



**County
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TO: Members of the Senate Finance Workforce Subcommittee

**FROM: Suzanne Dulaney, Executive Director, CCAO
Laura Abu-Absi, Senior Policy Analyst, CCAO**

DATE: May 19, 2015

RE: Testimony on Job and Family Services-related provisions in HB 64

Dear Chairman Beagle, Vice Chair Williams, and members of the committee, thank you for considering testimony on Job and Family Services-related provisions of particular interest to counties in HB 64. My name is Laura Abu-Absi, and I am here on behalf of CCAO. Our members include Ohio's 86 boards of county commissioners, two county executives, and two county councils.

While our members have an interest in several areas of the proposed budget, such as child welfare, child support, and workforce development initiatives, I intend to focus today on proposed changes to Ohio's adult protective services system. I also will briefly touch on the proposed Comprehensive Case Management and Employment program.

But first, I would like to flag for your attention a part of the proposed tax reform package that will negatively impact county health and human service funding – the proposed accelerated phase out of tangible personal property (TPP) tax and public utility property tax reimbursements.

TPP and Public Utility Reimbursements

County levy-funded programs are heavily impacted by the proposed accelerated phase down of reimbursement payments for lost tangible personal property (TPP) taxes and public utility tangible property (PUTP) taxes. Within the county job and family services delivery system, this includes child welfare. (It also includes developmental disabilities, behavioral health, and other health and human services programs which can rely heavily on property tax levies.)

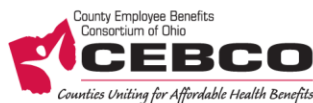
Children Services levies received approximately \$12.4 million in TPP reimbursements in 2014. That is slated to drop to around \$5.3 million in 2016 and then \$2 million in 2017.

By way of background, under the 2012-2013 state budget, the phase down in the reimbursement schedule to local governments for lost TPP and PUTP was accelerated using a complex formula that attempted to recognize the relative importance of the reimbursement on the operation of the local government or levy funded service function such as mental health and addiction, developmental disabilities, child protective services, and senior citizen programs. The 2014-2015 state budget suspended the accelerated phase down, which is resumed in this proposed budget.



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I note this tax proposal for your attention due to the fact that, if adopted, programs that appear flat-funded in the portion of the budget you are examining, such as children services, will actually mean an overall cut if accelerated phase out is adopted. Likewise, any additional investments proposed may not mean additional resources to the extent shown in program-specific line items.

Comprehensive Case Management and Employment Program

CCAO supports the goal set forth in the proposed Comprehensive Case Management and Employment Program. Connecting individuals in need to services that will help improve their circumstances and, when possible, helping them find, maintain, or improve a job is at the heart of many of our programs.

In particular, we support focusing first on the population of 16-24 year olds, who are interacting with the county human services system as adults, or soon-to-be adults, for the first time.

We continue to be concerned about the aggressive time frame set forth in the as-introduced legislation, particularly given that we have yet to see specific program details that will address questions counties have about its implementation given, for example, confidentiality laws and incompatible IT systems. We are also anxious to learn how success will be defined and, in turn, performance measured.

We are looking forward to continuing conversations with members of the committee and the Administration on these and other questions as we work toward our collective goal of designing an effective program.

Adult Protective Services

HB 64 proposes some very real policy improvements to the adult protective services (APS) program, as well as an additional investment of \$3 million per year for state and county administration of the program – of which \$2.64 million will be allocated to counties and the remainder used for state administration. ODJFS has proposed each county receive \$30,000. This would fund about one part-time position in each county.

Among policy changes that would impact the delivery of adult protective services that CCAO supports are the creation of a uniform statewide automated APS information system and the requirement that each county develop a memorandum of understanding between various entities at the county level to create an interdisciplinary team, delineating roles and responsibilities and coordinating APS efforts.

We ask for Senate leadership in supporting the House-passed version in one particular area. The as-introduced version of HB 64 proposed eliminating language correlating the arranging of services to the level of available funding with which commissioners have questions and a concern. The House removed this proposed change from their proposal.

Current law (and the House-passed version) provides counties are to investigate reports, evaluate the need for, *and, to the extent of available funds, provide or arrange for protective services*. The as-introduced version of HB 64 eliminates the caveat of “to the extent of available funds”, as well as the county obligation to “provide” protective services, but maintains the

requirement to investigate reports, evaluate the need for, and arrange for the provision of protective services. (ORC Sec 5101.62)

The bill (as-introduced and House-passed versions) also grants the ODJFS director the authority to promulgate rules for APS, including establishing requirements for intake procedures, investigations, case management, and the provision of protective services. (ORC Sec 5101.71 (B).)

Our concern with the as-introduced version stems from a lack of clarity around what the term “arrange” protective services means. Does it mean a referral to available and appropriate services? Or does it mean the county could be held liable to subsidize these services?

Therefore, we ask you to support the House-passed version of the bill, which maintains many positive reforms to the adult protective services system, but ensures counties are not obligated to perform duties that cannot be realistically accomplished.

I would like to share some background with you on CCAO's past position on adult protective services, as this is a program that is very important to our membership.

HB 95, the SFY04/05 biennial budget, in its as-introduced form proposed completely eliminating state funding of adult protective services. (In prior years, the state had allocated around \$2.7M/year statewide to fund the program.) The proposed budget eliminated both the funding and the mandate that counties administer an adult protective services program.

Commissioners felt so strongly that all of Ohio's counties needed to have an entity on point to receive and investigate allegations of elder abuse that CCAO successfully advocated to keep the mandate in statute, in effect designating counties' own Title XX (Social Service Block Grant) dollars for this purpose. While the state allocation was zeroed out, CCAO also advocated to maintain the APS line item, with the hope that future General Assemblies would restore funding to this important program.

Today, counties still continue to fund adult protective services with minimal support from the state. In the last biennial budget, the statewide appropriation for adult protective services was \$500,000. (This reflected a 36% increase from the prior biennium.) I must note that we do appreciate the one-time infusion of \$10 million from last year's HB 483 into the system available this calendar year for planning grants, competitive innovation grants, training, and system development.

Typically, existing county programs are funded primarily either by Title XX dollars or, when available, local levy dollars. It is important to note that not all senior services levies can be used to fund adult protective services – it depends in part on the language of the levy approved by voters as to whether or not adult protective services is an allowable purpose.

And, Title XX dollars are far from a stable long-term funding source. Title XX has been subject to sequestration, and the block grant continues to be brought up by some in Washington as ripe for cuts or even elimination in federal budgetary discussions.

It is also important to note that the Title XX dollars many counties rely on to fund adult protective services are also the primary funding source, along with county general fund dollars, for child protective services in the 42 counties in this state that do not have a child welfare levy. Funding

for children services continues to be an issue all of Ohio's counties face, as Ohio is 50th in the nation per capita for state support of child welfare. Our state relies almost entirely on county funding and federal reimbursement of expenditures from those funds to support child welfare in this state.

CCAO appreciates the proposals in HB 64 designed to strengthen Ohio's adult protective services system. **We request this committee recommend to retain language in current law which generally has protected counties from a likely ballooning unfunded mandate that would adversely impact Ohio's children services program.**

We appreciate the leadership of the Administration on the Adult Protective Services workgroup that was created in HB 483 to recommend the expenditure of the one-time \$10 million funds awarded, as well as identify programmatic and financial gaps in the APS system, identify best practices, identify areas of overlap and linkages with other programs, and coordinate with the children services workgroup.

Ohio's senior population will increase close to 50% by 2030, which brings into focus the need for ongoing state and county dialogue to address the funding challenges in the APS system.

We are excited about the conversations taking place on adult protective services and look forward to engaging with lawmakers to find a way to make necessary improvements to Ohio's adult protective services system in a responsible and sustainable way.