million in FY 2016, in both cases provided pursuant to Legislative budget resolutions. No funding was included in the FY 2017 Appropriations Act, but the program continued to operate during the current fiscal year with prior years' appropriations. The recommended appropriation for FY 2018 would continue the program for an additional year, and allow for its expansion Statewide. The program, currently operated as the Pediatric Psychiatry Collaborative Pilot Program at Meridian Health and Cooper University Health System, consists of four telehealth hubs serving 11 counties in southern and central New Jersey, each with a psychiatrist on call for pediatricians to provide quick access to psychiatric consultation and

Significant Changes/New Programs (\$000) (Cont'd)

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 2017</u>	<u>Recomm.</u> <u>FY 2018</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
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facilitating referrals for child behavioral health services. A Request for Proposals has already been published for the establishment of five additional program hubs, representing the counties of Bergen; Essex; Hunterdon, Somerset, Sussex, and Warren; Morris and Passaic; and Union and Hudson, with bids due April 12th and grant awards contingent upon FY 2018 appropriations.

GRANTS-IN-AID

**Court Appointed
Special Advocates
(General Fund)**

\$2,000	\$1,150	(\$850)	(42.5%)	D-39
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The Governor's FY 2018 Budget Recommendation includes \$1.15 million for Court Appointed Special Advocates (CASA), reversing the addition of \$850,000 that was included in the FY 2017 Appropriations Act pursuant to a Legislative budget resolution. The CASA appropriation is paid entirely from the General Fund. The line item funds a contract with CASA of New Jersey, Inc. to support the organization's activities related to the recruitment and training of volunteers who then advocate for children removed from their families because of abuse or neglect. In testimony before the Assembly Budget Committee on March 29, 2017, representatives of CASA of New Jersey claimed that the full FY 2017 appropriation would allow them to provide volunteer advocacy for 800 children.

GRANTS-IN-AID

**Child Advocacy
Center Competitive
Grant Program
(General Fund)**

\$4,800	\$0	(\$4,800)	(100.0%)	D-39
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The Governor's FY 2018 Budget Recommendation does not continue the \$4.8 million appropriation from the General Fund for the Child Advocacy Center Competitive Grant Program. The Legislature added \$10.0 million for this program to the FY 2017 Appropriations Act pursuant to a Legislative budget resolution, which was subsequently reduced to \$4.8 million pursuant to the Governor's line-item veto. The DCF published Requests for Proposals (RFPs) to distribute this funding, in one round in October 2016 and another in March 2017. The OLS does not have any information on grant awards at the time of this writing.

Significant Changes/New Programs (\$000) (Cont'd)

<u>Budget Item</u>	<u>Adj. Approp. FY 2017</u>	<u>Recomm. FY 2018</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
<u>Children's System of Care (CSOC)</u>					
GRANTS-IN-AID					
Care Management Organizations					
<u>TOTAL</u>	<u>\$90,867</u>	<u>\$96,556</u>	<u>\$5,689</u>	<u>6.3%</u>	D-40
General Fund	\$53,782	\$59,471	\$5,689	10.6%	
Federal Funds	\$37,085	\$37,085	\$0	—	
Out-of-Home Treatment Services					
<u>TOTAL</u>	<u>\$284,900</u>	<u>\$278,660</u>	<u>(\$6,240)</u>	<u>(2.2%)</u>	D-40
General Fund	\$196,348	\$187,248	(\$9,100)	(4.6%)	
Federal Funds	\$88,402	\$91,262	\$2,860	3.2%	
Other Funds	\$150	\$150	\$0	—	
Family Support Services					
<u>TOTAL</u>	<u>\$29,820</u>	<u>\$25,418</u>	<u>(\$4,402)</u>	<u>(14.8%)</u>	D-40
General Fund	\$26,452	\$22,050	(\$4,402)	(16.6%)	
Federal Funds	\$3,368	\$3,368	\$0	—	
Mobile Response					
<u>TOTAL</u>	<u>\$33,337</u>	<u>\$34,105</u>	<u>\$768</u>	<u>2.3%</u>	D-40
General Fund	\$19,127	\$19,895	\$768	4.0%	
Federal Funds	\$14,210	\$14,210	\$0	—	
Intensive In-Home Behavioral Assistance					
<u>TOTAL</u>	<u>\$86,412</u>	<u>\$118,377</u>	<u>\$31,965</u>	<u>37.0%</u>	D-40
General Fund	\$42,835	\$74,800	\$31,965	74.6%	
Federal Funds	\$43,577	\$43,577	\$0	—	
Youth Incentive Program (General Fund)					
	\$3,687	\$1,803	(\$1,884)	(51.1%)	D-40
Outpatient (General Fund)					
	\$13,110	\$11,464	(\$1,646)	(12.6%)	D-40

Significant Changes/New Programs (\$000) (Cont'd)

<u>Budget Item</u>	<u>Adj. Approp.</u> <u>FY 2017</u>	<u>Recomm.</u> <u>FY 2018</u>	<u>Dollar</u> <u>Change</u>	<u>Percent</u> <u>Change</u>	<u>Budget</u> <u>Page</u>
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The overall change in recommended funding for the Children’s System of Care between FY 2017 and FY 2018 includes a net \$21.4 million increase from the General Fund and a net \$2.9 million increase in federal funds. As outlined in the Governor’s Budget Address, the Executive recommends an additional \$12.0 million (\$6.0 million from the General Fund) for the cost to expand DCF-contracted substance use disorder treatment services to youth aged 18 and 19 years. Information from the Executive attributes the remaining recommended funding changes to anticipated funding need based on analysis of utilization trends. Notable changes in recommended funding levels include:

- Funding for Care Management Organizations is recommended to increase by \$5.7 million, to \$96.6 million. Care management organizations provide unified behavioral health case management services to youth across a continuum of moderate-to-high levels of need. The program supports 15 care management organizations, with one for each of New Jersey’s court vicinages. (Care management organizations often work in cooperation with juvenile courts).
- The Governor recommends decreasing appropriations for Out-of-Home Treatment Services by \$6.2 million in FY 2018, to \$278.7 million. This account funds a range of residential treatment services for children with behavioral health needs, developmental disabilities, and substance use disorders. Residential treatment is generally provided to youth with the highest levels of need who cannot be maintained at home, and includes treatment homes, group homes, psychiatric community homes, residential treatment centers, intensive residential treatment, and other types of residential care. (Similar services provided through Child Protection and Permanency are funded under a separate appropriation.)
- The Governor’s FY 2018 Budget Recommendation would decrease funding for Family Support Services by \$4.4 million, to \$25.4 million. CSOC Family Support Services funds Family Support Organizations, which are family-run, county-based organizations that provide direct peer support, education, advocacy, and other services to family members of children with emotional and behavioral challenges, substance use disorders, and intellectual and behavioral disabilities.
- Mobile Response would have funding increased by approximately \$0.8 million in FY 2018, to \$34.1 million. This program provides 24-hour mobile response and stabilization services to children and youth who are experiencing emotional or behavioral crises.
- Recommended funding for Intensive In-Home Behavioral Assistance for FY 2018 is \$118.4 million, an increase of \$32.0 million from FY 2017. This program delivers therapeutic interventions in a child’s home or community and is designed to stabilize children in their home environment and reduce the need for out-of-home treatment services. Evaluation data indicate that the department expects an increase in the number of service hours, from approximately 1.07 million to 1.29 million, and an increase in the cost per service hour, from \$81 to \$92.

Significant Changes/New Programs (\$000) (Cont'd)

<u>Budget Item</u>	<u>Adj. Approp. FY 2017</u>	<u>Recomm. FY 2018</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
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- The Youth Incentive Program is recommended to receive \$1.8 million in FY 2018, less than half of its FY 2017 appropriation. The program is a Statewide initiative to improve county-level, cross-agency service planning and case assessments, expand community services, and reduce out-of-home placements for children with emotional and behavioral challenges.
- Outpatient services are expected to cost \$11.5 million in FY 2018, down from the FY 2017 adjusted appropriation of \$13.1 million. The program funds nonresidential, therapeutic treatment services for children and youth with a variety of behavioral health conditions.

**Division of Family and Community Partnerships (FCP)
and the Division on Women (DOW)**

GRANTS-IN-AID

Women's Services					
<u>TOTAL</u>	<u>\$22,413</u>	<u>\$20,173</u>	<u>(\$2,240)</u>	<u>(10.0%)</u>	D-40
General Fund	\$19,536	\$17,296	(\$2,240)	(11.5%)	
Federal Funds	\$1,724	\$1,724	\$0	—	
Other Funds	\$1,153	\$1,153	\$0	—	
Project S.A.R.A.H. (General Fund)	\$100	\$0	(\$100)	(100.0%)	D-40
Sexual Violence Prevention and Intervention Services (General Fund)	\$2,800	\$0	(\$2,800)	(100.0%)	D-40
Latino Action Network Hispanic Women's Resource Center (General Fund)	\$250	\$0	(\$250)	(100.0%)	D-40

The Governor's FY 2018 Budget recommends discontinuing all Legislative additions in the Division of Family and Community Partnerships and the Division on Women to the FY 2017 Appropriations Act, totaling \$5.39 million from the General Fund.

Significant Changes/New Programs (\$000) (Cont'd)

<u>Budget Item</u>	<u>Adj. Approp. FY 2017</u>	<u>Recomm. FY 2018</u>	<u>Dollar Change</u>	<u>Percent Change</u>	<u>Budget Page</u>
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- Of the \$2.24 million in additional State funding for Women’s Services added by Legislative budget resolution, \$1.84 million was directed to the lead domestic violence agencies in the State and to the New Jersey Coalition for Battered Women to offset costs of providing core domestic violence services, and \$0.4 million to the 21 county-based sexual violence services organizations and the New Jersey Coalition Against Sexual Assault to offset the costs of providing direct services for victims of sexual violence.
- The \$2.8 million in State funding for Sexual Violence Prevention and Intervention Services was intended as a continuation of funding for domestic violence-related services in regions affected by Superstorm Sandy. The services had previously been funded through the Superstorm Sandy supplement to the federal Social Services Block Grant, before that funding expired.
- Although the \$100,000 appropriation for Project S.A.R.A.H. (Stop Abusive Relationships At Home) is not recommended to be continued, the DCF has indicated that the Governor’s FY 2018 Budget Recommendation includes \$100,000 for the program from appropriations of federal funds. The same was true in FY 2017, so the program actually received \$200,000 from the DCF in FY 2017. The program is administered by the Jewish Family Service and Children’s Center of Clifton-Passaic and provides intervention, advocacy, accompaniment, support services, and related assistance to: adult, youth, and child victims of sexual assault; family and household members of such victims; and those collaterally affected by the victimization, excluding the perpetrator.
- The \$250,000 appropriation for the Latino Action Network Hispanic Women’s Resource Center was first included in the FY 2017 Appropriations Act as a \$500,000 Legislative addition. The Governor reduced the appropriation to \$250,000 by line-item veto.

GRANTS-IN-AID

School Linked Services

Program

<u>TOTAL</u>	<u>\$30,293</u>	<u>\$30,293</u>	<u>\$0</u>	<u>—</u>	<u>D-40</u>
General Fund	\$23,291	\$15,291	(\$8,000)	(34.3%)	
Federal Funds	\$7,002	\$15,002	\$8,000	114.3%	

The Governor’s Budget Recommendation shifts \$8.0 million in appropriations for the School Linked Services Program from the General Fund to federal funds. Budget data suggest the federal funds will be drawn from the Temporary Assistance to Needy Families (TANF) block grant. The anticipated reduction in the number of households receiving TANF cash assistance and emergency assistance benefits (administered through the Department of Human Services) allows block grant funds to be redirected to other purposes.

Significant Language Changes

Elimination of Language Distributing Child Advocacy Center Grants

Deletion

2017 Handbook: p. B-16
2018 Budget: n/a

~~The amount hereinabove appropriated for the Child Advocacy Center Competitive Grant Program shall be distributed as grants pursuant to a competitive process to child advocacy centers or multi-disciplinary teams for construction of new centers, renovation of existing centers, technology improvements, operational costs, or any other purpose that would enhance effective and efficient operation of centers or teams consistent with National Children's Alliance standards.~~

Explanation

This language provision directs the use of \$4.8 million that was added to the FY 2017 Appropriations Act for the Child Advocacy Center Competitive Grant Program. The Governor does not recommend continuing this additional funding in FY 2018, so the language pertaining to that funding is also recommended for deletion.

Elimination of Language Maintaining Increased Women's Services Funding

Deletion

2017 Handbook: p. B-19
2018 Budget: n/a

~~Of the amount hereinabove appropriated for Women's Services, the amounts allocated to the lead domestic violence agencies in the State and to the New Jersey Coalition for Battered Women and the amount allocated to the 21 county-based sexual violence service organizations and the New Jersey Coalition Against Sexual Assault shall be no less than the amounts allocated for FY 2015 to those agencies.~~

Explanation

This language provision allocates and directs the use of \$2.24 million that was first added to the appropriation for Women's Services in the FY 2015 Appropriations Act and continued in subsequent budgets by Legislative budget resolutions. The Governor does not recommend continuing this additional funding in FY 2018, so the language pertaining to that funding is also recommended for deletion.

The language directs that the funding allocated to the lead domestic violence agencies in the State and to the New Jersey Coalition for Battered Women, and to the 21 county-based sexual violence services organizations and the New Jersey Coalition Against Sexual Assault be no less than the amounts allocated in FY 2015. These amounts included \$1.84 million for the lead domestic violence agencies in the State and to the New Jersey Coalition for Battered Women combined, and

EXPLANATION: FY 2017 language not recommended for FY 2018 denoted by strikethrough.
Recommended FY 2018 language that did not appear in FY 2017 denoted by underlining.

Significant Language Changes (Cont'd)

\$400,000 combined for the 21 county-based sexual violence services organizations and the New Jersey Coalition Against Sexual Assault.

EXPLANATION: FY 2017 language not recommended for FY 2018 denoted by strikethrough.
Recommended FY 2018 language that did not appear in FY 2017 denoted by underlining.

Background Paper: Federal Monitor's Report, Period 18

In July 2006, the State reached a Modified Settlement Agreement (MSA) in a class action lawsuit regarding improvements to the State's child welfare system. Under the terms of the MSA, the Center for the Study of Social Policy (CSSP) was appointed by the U.S. District Court of New Jersey as the independent Federal Monitor to assess the compliance of the Department of Children and Families (DCF) with the terms and conditions of the MSA. The MSA required the implementation and evaluation of certain child welfare reforms, as follows:

- Phase I (through December 2008) required systematic reforms to improve the State's child welfare system, including: development and implementation of a new case practice model; improved delivery of critical services; reduced caseloads; improved caseworker training; improved recruitment and licensing of foster/kinship care resource families; and improved use and publication of performance data.
- Phase II (beginning January 2009) required the measurement of certain performance indicators to evaluate the Phase I reforms and assess the State's overall compliance with the MSA. The required performance targets were established either in the MSA or by the Federal Monitor in consultation with the State and other parties involved in the lawsuit.

On November 4, 2015, a new settlement agreement among the parties to the lawsuit and the court was approved. The new agreement, the Sustainability and Exit Plan (SEP), modifies the terms of the original MSA and recognizes the reforms implemented over the past years by DCF. The SEP sets forth a path by which the MSA can be dismissed and DCF can seek the end of the federal oversight of the State's child welfare system. The SEP requires the measurement of 11 Foundational Elements and 48 additional performance indicators, some which have already been met or partially met during previous Monitoring Periods. Under the terms of the SEP, DCF can seek an end to federal oversight once all 48 performance targets have been met and the court rules that DCF has achieved compliance with the terms of the new agreement.

To date, the Federal Monitor has issued eighteen monitoring reports and one supplemental report assessing the State's compliance with the MSA, which are available at: <http://www.state.nj.us/dcf/about/welfare/federal/>.

PERIOD 18 MONITORING REPORT

The Period 18 Monitoring Report, released April 2017 contains six months of performance data covering the period from January 1 to June 30, 2016.

The Period 18 Report indicates that, as of June 30, 2016, 21 out of 48 Phase II outcome and performance measures had been met, one measure had been partially met, and three had temporarily declined after previously having been met. The DCF definitively failed to meet six targets. The Monitor will reserve determination on 17 more measures until the annual data are available, and so has deemed these "NA" for monitoring period 18. Three performance measures, "Initial Family Team Meeting," "Subsequent FTMs after 12 months-Reunification Goal," and "Caseworker Contacts with Children – New Placement/ New Placement Change" were met in four of the six months, but a performance decline was noted. In accordance with

Background Paper: Federal Monitor's Report, Period 18 (Cont'd)

the SEP, the monitor will closely review these three measures over the next period to see whether previous performance levels are achieved.

The table below compares this period's overall performance outcomes to those reported in the Period 16 Monitoring Report, covering the July through December 2014 period; and the Period 17 Monitoring Report, covering the January through December 2015 period.

Status of Phase II Performance Measures	Period 16 Report (July-December 2014)	Period 17 Report (January-December 2015)	Period 18 Report (January-June 2016)
Met	24	26	21
Partially Met	8	3	1
Not Met	21	17	6
Temporary Decline	n/a	n/a	3
Otherwise not assessed during the period	0	2	17
Total assessed	53	48	48

AREAS OF CONCERN AS OF JUNE 2016

The Period 18 Monitoring Report identified a number of key areas where DCF had maintained acceptable performance on each Foundational Element included in the SEP, met the MSA performance standard, or achieved significant progress since the prior reporting period.¹ However, the Report highlighted certain areas as representing remaining challenges and concerns, including:

- 1. Investigative practice and implementation of the Case Practice Model.** Under the SEP the department must meet certain performance standards for investigations of alleged child abuse and neglect. The SEP requires that 85 percent of investigations of child abuse and neglect be completed within sixty days. The monitor noted that for the Period 18 monitoring period, DCF met the required standard for this measure during every month of the period for the first time since the reform effort began.² DCF must also implement a new Case Practice Model that requires better engagement with children, youth, and families and more individualized service planning.

¹The SEP contains three enforceable categories of requirements: Outcomes to be Achieved, including all outcome and performance measures for which DCF has not yet met the required level of performance; Outcomes to be Maintained, including all requirements in the SEP for which the State has satisfied outcomes and specified performance targets for the most recent six-month period; and Foundational Elements, which include, but are not limited to, many of the MSA's Phase 1 accomplishments relating to staff training, NJ SPIRIT, the State Central Registry (SCR), and access to quality health care for children in out-of-home placement.

²In June 2016, there were 4,260 investigations of alleged child abuse and neglect and 3,666 (eighty-six percent) were completed in sixty days.

Background Paper: Federal Monitor's Report, Period 18 (Cont'd)

The Period 18 Report found the DCF demonstrated many strengths in certain aspects of case practice and meeting the residential, educational, developmental, and health needs of children, but continued to confront challenges in improving the quality of case practice, family engagement, and the effective use of Family Team Meetings.

Performance measures most relevant to these concerns include:

- Quality Investigative Practice
- Quality of Case Planning and Service Planning
- Educational Needs

- 2. Repeat maltreatment.** DCF is responsible for ensuring the safety of children under its supervision, including preventing children from experiencing additional abuse and neglect (i.e., "repeat maltreatment") when receiving in-home services or out-of-home placements. The Period 18 Report did not measure DCF's performance on the repeat maltreatment measure as it is assessed at the end of the calendar year. The most recent performance will be assessed in the next monitoring report when these data are available. The Period 18 Report also identified the percentage of children and youth who re-enter placement within one year of leaving foster care due to maltreatment as an area of concern.

Performance measures most relevant to these concerns include:

- Repeat Maltreatment (children remaining in home)
- Repeat Maltreatment (children reunified with their families)
- Re-entry to placement

- 3. Timely permanency through reunification, adoption, or legal guardianship.** The Period 18 Report noted that the SEP modified the way in which permanency outcomes are measured to reflect advances in how best to assess permanency progress. The SEP includes four Outcomes to be Achieved measures related to timely permanency, each measured through entry cohorts of children and youth. The measures look at the achievement of permanency within specific timeframes, including permanency within 12 months, 24 months, 36 months, and 48 months. The Period 18 Report did not measure DCF's performance on three of the permanency measures as they are assessed at the end of the calendar year. The most recent performance on these measures will be assessed in the next monitoring report when these data are available. The Period 18 Report indicated that DCF performance meets the required performance level for one of the measures, permanency within 12 months.

Performance measures most relevant to these concerns include:

- Permanency within 24 months
- Permanency within 36 months
- Permanency within 48 months

- 4. Services to older youth.** The Period 18 Report showed that DCF's performance on the services to older youth performance measure showed significant improvement in the areas of independent living assessments and housing. The Period 18 Report found significant challenges remain in ensuring that older youth exiting care without permanency are employed or are in an educational or training program. The Period 18 Report did not measure DCF's performance on the quality of case planning and services

Background Paper: Federal Monitor's Report, Period 18 (Cont'd)

for older youth measure as it is assessed at the end of the calendar year. The most recent performance will be assessed in the next monitoring report when these data are available. The Period 18 report indicated that DCF continues to expand the diversity of service offerings for older youth, and is in the process of making changes to current services, policies, and practices to meet the SEP compliance levels.

Performance measures most relevant to these concerns include:

- Independent Living Assessments
- Quality of Case Planning and Services
- Housing
- Employment/Education

SEP PERFORMANCE SUMMARY

The Period 18 Monitoring Report also provides more detailed information regarding DCF's performance on SEP performance measures.

Below, Tables 1, 2, and 3 summarize, for the January through June 2016 reporting period, the: Outcomes to be Achieved, Outcomes to be Maintained, and Foundational Elements, respectively. Tables 1 and 2 present, for each performance measure, the performance target established by the SEP, and the department's previous and current performance relative to each target. Table 3, Foundational Elements, present MSA's Phase 1 accomplishments relating to data transparency (NJ SPIRIT), case practice model, the State Central Registry (SCR), appropriate placements, service array, medical and behavioral health services, staff training, flexible funding, resource family care support rates, permanency, and adoption practice. Although technically not included among the SEP performance measures, the Foundational Elements are a set of ongoing, additional Phase II MSA requirements that must be sustained by DCF and are routinely reported by the Federal Monitor.

Background Paper: Federal Monitor's Report, Period 18 (Cont'd)**Table 1. January to June 2016: Outcomes to be Achieved**

Outcomes to be Achieved	SEP Standard	DCF Level Dec. 2015	DCF Level June 2016	Requirement Fulfilled
Investigations				
<u>Timeliness of Investigation Completion (60 days)</u>	85% of all investigations of alleged child abuse and neglect shall be completed within 60 days. ³	83%	86%	Yes
<u>Quality Investigations</u>	85% of all investigations shall meet the standards for quality investigations, as determined by the Monitor, in consultation with the parties.	Data not available	83%	No
Family Team Meetings				
<u>Subsequent Family Team Meetings within 12 months</u>	80% of children shall have three additional family team meetings within the first 12 months of placement.	77%	86%	Yes
<u>Subsequent Family Team Meetings after 12 months- Other than Reunification Goal</u>	After the first 12 months of placement, 90% of children with a goal other than reunification shall have at least two family team meetings each year.	78%	83%	No
<u>Quality of Family Team Meetings</u>	75% of cases involving out-of-home placements assessed as part of the Quality Review process shall show evidence of acceptable team formation and functioning. ⁴	40%	51%	NA
Needs Assessment				
<u>Needs Assessment</u>	The State shall evaluate the need for additional placements and services to meet the needs of children and families under DCF's care, to support intact families, and prevent the need for out-of-home placements. ⁵	Completed Phases I and II of the Needs Assessment process	Began Phase III of the Needs Assessment process	Partially
Case and Service Planning				
<u>Initial Case Plans</u>	95% of initial case plans for children and families shall be completed within 30 days.	100%	96%	Yes

³Cases with documented acceptable extensions in accordance with DCF policy are considered compliant.

⁴In 2016, DCF implemented a new Quality Review (QR) protocol based on findings of a workgroup convened in 2015. The new QR protocol consolidates two formerly separate indicators for *team formation* and *team functioning* into a single indicator, *teamwork and coordination*.

⁵The Needs Assessment is a four part process that is conducted on an annual, staggered basis to insure that every county in the State is assessed once every three years.

Background Paper: Federal Monitor's Report, Period 18 (Cont'd)

Outcomes to be Achieved	SEP Standard	DCF Level Dec. 2015	DCF Level June 2016	Requirement Fulfilled
<u>Quality of Case Plans</u>	80% of case plans shall be rated acceptable as measured by the QR process as determined by the Monitor, in consultation with the parties.	53%	51%	NA
Caseloads				
<u>Intake Workers (Local Offices) Caseload</u>	95% of intake workers shall have average caseloads of no more than 12 families and no more than eight new case assignments per month.	Unable to Determine ⁶	100%	Yes
<u>Intake Workers Caseload</u>	90% of individual intake workers shall have no more than 12 open cases and no more than eight new case assignments per month. No intake worker with 12 or more open cases can be given more than two secondary case assignments per month.	Unable to Determine ⁷	93%	Yes
<u>Adoption Workers Caseload</u>	95% of individual adoption worker caseloads shall have no more than 15 children per worker.	92%	94%	Yes ⁸
Visitation				
<u>Caseworker Contacts with Family (Reunification Goal)</u>	90% of families shall have at least twice-per-month, face-to-face contact with their caseworker when the permanency goal is reunification.	77%	74%	No
<u>Child Visits with Siblings</u>	85% of children in out-of-home placement who have siblings will visit those siblings at least once a month, if appropriate.	77%	71%	No
Placement				
<u>Placement Stability, First 12 months in Care</u>	At least 84% of children entering out-of-home placement for the first time in a calendar year shall have no more than one placement change during the 12 months following the start of placement.	82%	Data not yet available	NA

^{6,7}The Monitor did not report on intake caseloads during the last monitoring period due to data irregularities and DCF's efforts to address them.

⁸ Requirement was deemed fulfilled per the Monitor's judgment. Performance is calculated based on an average of the six-month period and is one percentage point short of the standard.

Background Paper: Federal Monitor’s Report, Period 18 (Cont’d)

Outcomes to be Achieved	SEP Standard	DCF Level Dec. 2015	DCF Level June 2016	Requirement Fulfilled
Maltreatment				
<u>Maltreatment Post-Reunification</u>	Of all the children who enter resource family care in a 12 month period with a goal of reunification with family or relatives and are discharged within 24 months, no more than 6.9% will be victims of child abuse or neglect within 12 months of their discharge.	7.7%	Data not yet available	NA
<u>Re-entry to Placement</u>	Of all the children who enter resource family care in a 12 month period with a goal of reunification with family, relatives, or guardianship and are discharged within 12 months, no more than 9% will re-enter resource family care within 12 months of their discharge.	11.5%	Data not yet available	NA
Timely Permanency				
<u>Permanency within 24 months</u>	Of all the children who enter resource family care in a 12 month period, at least 66% shall be discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 24 months of entering resource family care.	64%	Data not yet available	NA
<u>Permanency within 36 months</u>	Of all the children who enter resource family care in a 12 month period, at least 80% shall be discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 36 months of entering resource family care.	78%	Data not yet available	NA
<u>Permanency within 48 months</u>	Of all the children who enter resource family care in a 12 month period, at least 86% shall be discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 48 months of entering resource family care.	85%	Data not yet available	NA

Background Paper: Federal Monitor’s Report, Period 18 (Cont’d)

Outcomes to be Achieved	SEP Standard	DCF Level Dec. 2015	DCF Level June 2016	Requirement Fulfilled
Services to Support Transition				
<u>Services to Support Transition</u>	80% of cases shall be rated as acceptable for supporting transitions as measured by the QR and determined by the Monitor, in consultation with the parties.	68%	65%	NA
Older Youth				
<u>Housing</u>	95% of youth exiting care without achieving permanency shall have housing.	91%	91%	No
<u>Employment/Education</u>	90% of youth exiting care without achieving permanency shall be employed, or enrolled in or have recently completed a training or educational program, or there is documented evidence of consistent efforts to help the youth secure employment or training.	85%	83%	No

Background Paper: Federal Monitor's Report, Period 18 (Cont'd)

Table 2. January-June 2016: Outcomes to be Maintained

Outcomes to be Maintained	SEP Standard	DCF Level Dec. 2015	DCF Level June 2016	Requirement Fulfilled
Investigations				
Institutional Abuse Investigations Unit (IAIU)	80% of IAIU shall be completed within 60 days.	86%	87%	Yes
<u>Timeliness of Investigation Completion (90 days)</u>	95% of all investigations of alleged child abuse and neglect shall be completed within 90 days. ⁹	95%	95%	Yes
Family Team Meetings				
<u>Initial Family Team Meeting</u>	80% of children newly entering out-of-home placement shall have a family time meeting before or within 45 days of placement.	85%	75%	Other (Insufficient/Temporary Decline) ¹⁰
<u>Subsequent Family Team Meetings after 12 months-Reunification Goal</u>	After the first 12 months of placement, 90% of children with a goal of reunification shall have at least three family team meetings each year.	100%	79%	Other (Insufficient/Temporary Decline) ¹¹
Caseloads				
<u>Supervisor/Caseworker Ratio</u>	95% of local offices shall have sufficient supervisory staff to maintain a 5 to 1 caseworker to supervisor ratio.	98%	100%	Yes
<u>IAIU Investigator Caseload</u>	95% of IAIU investigators shall have no more than 12 open cases and no more than eight new case assignments per month.	100%	100%	Yes
<u>Permanency Caseworker (Local Office) Caseload</u>	95% of local offices shall have an average permanency caseworker caseload of no more than 15 families and no more than 10 children in out-of-home placement.	100%	100%	Yes

⁹Cases with documented acceptable extensions in accordance with policy are considered compliant.

¹⁰Performance in this measure has declined but the Monitor has determined this decline is temporary in accordance with the SEP provisions and will monitor performance over the next period to see whether previous performance levels are achieved.

¹¹While performance was met in four of the six months included in the monitoring period, a performance decline is noted and in accordance with the SEP, the Monitor will closely review this measure over the next period to see whether previous performance levels are achieved.

Background Paper: Federal Monitor's Report, Period 18 (Cont'd)

Outcomes to be Maintained	SEP Standard	DCF Level Dec. 2015	DCF Level June 2016	Requirement Fulfilled
<u>Permanency Caseworker Caseload</u>	95% of permanency caseworkers shall have an average caseload of no more than 15 families and no more than 10 children in out-of-home placement.	100%	100%	Yes
Caseloads				
<u>Adoption Caseworker (Local Office) Caseload</u>	95% of local offices shall have adoption caseworker average caseloads of no more than 15 children per worker.	98%	100%	Yes
Case Plans				
<u>Timeliness of Current Case Plans</u>	95% of case plans for children and families shall be reviewed and modified, as appropriate, no less frequently than every six months.	97%	96%	Yes
Deputy Attorneys General (DAsG)				
<u>Adequacy of DAsG Staffing</u>	The State shall maintain adequate DAsG staff positions and keep the positions filled.	132 positions filled, with seven staff members on leave.	134 positions filled, with four staff members on leave.	Yes
Child Health Units				
<u>Child Health Units</u>	The State shall continue to maintain its network of child health units in local offices, adequately staffed by nurses. ¹²	168 health care case managers and 84 staff assistants.	180 health care case managers and 84 staff assistants. ¹³	Yes
Visitation				
<u>Parent/Child Visitation – Weekly</u>	60% of children under DCF's care with a goal of reunification shall have at least one weekly in-person visit with their parents.	81%	84%	Yes

¹²During the Period 18 Monitoring Period, DCF changed the staffing structure in its child health units to eliminate the regional nurse coordinator position and allow for an increased number of health care case managers.

¹³A ratio of one health care case manager to 50 children or less is considered an adequately staffed child health unit.

Background Paper: Federal Monitor's Report, Period 18 (Cont'd)

Outcomes to be Maintained	SEP Standard	DCF Level Dec. 2015	DCF Level June 2016	Requirement Fulfilled
<u>Parent/Child Visitation – Bi-Weekly</u>	85% of children under DCF's care shall have at least one in-person bi-weekly visits with their parents or a legally responsible family member.	86%	89%	Yes
<u>Caseworker Contacts with Children - New Placement/Placement Change</u>	93% of children shall have at least twice per month, face-to-face contact with their caseworkers within the first two months of placement and at least one contact during the placement.	94%	91%	Other (Insubstantial/Temporary Decline)¹⁴
<u>Caseworker Contact with Children in Placement</u>	While in out-of-home placement, 93% of children shall have at least one caseworker visit per month.	97%	96%	Yes
Placement				
<u>Placing Siblings</u>	At least 80% of sibling groups of two or three children entering out-of-home placement will be placed together.	79%	Data not yet available	NA
<u>Sibling Placement of Four or More Children</u>	At least 80% of children entering out-of-home placement shall be placed with at least one other sibling.	87%	Data not yet available	NA
<u>Recruitment for Sibling Groups of Four or More Children</u>	DCF shall continue to recruit resource family homes capable of serving sibling groups of four or more.	24 Siblings in Best Placement Setting (SIBS) homes	94 SIBS homes	Yes
<u>Placement Stability - 13-24 Months in Care</u>	At least 88% of children in out-of-home placement shall have no more than one placement during the 13-24 months following the date of placement.	97%	Data not yet available.	NA
Education				
<u>Educational Needs</u>	80% of cases will be rated acceptable as measured by stability in school, learning and development, as determined by the Monitor, in consultation with the parties.	86%	85%	NA

¹⁴This is the second monitoring period in which this performance measure fell below the SEP standard.

Background Paper: Federal Monitor’s Report, Period 18 (Cont’d)

Outcomes to be Maintained	SEP Standard	DCF Level Dec. 2015	DCF Level June 2016	Requirement Fulfilled
Maltreatment				
<u>Abuse and Neglect of Children in Resource Family Care</u>	Not more than 0.49% of children in resource family care shall be victims of substantiated child abuse or neglect by a resource parent of facility staff member.	0.16%	Data not yet available	NA
<u>Repeat Maltreatment –In Home</u>	Not more than 7.2% of children who remain at home after a substantiation of child abuse or neglect shall have another substantiation within the next 12 months.	6.9%	Data not yet available	NA
Permanency				
<u>Permanency within 12 months</u>	Of all the children who enter resource family care in a 12 month period, at least 42% will be discharged to permanency (reunification, living with relatives, guardianship, or adoption) within 12 months of entering resource family care.	41%	Data not yet available	NA
Older Youth				
<u>Independent Living Assessments</u>	90% of youth ages 14 to 18 shall have an Independent Living Assessment.	93%	95%	Yes
<u>Quality of Case Planning and Services</u>	75% of youth ages 18 to 21 who have not achieved legal permanency shall receive acceptable quality case management and service planning.	74%	67%	NA

Background Paper: Federal Monitor's Report, Period 18 (Cont'd)**Table 3 January-June 2016: Foundational Elements**

Reference	Additional SEP Requirements DCF Must Sustain	June 2016 Fulfilled (Yes/No)
A. <u>Data Transparency</u>	DCF shall continue to maintain a case management information and data collections system (NJ SPIRIT) that allows for the assessment, tracking, posting or web-based publishing, and utilization of key data indicators.	Yes
B. <u>Case Practice Model</u>	a. Implement and sustain a Case Practice Model. b. Quality investigation and assessment. c. Safety and risk assessment and risk reassessment. d. Engagement with youth and families. e. Working with family teams. f. Individualized planning and relevant services. g. Safe and sustained transition from DCF. h. Continuous review and adaptations.	Yes
C. <u>State Central Registry</u>	a. Received by the field in a timely manner. b. Investigation commenced within the required response time.	Yes
D. <u>Appropriate Placement</u>	a. Appropriate placements of children. b. Resource family homes licensed and closed (kinship/non-kinship) c. Number of children in home/out-of-home demographic data. d. Placed in family setting. e. Placement proximity. f. No children under 13 years of age in shelters. g. Children over 13 years of age in shelters no more than 30 days. h. No behavioral health placements out of State without approval. i. Adequate number of resource placements.	Yes
E. <u>Service Array</u>	a. Services for youth ages 18 to 21, LGBTQI youth, and mental health and domestic violence services for birth parents with children involved in the child welfare system. b. Preventive home visitation programs. c. Family Success Centers.	Yes
F. <u>Medical and Behavioral Health Services</u>	a. Appropriate medical assessment and treatment. b. Pre-placement and entry medical assessments. c. Dental Examinations d. Immunizations. e. Follow-up care and treatment. f. Mental health assessment and treatment. g. Behavioral health.	Yes
G. <u>Training</u>	a. Pre-service training. b. Case practice model. c. Permanency planning. d. Concurrent planning. e. Adoption. f. Demonstration of competency.	Yes
H. <u>Flexible Funding</u>	DCF shall continue to make flexible funds available for use by DCF staff: in crafting individualized service plans for children, youth, and families; to facilitate family preservation and reunification, where appropriate; to ensure that families are able to provide appropriate care for children; and to avoid the disruption of otherwise stable and appropriate placements.	Yes
I. <u>Resource Family Care Support Rates</u>	a. Family care support rates. b. Independent Living Stipend.	Yes
J. <u>Permanency</u>	a. Permanency practices. b. Adoption practices.	Yes
K. <u>Adoption Practice</u>	a. 5 and 10 month placement reviews. b. Child specific recruitment.	Yes

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