



OFFICE OF CHILDREN, YOUTH AND FAMILIES BULLETIN

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF PUBLIC WELFARE

NUMBER:

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ISSUE DATE:

May 15, 2008

EFFECTIVE DATE:

July 1, 2008

SUBJECT:

Fiscal Year 2009-10 Children, Youth and Families Needs-Based Plan and Fiscal Year 2008-09 Implementation Plan Instructions

BY:

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SCOPE:

COUNTY COMMISSIONERS AND EXECUTIVES
COUNTY CHILDREN AND YOUTH ADMINISTRATORS
COUNTY CHILDREN AND YOUTH FISCAL OFFICERS
CHIEF JUVENILE PROBATION OFFICERS

PURPOSE:

The purpose of this bulletin is to transmit instructions for the preparation and submission of the Fiscal Year (FY) 2009-10 Needs-Based Plan and Budget (NBPB) and the FY 2008-09 Needs-Based Implementation Plan which must be submitted by August 15, 2008. No extensions for submission of either plan will be granted.

BACKGROUND:

The following statutes and regulations are the basis for planning and budgeting requirements and processes.

Article VII of the Public Welfare Code, 62 P.S. §§ 701 et. seq., makes child welfare services the joint responsibility of the Department and county government. The Department regulates the services and supervises the county children and youth agencies' administration of the service delivery to families and children either directly or by purchased service contracts.

COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:

Regional Children and Youth Directors

Central Region – (717) 772-7702

Northeast Region – (570) 963-4376

Southeast Region – (215) 560-2249

Western Region – (412) 565-2339

Origin: Division of Needs-Based Budget – ra-ocynbb@state.pa.us

Act 30 of 1991, which is part of Article VII, mandates an annual NBPB process. 62 P.S. §709.2 (b) (relating to Review of County Submissions), requires the Department to consider whether the county’s plan and budget is reasonable in relation to past costs, projected cost increases, number of children in the county, number of children served, service level trends, and estimates of other sources of revenues.

55 Pa. Code Chapter 3130, “Administration of County Children and Youth Social Service Programs”, relates to the responsibilities for children and youth services. The goal of children and youth social services is to ensure for each child a permanent, legally assured family which protects the child from abuse and neglect (§3130.11).

55 Pa. Code Chapter 3140, “Planning and Financial Reimbursement Requirements for County Children and Youth Social Service Programs” relates to the development and submission of the NBPB, and it sets forth the mechanism by which the Department reimburses counties for eligible expenditures incurred by the county for children and youth social services and substitute care.

As stated in 55 Pa. Code §3140.17, the services described in the NBPB must be consistent with program objectives. The NBPB must be reasonable when compared with current and prior trends in the number of children in the county, the number of children served, service levels, and unit costs.

New initiatives and services must be reasonable, and the county must identify cost savings or reduced rates of increase within its major service category or another major service category. The county must identify that the service is less expensive or more effective than the current service available. The cost of the new service or initiative is limited to six (6) months funding during the first year or up to 10 months funding based on adequate justification, and the county must show that the cost savings will equal at least the amount of the additional funds requested beyond the 6 months.

55 Pa. Code §3140.21(c) identifies costs that will not be considered reimbursable through the “Needs Based Budget” process. These expenditures include mental health and mental retardation treatment services, basic education programs, and related cost of the probation office, juvenile court, or county social service (other than the child welfare agency) staff.

55 Pa. Code Chapter 3170, “Allowable Costs and Procedures for County Children and Youth Social Service Programs,” defines allowable costs that are reimbursable by the Department. §3170.11(b) states that the Department will participate financially in the payment of expenditures which are necessary and justifiable for program operation and that expenditures made must be reasonable to the extent that they are of the same nature as expenditures which would be made by a prudent buyer in the market place. Expenses which are not included in Chapter 3170 are not eligible for Departmental financial participation.

DISCUSSION:

The Office of Children, Youth and Families (OCYF) continues to enhance the NBPB process which is designed to provide relevant information and data to ensure that the funds needed to

provide mandated child welfare and juvenile justice services are adequately identified, justified, and made available.

Counties must assess their needs prior to the development of their NBPB and request only those funds that meet the objectives identified in Chapter 3130. The Department is not prescribing what is to be included in this assessment but is recognizing that an assessment is a critical component of the overall plan development process. The statutes and regulations for the Department and its county partners require that budget requests be reasonable and justified.

RESPONSIBILITIES AND OBJECTIVES

Agency Responsibilities: 55 Pa. Code §3130.12(c)(1)-(5) lists social services that the county agencies are responsible to administer as follows:

- Services designed to keep children in their own homes, prevent abuse, neglect, and exploitation and help overcome problems that result in dependency and delinquency.
- Temporary substitute placement in foster family homes and residential child care facilities for a child in need of care.
- Services designed to re-unite children and their families when children are in temporary, substitute placement.
- Services to provide a permanent legally assured family for a child in temporary, substitute care who cannot be returned to his or her own home.
- Service and care ordered by the court for children who have been adjudicated dependent or delinquent.

Program Objectives: 55 Pa. Code §3140.16(d)(1)-(5) states that the objectives, service projections and service budgets in the plan and budget estimate, must be consistent with the achievement of objectives for the delivery of children and youth social services which are:

- to protect children from abuse and neglect;
- to increase the use of in-home services for dependent and delinquent children;
- to use community-based residential resources, whenever possible, when placement is necessary;
- to reduce the use of institutional placements for dependent and for delinquent children;
- to reduce the duration of out-of-home placements; and
- to promote adoption of children who cannot be reunified with their family.

Juvenile Justice Services Objectives are to be considered as part of the NBPB development.

The objectives which are based on the principles of balanced and restorative justice (BARJ) are:

- Accountability – When a youth commits an offense, the youth incurs an obligation to repair the harm that has been done to the individual crime victim and the community to the greatest extent possible.
- Competency Development – Youth who enter the juvenile justice system must be provided with services designed to enable them to become responsible and productive members of their communities by enhancing their pro-social, moral reasoning, academic, workforce development, and independent living skills.
- Community Safety – The juvenile justice system has a responsibility to protect the community from known juvenile offenders through a wide range of prevention, treatment, supervision, and control options that correspond to the risks and treatments needs presented by individual offenders.

Least Restrictive Services/Settings - When the court transfers custody of a child to a County Children and Youth Agency (CCYA), the agency must locate the least restrictive, most family-like setting that meets the needs of a child. The county agency must first look for relatives and next of kin to provide care for a child. If appropriate relatives or kin cannot be located, the child may be placed in a non-relative foster home. In some instances, the special needs or behavioral health of a child may require a more restrictive setting. Community residential, group home, or therapeutic residential placements are options in such cases. Act 30 provides incentives to serve children and youth in the least restrictive environment. For example, in-home, foster care, group home, shelter care, and day treatment services have a higher state reimbursement rate than institutional and more restrictive levels of care such as a secure facility.

BASIC PLAN/BUDGET

The first part of the submission is the "Planning Summary Requirements / Planning Summary Submission." Appendix One provides the required data and narrative that the county must provide to support the budget request as well as the submission format. This part is to simply discuss the county process and information used in determining the child welfare needs and analysis of current service levels. The second part of the submission includes the "Budget Forms." Reference Appendices Two through Ten specifically detail the county's requests to adjust from the current service levels to the identified service levels needed and identifies county's revenue projections.

There is a sequence of steps to follow in developing the budget request. The automated system is designed to enable the reviewer of the plan and budget forms to identify the specific service needs and associated costs. The NBPB system uses the most recent Act 148 invoice as a base expenditure. If the most recent invoice is for a quarter other than the fourth quarter, the system default assumes level spending throughout the year or 25% per quarter. The system makes no other expenditure adjustments. Any changes to the assumptions and defaults that the county wants to make must be justified through an Expenditure Adjustment request (instructions for completion of Adjustments are found in Appendix Three, Expenditure Adjustment Form). There are six classified categories of Expenditure Adjustments:

- Maintaining Existing Service
- Annualization of Service
- Utilization of Existing Service
- Enhancement of Existing Service
- New Program or Service
- Fixed Assets (not associated with any other Adjustment)

Each adjustment may include multiple major objects of expenditures and/or cost centers but addresses only one category type.

Revenue Adjustments are not part of the automated system. They are submitted by completing the Adjustment to Revenue Form which is a part of the Excel file (as detailed in Appendix Four).

PLAN/BUDGET SUBMISSION

The NBPB must include a cover page (please keep it simple) which identifies the county and the three fiscal years. The NBPB must also include the Planning Summary prepared on the format shown in Appendix One, "Planning Summary Submission." Forms and instructions for completing the submission can be found later in this bulletin. All information and budget data is to be submitted in the planning summary and on the budget forms.

Hard Copy Submission:

The County Commissioners/County Executive must submit the following by **August 15, 2008:**

Three copies of the following forms must be submitted in "hard" copy to the appropriate OCYF Regional Director. All pages of "hard" copy submission must be numbered.

- Assurance of Compliance/Participation Form (Appendix Five)
Counties cannot change, modify, or revise the Assurance of Compliance/Participation Form, Documentation of Participation by the Juvenile Court and Documentation of Participation by the Judiciary Form or the submission by the county will be returned by OCYF.
- Planning Summary Submission, including Trend Data Chart (Appendix One) *
- Proof of Public Hearing
- "CC Analysis" worksheet *
- "Budget Summary" worksheet *
- "CY Staff Summary" worksheet *

* Worksheets and forms that are part of the NBPB file (disk)

In addition, one copy of the above forms must be sent to:

Mr. Cliff Crowe
Office of Children, Youth and Families
Health and Welfare Building Annex
Seventh and Forster Streets
P.O. Box 2675
Harrisburg, Pennsylvania 17105-2675

and

Mr. James Anderson, Executive Director
Juvenile Court Judges' Commission
401 Finance Building
Harrisburg, Pennsylvania 17102-0018

Electronic Submission:

An electronic submission of the completed budget and adjustment forms with support documents that are a part of the automated file **must be submitted through E-Gov by**

August 15, 2008. Hard copies of these electronic forms are not to be mailed to the OCYF Regional Director, Cliff Crowe, or James Anderson. Instructions for uploading and submitting the automated files were mailed with the NBPB templates.

OCYF PLAN REVIEW

The plan will be reviewed by OCYF according to the plan review criteria described in 55 Pa. Code §3140.17. OCYF staff may request verbally or in writing that the CCYA and/or Juvenile Probation Office (JPO) provide additional information to support the counties plan or budget request. The CCYA/JPO must respond within five working days from the receipt of the staff's request for additional information.

Failure of a county to submit a plan as required by these instructions and by 55 Pa. Code §3140.1, submit mathematically correct budget forms, respond to a request for additional information within the time period set forth above, or adequately justify its budget request consistent with 55 Pa. Code Chapters 3140 and 3170, may result in the rejection of the county's plan and budget estimate, or a portion thereof, as an allowable reimbursable expense. The county commissioners/county executive, children and youth administrator, and chief juvenile probation officer will be notified by the appropriate regional director if the county's plan has failed to meet one or more of the requirements in this bulletin. The county commissioners/county executive will be given an opportunity to respond with a plan revision.

Revisions to the NBPB submission during the review process must clearly indicate that a page has been revised including a revision number and a revised submission date.

Through its Regional Offices, OCYF will work with counties to monitor and evaluate both the assessment of needs and the NBPB plan throughout the year. The goal of the process is to create an ongoing dialogue which will ensure consistent plan implementation, timely plan and budget adjustments, and a smooth transition into next year's plan development process.

- Appendix One:** ▪ Planning Summary Requirements
 ▪ Planning Summary Submission
- Appendix Two:** Budget Forms and Instructions
- Appendix Three:** Expenditure Adjustment Form –
 Instructions and Examples
- Appendix Four:** Revenue Variances and Instructions
- Appendix Five:** Assurance of Compliance/Participation Form
 Documentation of Participation by the Juvenile Court
- Appendix Six:** Number of Children Served
 via In-Home Services by County Staff -
 Explanation/Calculation
- Appendix Seven:** Permanency Services Worksheet (CY-919) and Instructions
- Appendix Eight:** Information Technology Costs
- Appendix Nine:** Administration for Children and Families' Outcomes
 and Measures
- Appendix Ten:** Independent Living Services Grant