

A2104/766

SPONSORS STATEMENT (A2104): (Begins on page 2 of original bill) Yes

Bill and Sponsors Statement identical to S175

SPONSORS STATEMENT (A766): Yes

Is.) **COMMITTEE STATEMENT:** **ASSEMBLY:** Yes 5-1-00(Senior
12-7-00(Appopr.)

SENATE: No

FLOOR AMENDMENT STATEMENTS: No

LEGISLATIVE FISCAL NOTE: Yes

ASSEMBLY COMMITTEE SUBSTITUTE (1ST Reprint): Yes

VETO MESSAGE: Yes

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

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REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: Yes

"DYFS gets \$12M for hiring, raises," 11-1-2001 Asbury Park Press, p.A1

SENATE, No. 175

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Senator DIANE ALLEN

District 7 (Burlington and Camden)

Co-Sponsored by:

Senators Furnari and Vitale

SYNOPSIS

Directs the Commissioner of Human Services to establish staffing level ratios for DYFS caseworkers; appropriates \$12,000,000.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



(Sponsorship Updated As Of: 5/26/2000)

1 AN ACT concerning Division of Youth and Family Services
2 caseworker staffing level ratios and making an appropriation
3 therefor.

4
5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. a. The Commissioner of Human Services shall establish the
9 following staffing level ratios for Division of Youth and Family
10 Services caseworkers:

11 (1) The ratio of cases to caseworker in a division district office
12 shall not exceed Child Welfare League of America standards, or 25 to
13 one for a generic caseload, and 12 to one for an intake or high risk
14 caseload.

15 (2) The ratio of cases to caseworker in a division adoption
16 resource center or in any division funded adoption program shall not
17 exceed 15.5 to one.

18 b. If the staffing level ratios established pursuant to subsection a.
19 of this section are exceeded by 10% for two or more consecutive
20 quarters, the division shall hire additional caseworkers to maintain
21 those ratios, notwithstanding any hiring freeze imposed by the State
22 on Department of Human Services or division personnel.

23
24 2. In accordance with the "Administrative Procedure Act,"
25 P.L.1968, c.410 (C.52:14B-1 et seq.), the Commissioner of Human
26 Services shall promulgate rules and regulations necessary to carry out
27 the purposes of this act.

28
29 3. There is appropriated \$12,000,000 from the General Fund to the
30 Department of Human Services to effectuate the purposes of this act.

31
32 4. This act shall take effect one year after enactment.

33
34
35 STATEMENT

36
37 This bill directs the Commissioner of Human Services to establish
38 certain staffing level ratios for Division of Youth and Family Services
39 (DYFS) caseworkers which shall not exceed Child Welfare League of
40 America standards. Each DYFS district office would be required to
41 maintain a ratio of 25 cases to one caseworker for a generic caseload
42 and 12 to one for an intake or high risk caseload. Additionally, each
43 DYFS adoption resource center would be required to maintain a ratio
44 of 15.5 cases to one caseworker.

45 If these staffing level ratios exceed 10 percent for two consecutive
46 quarters, the division would be required to hire additional

S175 ALLEN

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1 caseworkers, irrespective of any hiring freeze imposed by the State on
2 Department of Human Services or DYFS personnel.

3 The bill also appropriates \$12,000,000 to the Department of Human
4 Services to hire the 400 additional caseworkers needed by DYFS to
5 meet the staffing level ratios proposed by the provisions of the bill.

SENATE WOMEN'S ISSUES, CHILDREN AND FAMILY
SERVICES COMMITTEE

STATEMENT TO

SENATE, No. 175

STATE OF NEW JERSEY

DATED: MAY 25, 2000

The Senate Women's Issues, Children and Family Services Committee reports favorably Senate Bill No. 175.

This bill directs the Commissioner of Human Services to establish certain staffing level ratios for Division of Youth and Family Services (DYFS) caseworkers which shall not exceed Child Welfare League of America standards. Each DYFS district office would be required to maintain a ratio of 25 cases to one caseworker for a generic caseload and 12 to one for an intake or high risk caseload. Additionally, each DYFS adoption resource center would be required to maintain a ratio of 15.5 cases to one caseworker.

If these staffing level ratios exceed 10 percent for two consecutive quarters, the division would be required to hire additional caseworkers, irrespective of any hiring freeze imposed by the State on Department of Human Services or DYFS personnel.

The bill also appropriates \$12,000,000 to the Department of Human Services to hire the 400 additional caseworkers needed by DYFS to meet the staffing level ratios proposed by the provisions of the bill.

This bill is identical to Assembly Committee Substitute for Assembly Bill Nos. 2104 and 766 (Cotrell/LeFevre/Previte/O'Toole) which is currently pending before the Assembly Appropriations Committee.

This bill was prefiled for introduction in the 2000-2001 session pending technical review. As reported, the bill includes the changes required by technical review which has been performed.

SENATE BUDGET AND APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 175

STATE OF NEW JERSEY

DATED: JUNE 8, 2000

The Senate Budget and Appropriations Committee reports favorably Senate Bill No. 175.

This bill directs the Commissioner of Human Services to establish certain specified staffing level ratios for Division of Youth and Family Services (DYFS) caseworkers in the division's district offices and adoption resource centers.

The casework functions performed in the division's 32 district offices include receiving allegations of child abuse or neglect; conducting initial protective service investigations of those allegations; placing children in foster care; performing protective services case management and supervision; and providing family support, prevention and reunification services. Casework responsibilities of DYFS's five adoption resource centers (ARC's) include termination of parental rights, review of applications by those seeking to become adoptive parents, placement of children for adoption, monitoring of those placements, and providing support services to adoptive families.

Under the bill:

(1) The ratio of cases per caseworker in a division district office could not exceed Child Welfare League of America standards, or 25:1 for a generic caseload and 12:1 for an intake or high risk caseload; and

(2) The ratio of cases per caseworker in an adoption resource center or division-funded adoption program could not exceed 15½:1.

If these staffing level ratios are exceeded by 10% for two consecutive quarters, DYFS would be required to hire additional caseworkers to maintain the ratios, irrespective of any hiring freeze imposed by the State on Department of Human Services or DYFS personnel.

FISCAL IMPACT

The bill appropriates from the General Fund to the Department of Human Services the sum of \$12,000,000 to effectuate the purposes of the legislation. This amount would be used to hire the 400 additional DYFS caseworkers believed necessary to meet the staffing level ratios proposed under the bill.

SENATE, No. 175

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Senator DIANE ALLEN

District 7 (Burlington and Camden)

Senator PETER A. INVERSO

District 14 (Mercer and Middlesex)

Co-Sponsored by:

Senators Furnari, Vitale, Matheussen and Turner

SYNOPSIS

Directs the Commissioner of Human Services to establish staffing level ratios for DYFS caseworkers; appropriates \$12,000,000.

CURRENT VERSION OF TEXT

As reported by the Senate Women's Issues, Children and Family Services Committee with technical review.



(Sponsorship Updated As Of: 6/30/2000)

S175 ALLEN, INVERSO

2

1 AN ACT concerning Division of Youth and Family Services
2 caseworker staffing level ratios, supplementing Title 30 of the
3 revised statutes and making an appropriation therefor.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. a. The Commissioner of Human Services shall establish the
9 following staffing level ratios for Division of Youth and Family
10 Services caseworkers:

11 (1) The ratio of cases to caseworker in a division district office
12 shall not exceed Child Welfare League of America standards, or 25 to
13 one for a generic caseload, and 12 to one for an intake or high risk
14 caseload.

15 (2) The ratio of cases to caseworker in a division adoption
16 resource center or in any division funded adoption program shall not
17 exceed 15.5 to one.

18 b. If the staffing level ratios established pursuant to subsection a.
19 of this section are exceeded by 10% for two or more consecutive
20 quarters, the division shall hire additional caseworkers to maintain
21 those ratios, notwithstanding any hiring freeze imposed by the State
22 on Department of Human Services or division personnel.

23

24 2. In accordance with the "Administrative Procedure Act,"
25 P.L.1968, c.410 (C.52:14B-1 et seq.), the Commissioner of Human
26 Services shall promulgate rules and regulations necessary to carry out
27 the purposes of this act.

28

29 3. There is appropriated \$12,000,000 from the General Fund to the
30 Department of Human Services to effectuate the purposes of this act.

31

32 4. This act shall take effect one year after enactment.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

SENATE, No. 175

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 7, 2000

The Assembly Appropriations Committee reports favorably Senate Bill No. 175 with committee amendments.

Senate Bill No. 175 , as amended, directs the Commissioner of Human Services to establish certain staffing level ratios for Division of Youth and Family Services (DYFS) caseworkers which shall not exceed Child Welfare League of America standards. Each DYFS district office would be required to maintain a ratio of 25 cases to one caseworker for a generic caseload and 12 to one for an intake or high risk caseload. Additionally, each DYFS adoption resource center would be required to maintain a ratio of 15.5 cases to one caseworker. If these staffing level ratios exceed 10% for two consecutive quarters, the division would be required to hire additional caseworkers, irrespective of any hiring freeze imposed by the State on Department of Human Services or DYFS personnel.

The bill requires that the commissioner phase in the staffing level ratios over a three fiscal year period by incrementally increasing the caseworker staff so that the staff levels are achieved by the end of the three year period. Research has failed to reveal that any state youth services agency currently maintains staffing levels at the Child Welfare League of America standards, and the incremental phase-in will allow less abrupt demands on hiring and training resources.

The bill requires the Commissioner of Human Services to make annual report to the Legislature concerning the status of caseworker staff phase-in and the progress of the Division of Youth and Family Services in achieving the staffing level ratio targets. The report shall note the effectiveness of the staffing level phase- in changes and include recommendations of the commissioner for improving division services.

As amended and reported, this bill is identical to Assembly Bill Nos. 2104 and 766 ACS as also amended and reported.

FISCAL IMPACT:

The bill also appropriates \$12,000,000 to the Department of Human Services to hire the 400 additional caseworkers needed by

DYFS to meet the staffing level ratios proposed by the provisions of the bill.

COMMITTEE AMENDMENTS:

The amendments provide for the three year phase-in period for achieving the required staffing level ratios, delete a provision that would have deferred the effective date of the requirements for one year to provide for a transition, and provide for the annual reports by the commissioner to the Legislature.

FISCAL NOTE
SENATE, No. 175
STATE OF NEW JERSEY
209th LEGISLATURE

DATED: DECEMBER 15, 2000

SUMMARY

Synopsis: Directs the Commissioner of Human Services (DHS) to establish staffing level ratios for Division of Youth and Family Services (DYFS) caseworkers; appropriates \$12.0 million.

Type of Impact: Increase in State expenditures.

Agencies Affected: Department of Human Services.

Executive Estimate

| Fiscal Impact | <u>Year 1</u> | <u>Year 2</u> | <u>Year 3</u> |
|---------------------|----------------------------|----------------------------|----------------------------|
| Gross Cost | <u>\$55,923,000</u> | <u>\$46,791,000</u> | <u>\$48,323,000</u> |
| State Cost | \$44,739,000 | \$37,432,000 | \$38,659,000 |
| Federal Cost | \$11,184,000 | \$9,359,000 | \$9,664,000 |

- ! The Office of Legislative Services (OLS) **concurs** with the Executive Estimate, however, the department's gross costs in the first year would be reduced by the \$12 million appropriation provided by the bill and the \$6.0 million appropriated in the FY 2001 State Budget for additional staffing and support hiring.
- ! As the number of cases assigned to adoption resource centers and the number of cases considered "generic" and "intake or high risk" are not known, the staffing estimates and related costs cannot be verified. Thus, costs may be greater or lower than indicated, depending on the number of cases assigned to adoption resource centers and the number of cases classified as "generic" and "intake or high risk."
- ! Costs may be reduced by requiring a higher clerical support ratio than the 1:5.5 clerical support person to social work staff ratio the estimates assume.
- ! Estimates of federal reimbursement are uncertain. Until claims are submitted to the federal government, the amount of federal reimbursement received will not be known.

BILL DESCRIPTION

Senate Bill No 175 of 2000 directs the Commissioner of DHS to establish certain staffing level ratios for DYFS caseworkers which shall not exceed the Child Welfare League of America

standards. Each DYFS district office would be required to maintain a 25:1 case ratio for a generic caseload and 12:1 for an intake or high risk caseload. Additionally, each DYFS adoption resource center would be required to maintain a ratio of 15.5:1.

FISCAL ANALYSIS

EXECUTIVE BRANCH

Department of Human Services (DHS) and the Office of Management and Budget (OMB) have estimated the cost of the legislation as follows:

| | Year One | Year Two | Year Three |
|----------------|-----------------|-----------------|-------------------|
| Gross | \$55,923,000 | \$46,791,000 | \$48,323,000 |
| State | \$44,739,000 | \$37,432,000 | \$38,659,000 |
| Federal | \$11,184,000 | \$9,359,000 | \$9,664,000 |

An additional 805 personnel would have to be employed: 681 social work staff and 124 support personnel. In the first year, approximately 68 percent of program costs would be used for personnel related costs; in subsequent years, approximately 85 percent of program costs would be for personnel related costs as certain one-time costs incurred in the first year are no longer required. No data are provided as to the number of cases assigned to the adoption resource centers or the number of cases considered "generic" or "intake or high risk."

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services concurs with the Executive Estimate, however, the department's gross costs in the first year would be reduced by the \$12 million appropriation provided by the bill and the \$6.0 million appropriated in the FY 2001 State Budget for additional staffing and support hiring. However, there are many unknown variables which will affect the legislation's cost:

- C DHS and OMB estimates do not indicate the number of cases in adoption resource centers or the number of cases considered "generic" or "intake or high risk." Without knowing the caseload breakdown, the estimate that 681 social work staff will be required cannot be verified.
- C The estimates assume that one clerical support person would be required for every 5.5 social work staff persons. As there is no standard for clerical support personnel, costs can be reduced by assuming a different clerical support personnel ratio.
- C Estimates of federal funds are speculative because until claims are submitted, reviewed and approved by the federal government, the amount of federal reimbursement the State will receive is uncertain. State costs will increase or decrease, depending on the actual amount of federal funding the State receives.

S175

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Section: *Human Services*

Analyst: *Jay Hershberg*
Principal Fiscal Analyst

Approved: *Alan R. Kooney*
Legislative Budget and Finance Officer

This fiscal note has been prepared pursuant to P.L.1980, c.67.

ASSEMBLY, No. 2104

STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED FEBRUARY 28, 2000

Sponsored by:

Assemblyman MELVIN COTTRELL

District 30 (Burlington, Monmouth and Ocean)

Assemblyman KENNETH C. LEFEVRE

District 2 (Atlantic)

SYNOPSIS

Directs the Commissioner of Human Services to establish staffing level ratios for DYFS caseworkers; appropriates \$12,000,000.

CURRENT VERSION OF TEXT

As introduced.



A2104 COTTRELL, LEFEVRE

2

1 AN ACT concerning Division of Youth and Family Services
2 caseworker staffing level ratios and making an appropriation
3 therefor.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. a. The Commissioner of Human Services shall establish the
9 following staffing level ratios for Division of Youth and Family
10 Services caseworkers:

11 (1) The ratio of cases to caseworker in a division district office
12 shall not exceed Child Welfare League of America standards, or 25 to
13 one for a generic caseload, and 12 to one for an intake or high risk
14 caseload.

15 (2) The ratio of cases to caseworker in a division adoption
16 resource center or in any division funded adoption program shall not
17 exceed 15.5 to one.

18 b. If the staffing level ratios established pursuant to subsection a.
19 of this section are exceeded by 10% for two or more consecutive
20 quarters, the division shall hire additional caseworkers to maintain
21 those ratios, notwithstanding any hiring freeze imposed by the State
22 on Department of Human Services or division personnel.

23

24 2. In accordance with the "Administrative Procedure Act,"
25 P.L.1968, c.410 (C.52:14B-1 et seq.), the Commissioner of Human
26 Services shall promulgate rules and regulations necessary to carry out
27 the purposes of this act.

28

29 3. There is appropriated \$12,000,000 from the General Fund to the
30 Department of Human Services to effectuate the purposes of this act.

31

32 4. This act shall take effect one year after enactment.

33

34

35

STATEMENT

36

37 This bill directs the Commissioner of Human Services to establish
38 certain staffing level ratios for Division of Youth and Family Services
39 (DYFS) caseworkers which shall not exceed Child Welfare League of
40 America standards. Each DYFS district office would be required to
41 maintain a ratio of 25 cases to one caseworker for a generic caseload
42 and 12 to one for an intake or high risk caseload. Additionally, each
43 DYFS adoption resource center would be required to maintain a ratio
44 of 15.5 cases to one caseworker.

45 If these staffing level ratios exceed 10% for two consecutive
46 quarters, the division would be required to hire additional

A2104 COTTRELL, LEFEVRE

3

1 caseworkers, irrespective of any hiring freeze imposed by the State on
2 Department of Human Services or DYFS personnel.

3 The bill also appropriates \$12,000,000 to the Department of Human
4 Services to hire the 400 additional caseworkers needed by DYFS to
5 meet the staffing level ratios proposed by the provisions of the bill.

ASSEMBLY, No. 766

STATE OF NEW JERSEY 209th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2000 SESSION

Sponsored by:

Assemblywoman MARY T. PREVITE

District 6 (Camden)

Assemblyman KEVIN J. O'TOOLE

District 21 (Essex and Union)

Co-Sponsored by:

Assemblymen Connors, Greenwald, Assemblywoman Friscia, Assemblymen LeFevre, Arnone, Augustine, Azzolina, Barnes, Biondi, Bodine, Assemblywoman Buono, Assemblyman Charles, Assemblywomen Crecco, Cruz-Perez, Assemblymen Doria, Felice, Garcia, Impreveduto, Jones, Payne, Assemblywoman Quigley, Assemblymen Rooney, B. Smith, T. Smith, Assemblywomen Watson Coleman, Weinberg, Assemblymen Wisniewski, Zecker, Zisa, Conaway and Cohen

SYNOPSIS

Directs the Commissioner of Human Services to establish staffing level ratios for DYFS caseworkers.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning Division of Youth and Family Services
2 caseworker staffing level ratios and supplementing Title 30 of the
3 Revised Statutes.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. a. The Commissioner of Human Services shall establish the
9 following staffing level ratios for Division of Youth and Family
10 Services caseworkers:

11 (1) The ratio of cases to caseworker in a division district office
12 shall not exceed 27.2 to one.

13 (2) The ratio of cases to caseworker in a division adoption
14 resource center shall not exceed 15.5 to one.

15 b. If the staffing level ratios established pursuant to subsection a.
16 are exceeded by 10% for two or more consecutive quarters, the
17 division shall hire additional caseworkers to maintain those ratios,
18 notwithstanding any hiring freeze imposed by the State on Department
19 of Human Services or division personnel.

20

21 2. In accordance with the "Administrative Procedure Act,"
22 P.L.1968, c.410 (C.52:14B-1 et seq.), the Commissioner of Human
23 Services shall promulgate rules and regulations necessary to carry out
24 the purposes of this act.

25

26 3. This act shall take effect one year after enactment.

27

28

29

STATEMENT

30

31 This bill directs the Commissioner of Human Services to establish
32 certain staffing level ratios for Division of Youth and Family Services
33 (DYFS) caseworkers. Each DYFS district office would be required
34 to maintain a ratio of 27.2 cases to one caseworker and each DYFS
35 adoption resource center would be required to maintain a ratio of 15.5
36 cases to one caseworker. When these staffing level ratios exceed 10%
37 for two consecutive quarters, the division would be required to hire
38 additional caseworkers, irrespective of any hiring freeze imposed by
39 the State on Department of Human Services or DYFS personnel.

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 2104 and 766

STATE OF NEW JERSEY
209th LEGISLATURE

ADOPTED MAY 1, 2000

Sponsored by:

Assemblyman MELVIN COTTRELL

District 30 (Burlington, Monmouth and Ocean)

Assemblyman KENNETH C. LEFEVRE

District 2 (Atlantic)

Assemblywoman MARY T. PREVITE

District 6 (Camden)

Assemblyman KEVIN J. O'TOOLE

District 21 (Essex and Union)

Co-Sponsored by:

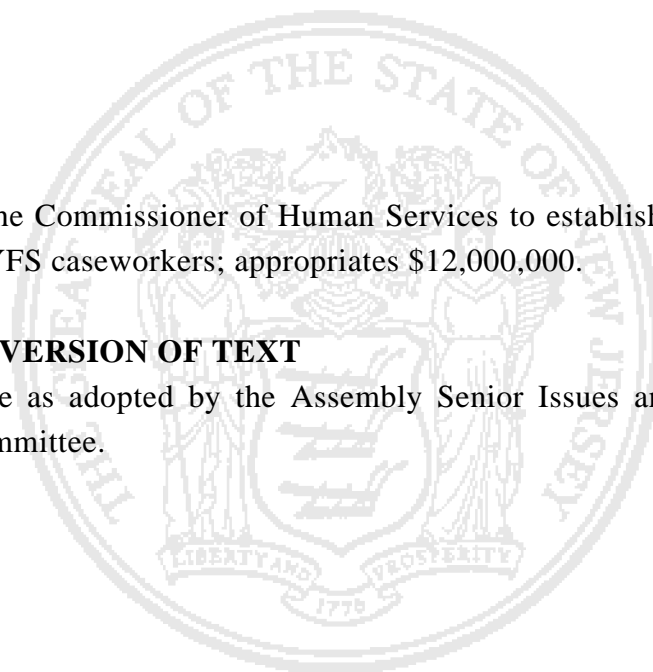
Assemblymen Connors, Greenwald, Assemblywoman Friscia, Assemblymen Arnone, Augustine, Azzolina, Barnes, Biondi, Bodine, Assemblywoman Buono, Assemblyman Charles, Assemblywomen Crecco, Cruz-Perez, Assemblymen Doria, Felice, Garcia, Impreveduto, Jones, Payne, Assemblywoman Quigley, Assemblymen Rooney, B.Smith, T.Smith, Assemblywomen Watson Coleman, Weinberg, Assemblymen Wisniewski, Zecker, Zisa, Conaway and Cohen

SYNOPSIS

Directs the Commissioner of Human Services to establish staffing level ratios for DYFS caseworkers; appropriates \$12,000,000.

CURRENT VERSION OF TEXT

Substitute as adopted by the Assembly Senior Issues and Community Services Committee.



1 **AN ACT** concerning Division of Youth and Family Services
2 caseworker staffing level ratios, supplementing Title 30 of the
3 Revised Statutes and making an appropriation.

4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7

8 1. a. The Commissioner of Human Services shall establish the
9 following staffing level ratios for Division of Youth and Family
10 Services caseworkers:

11 (1) The ratio of cases to caseworker in a division district office
12 shall not exceed Child Welfare League of America standards, or 25 to
13 one for a generic caseload, and 12 to one for an intake or high risk
14 caseload.

15 (2) The ratio of cases to caseworker in a division adoption
16 resource center or in any division funded adoption program shall not
17 exceed 15.5 to one.

18 b. If the staffing level ratios established pursuant to subsection a.
19 of this section are exceeded by 10% for two or more consecutive
20 quarters, the division shall hire additional caseworkers to maintain
21 those ratios, notwithstanding any hiring freeze imposed by the State
22 on the Department of Human Services or division personnel.

23

24 2. In accordance with the "Administrative Procedure Act,"
25 P.L.1968, c.410 (C.52:14B-1 et seq.), the Commissioner of Human
26 Services shall promulgate rules and regulations necessary to carry out
27 the purposes of this act.

28

29 3. There is appropriated \$12,000,000 from the General Fund to
30 the Department of Human Services to effectuate the purposes of this
31 act.

32

33 4. This act shall take effect one year after enactment.

ASSEMBLY SENIOR ISSUES AND COMMUNITY SERVICES
COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 2104 and 766

STATE OF NEW JERSEY

DATED: MAY 1, 2000

The Assembly Senior Issues and Community Services Committee reports favorably Assembly Committee Substitute for Assembly Bill Nos. 2104 and 766.

This bill directs the Commissioner of Human Services to establish certain staffing level ratios for Division of Youth and Family Services (DYFS) caseworkers which shall not exceed Child Welfare League of America standards. Each DYFS district office would be required to maintain a ratio of 25 cases to one caseworker for a generic caseload and 12 to one for an intake or high risk caseload. Additionally, each DYFS adoption resource center would be required to maintain a ratio of 15.5 cases to one caseworker.

If these staffing level ratios exceed 10% for two consecutive quarters, the division would be required to hire additional caseworkers, irrespective of any hiring freeze imposed by the State on Department of Human Services or DYFS personnel.

The bill also appropriates \$12,000,000 to the Department of Human Services to hire the 400 additional caseworkers needed by DYFS to meet the staffing level ratios proposed by the provisions of the bill.

ASSEMBLY APPROPRIATIONS COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR **ASSEMBLY, Nos. 2104 and 766**

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 7, 2000

The Assembly Appropriations Committee reports favorably Assembly Bill Nos. 2104 and 766 (ACS) with committee amendments.

Assembly Bill Nos. 2104 and 766 ACS, as amended, directs the Commissioner of Human Services to establish certain staffing level ratios for Division of Youth and Family Services (DYFS) caseworkers which shall not exceed Child Welfare League of America standards. Each DYFS district office would be required to maintain a ratio of 25 cases to one caseworker for a generic caseload and 12 to one for an intake or high risk caseload. Additionally, each DYFS adoption resource center would be required to maintain a ratio of 15.5 cases to one caseworker. If these staffing level ratios exceed 10% for two consecutive quarters, the division would be required to hire additional caseworkers, irrespective of any hiring freeze imposed by the State on Department of Human Services or DYFS personnel.

The bill requires that the commissioner phase in the staffing level ratios over a three fiscal year period by incrementally increasing the caseworker staff so that the staff levels are achieved by the end of the three year period. Research has failed to reveal that any state youth services agency currently maintains staffing levels at the Child Welfare League of America standards, and the incremental phase-in will allow less abrupt demands on hiring and training resources.

The bill requires the Commissioner of Human Services to make annual report to the Legislature concerning the status of caseworker staff phase-in and the progress of the Division of Youth and Family Services in achieving the staffing level ratio targets. The report shall note the effectiveness of the staffing level phase-in changes and include recommendations of the commissioner for improving division services.

As amended and reported, this bill is identical to Senate Bill No 175 as also amended and reported.

FISCAL IMPACT:

The bill also appropriates \$12,000,000 to the Department of Human Services to hire the 400 additional caseworkers needed by DYFS to meet the staffing level ratios proposed by the provisions of the bill.

COMMITTEE AMENDMENTS:

The amendments provide for the three year phase-in period for achieving the required staffing level ratios, delete a provision that would have deferred the effective date of the requirements for one year to provide for a transition, and provide for the annual reports by the commissioner to the Legislature.

[First Reprint]

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 2104 and 766

STATE OF NEW JERSEY
209th LEGISLATURE

ADOPTED MAY 1, 2000

Sponsored by:

Assemblyman MELVIN COTTRELL

District 30 (Burlington, Monmouth and Ocean)

Assemblyman KENNETH C. LEFEVRE

District 2 (Atlantic)

Assemblywoman MARY T. PREVITE

District 6 (Camden)

Assemblyman KEVIN J. O'TOOLE

District 21 (Essex and Union)

Co-Sponsored by:

Assemblymen Connors, Greenwald, Assemblywoman Friscia, Assemblymen Arnone, Augustine, Azzolina, Barnes, Biondi, Bodine, Assemblywoman Buono, Assemblyman Charles, Assemblywomen Crecco, Cruz-Perez, Assemblymen Doria, Felice, Garcia, Impreveduto, Jones, Payne, Assemblywoman Quigley, Assemblymen Rooney, B.Smith, T.Smith, Assemblywomen Watson Coleman, Weinberg, Assemblymen Wisniewski, Zecker, Zisa, Conaway, Cohen and Gusciora

SYNOPSIS

Directs the Commissioner of Human Services to establish staffing level ratios for DYFS caseworkers; appropriates \$12,000,000.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on December 7, 2000, with amendments.

(Sponsorship Updated As Of: 1/10/2001)

1 **AN ACT** concerning Division of Youth and Family Services
2 caseworker staffing level ratios, supplementing Title 30 of the
3 Revised Statutes and making an appropriation.

4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7

8 1. a. The Commissioner of Human Services shall establish the
9 following staffing level ratios for Division of Youth and Family
10 Services caseworkers:

11 (1) The ratio of cases to caseworker in a division district office
12 shall not exceed Child Welfare League of America standards, or 25 to
13 one for a generic caseload, and 12 to one for an intake or high risk
14 caseload.

15 (2) The ratio of cases to caseworker in a division adoption
16 resource center or in any division funded adoption program shall not
17 exceed 15.5 to one.

18 b. If the staffing level ratios established pursuant to subsection a.
19 of this section are exceeded by 10% for two or more consecutive
20 quarters, the division shall hire additional caseworkers to maintain
21 those ratios, notwithstanding any hiring freeze imposed by the State
22 on the Department of Human Services or division personnel.

23

24 ¹2. The Commissioner of Human Services shall phase in the
25 staffing level ratios over a three-fiscal-year period by incrementally
26 increasing the number of caseworker staff that will be necessary to
27 achieve the staffing level ratios established in this act so that the
28 required number of staff are employed by June 30, 2003.¹

29

30 ¹[2.] 3. a. The Commissioner of Human Services shall report
31 annually, on or before June 30, to the President of the Senate and the
32 Speaker of the General Assembly concerning the status of caseworker
33 staff phase-in and the progress of the Division of Youth and Family
34 Services in achieving the staffing level ratio targets. The report shall
35 note the effectiveness of the staffing level phase- in changes toward
36 improving caseworker functions, including but not limited to : placing
37 children in foster care, performing protective services case
38 management and supervision, and the placement of children for
39 adoption, and such recommendations as the commissioner may find
40 appropriate for improving those services.

41 b.¹ In accordance with the "Administrative Procedure Act,"

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly AAP committee amendments adopted December 7, 2000.

1 P.L.1968, c.410 (C.52:14B-1 et seq.), the Commissioner of Human
2 Services shall promulgate rules and regulations necessary to carry out
3 the purposes of this act.

4

5 ¹[3.] 4.¹ There is appropriated \$12,000,000 from the General
6 Fund to the Department of Human Services to effectuate the purposes
7 of this act.

8

9 ¹[4.] 5.¹ This act shall take effect ¹[one year after
10 enactment] immediately¹.

FISCAL NOTE
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, Nos. 2104 and 766
STATE OF NEW JERSEY
209th LEGISLATURE

DATED: DECEMBER 15, 2000

SUMMARY

Synopsis: Directs the Commissioner of Human Services (DHS) to establish staffing level ratios for Division of Youth and Family Services (DYFS) caseworkers; appropriates \$12.0 million.

Type of Impact: Increase in State expenditures.

Agencies Affected: Department of Human Services.

Executive Estimate

| Fiscal Impact | <u>Year 1</u> | <u>Year 2</u> | <u>Year 3</u> |
|----------------------|----------------------------|----------------------------|----------------------------|
| Gross Cost | <u>\$55,923,000</u> | <u>\$46,791,000</u> | <u>\$48,323,000</u> |
| State Cost | \$44,739,000 | \$37,432,000 | \$38,659,000 |
| Federal Cost | \$11,184,000 | \$9,359,000 | \$9,664,000 |

- ! The Office of Legislative Services (OLS) **concurs** with the Executive Estimate, however, the department's gross costs in the first year would be reduced by the \$12 million appropriation provided by the bill and the \$6.0 million appropriated in the FY 2001 State Budget for additional staffing and support hiring.
- ! As the number of cases assigned to adoption resource centers and the number of cases considered "generic" and "intake or high risk" are not known, the staffing estimates and related costs cannot be verified. Thus, costs may be greater or lower than indicated, depending on the number of cases assigned to adoption resource centers and the number of cases classified as "generic" and "intake or high risk."
- ! Costs may be reduced by requiring a higher clerical support ratio than the 1:5.5 clerical support person to social work staff ratio the estimates assume.
- ! Estimates of federal reimbursement are uncertain. Until claims are submitted to the federal government, the amount of federal reimbursement received will not be known.

BILL DESCRIPTION

Assembly Committee Substitute for Assembly Bill Nos. 2104 and 766 of 2000 directs the Commissioner of DHS to establish certain staffing level ratios for DYFS caseworkers which shall not exceed the Child Welfare League of America standards. Each DYFS district office would be required to maintain a 25:1 case ratio for a generic caseload and 12:1 for an intake or high risk caseload. Additionally, each DYFS adoption resource center would be required to maintain a ratio of 15.5:1.

FISCAL ANALYSIS

EXECUTIVE BRANCH

Department of Human Services (DHS) and the Office of Management and Budget (OMB) have estimated the cost of the legislation as follows:

| | Year One | Year Two | Year Three |
|----------------|-----------------|-----------------|-------------------|
| Gross | \$55,923,000 | \$46,791,000 | \$48,323,000 |
| State | \$44,739,000 | \$37,432,000 | \$38,659,000 |
| Federal | \$11,184,000 | \$9,359,000 | \$9,664,000 |

An additional 805 personnel would have to be employed: 681 social work staff and 124 support personnel. In the first year, approximately 68 percent of program costs would be used for personnel related costs; in subsequent years, approximately 85 percent of program costs would be for personnel related costs as certain one-time costs incurred in the first year are no longer required. No data are provided as to the number of cases assigned to the adoption resource centers or the number of cases considered "generic" or "intake or high risk."

OFFICE OF LEGISLATIVE SERVICES

The Office of Legislative Services concurs with the Executive Estimate, however, the department's gross costs in the first year would be reduced by the \$12 million appropriation provided by the bill and the \$6.0 million appropriated in the FY 2001 State Budget for additional staffing and support hiring. However, there are many unknown variables which will affect the legislation's cost:

- C DHS and OMB estimates do not indicate the number of cases in adoption resource centers or the number of cases considered "generic" or "intake or high risk." Without knowing the caseload breakdown, the estimate that 681 social work staff will be required cannot be verified.
- C The estimates assume that one clerical support person would be required for every 5.5 social work staff persons. As there is no standard for clerical support personnel, costs can be reduced by assuming a different clerical support personnel ratio.

C Estimates of federal funds are speculative because until claims are submitted, reviewed and approved by the federal government, the amount of federal reimbursement the State will receive is uncertain. State costs will increase or decrease, depending on the actual amount of federal funding the State receives.

Section: *Human Services*

Analyst: *Jay Hershberg*
Principal Fiscal Analyst

Approved: *Alan R. Kooney*
Legislative Budget and Finance Officer

This fiscal note has been prepared pursuant to P.L.1980, c.67.

**Assembly Substitute for Senate Bill No. 175 and
Assembly Committee Substitute for
Assembly Bill Nos. 2104 and 766**

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 15 of the New Jersey Constitution, I am appending to Assembly Substitute for Senate Bill No. 175 and Assembly Committee Substitute for Assembly Bill Nos. 2104 and 766, at the time of my signing it, my statement of items, or parts thereof, to which I object so that each item, or part thereof, so objected to shall not take effect.

This bill establishes a Staffing and Outcome Review Panel in, but not of, the Department of Human Services' Division of Youth and Family Services (DYFS). The Review Panel will be required to review DYFS' current staffing levels and develop recommendations regarding appropriate staffing levels and the most effective methods of recruiting, hiring, and retaining staff within DYFS. In addition, the bill directs the Department of the Treasury to allocate additional positions to DYFS for fiscal year 2002, and requires a review of certain personnel and compensation issues within the division.

Finally, the bill appropriates \$12 million from the General Fund to the Department of Human Services to effectuate its purposes. These funds, however, have already been appropriated as part of the FY 2001-2002 State Budget. As such, the appropriation set forth in the bill is duplicative.

I am, accordingly, appending to Assembly Substitute for Senate Bill No. 175 and Assembly Committee Substitute for Assembly Bill Nos. 2104 and 766, at the time of my signing it, this statement of objections to the items, or parts thereof, to which I object and which shall not take effect.

Page 4, Section 9, Lines 12-14: Delete in their entirety.

Respectfully,

Donald T. DiFrancesco
Acting Governor

Attest:

James A. Harkness
Chief Counsel to the Governor

§1-6 -
C.30:4C-3.1
to C.30:4C-3.6
§7 - T&E
§8 - T&E
LIV

P.L. 2001, CHAPTER 252, *approved October 31, 2001*
Assembly Substitute for
Senate, No. 175 and
Assembly Committee Substitute for
Assembly, Nos. 2104 and 766

1 **AN ACT** concerning the Division of Youth and Family Services,
2 supplementing Title 30 of the Revised Statutes and making an
3 appropriation.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

7
8 1. There is hereby established in, but not of, the Department of
9 Human Services the Division of Youth and Family Services Staffing
10 and Outcome Review Panel ("Review Panel").
11

12 2. The Review Panel shall consist of nineteen (19) members as
13 follows:

14 a. The Commissioner of Human Services, or a designee, shall serve
15 as an ex-officio.

16 b. The Commissioner of Personnel, or a designee, shall serve as an
17 ex-officio.

18 c. The State Treasurer, or a designee, shall serve as an ex-officio.

19 d. The Attorney General, or a designee, shall serve as an ex-officio.

20 e. The Public Defender, or a designee, shall serve as an ex-officio.

21 f. The Director of the Administrative Office of the Courts, or a
22 designee, shall serve as an ex-officio.

23 g. A representative of the Office of the Governor.

24 h. Two members of the Senate to be appointed by the President of
25 the Senate who shall each be of different political parties and who shall
26 serve during the legislative session in which the appointment is made,
27 one of whom shall be the Chairman of the Senate Women's Issues,
28 Children and Family Services Committee. A member may be
29 appointed for any number of successive terms.

30 i. Two members of the General Assembly to be appointed by the
31 Speaker of the General Assembly who shall each be of different
32 political parties and who shall serve during the legislative session in

EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ **Governor's line-item veto changes of October 31, 2001.**

1 which the appointment is made, one of whom shall be the Chairman of
2 the Assembly Senior Issues and Community Services Committee. A
3 member may be appointed for any number of successive terms.

4 j. Eight public members shall be directly appointed by the
5 Governor as follows:

6 (1) three public members who are representatives from employee
7 organizations, two of whom are representatives of the
8 Communications Workers of America;

9 (2) a public member who is a representative of the Association for
10 Children of New Jersey;

11 (3) a public member who is a representative of Legal Services of
12 New Jersey;

13 (4) a public member who is a representative of a contracted service
14 provider to the Division of Youth and Family Services; and

15 (5) two public members, one of whom is a foster parent and one of
16 whom is an adoptive parent.

17

18 3. Public members shall serve for terms of three years, and along
19 with ex-officio members, shall have full voting rights. Vacancies in the
20 membership of the Review Panel shall be filled in the same manner
21 provided for the original appointments. The public members of the
22 Review Panel shall serve without compensation but may be reimbursed
23 for traveling and other miscellaneous expenses necessary to perform
24 their duties, within the limits of funds made available to the Review
25 Panel for its purpose.

26

27 4. The Review Panel shall organize as soon as practicable but no
28 later than 60 days following the appointment of its members. The
29 Governor shall appoint a chairman and vice-chairman from among the
30 members.

31

32 5. The Review Panel may meet at the call of its chairman and at
33 the times and in the places it may deem appropriate and necessary to
34 fulfill its charge. The Review Panel shall be entitled to call to its
35 assistance and avail itself of the services of the employees of any State,
36 county or municipal department, board, bureau, commission or agency
37 as it may require and as may be available to it for its purposes. The
38 Department of Human Services shall provide staff services to the
39 Review Panel.

40

41 6. a. The Review Panel shall review the staffing levels of the
42 Division of Youth and Family Services in the Department of Human
43 Services in order to develop recommendations regarding staffing levels
44 and the most effective methods of recruiting, hiring and retaining staff
45 within the Division of Youth and Family Services. In addition, the
46 panel shall review the division's performance in the achievement of

1 management and client outcomes.

2 b. The Review Panel shall present a preliminary report of its
3 findings and recommendations to the Governor and the Legislature
4 prior to January 1, 2002, and subsequent reports annually thereafter
5 with the first full report due no later than July 1, 2002.

6

7 7. The Department of Treasury is directed to allocate a minimum
8 of 124 additional positions to the Division of Youth and Family
9 Services for fiscal year 2002.

10

11 8. The Commissioners of the Department of Human Services and
12 the Department of Personnel and the State Treasurer are directed to
13 review and make recommendations for the Division of Youth and
14 Family Services for the following personnel and compensation issues:

15 a. minimum starting salary of \$35,000 for entry level Family
16 Services Specialists for fiscal year 2002;

17 b. title reevaluations for certain Division of Youth and Family
18 Services direct care positions;

19 c. retention and hiring bonus programs, or both, for certain DYFS
20 direct care positions:

21 d. career opportunities for DYFS direct care staff; and

22 e. title series for clerical staff, with objectives of consolidating and
23 upgrading those titles and establishing bridge titles for DYFS clerical
24 staff that bridges into the professional or paraprofessional job titles.

25

26 ¹[9. There is appropriated \$12,000,000 from the General Fund to
27 the Department of Human Services to effectuate the purposes of this
28 act.]¹

29

30 10. This act shall take effect immediately.

31

32

33

STATEMENT

34

35 This floor substitute would establish in, but not of, the Department
36 of Human Services the Division of Youth and Family Services Staffing
37 and Outcome Review Panel ("Review Panel").

38 This Review Panel would consist of 19 members: four legislative
39 members, two from each house; eight public members; a representative
40 of the Governor's office; and as ex-officio members the Director of the
41 Administrative Office of the Courts, the Public Defender, the Attorney
42 General, the State Treasurer, the Commissioner of Personnel and the
43 Commissioner of Human Services or their designees .

44 The Review Panel would be required to review the current staffing
45 levels of DYFS and to develop recommendations regarding staffing
46 levels and the most effective methods of recruiting, hiring and

1 retaining staff within DYFS. The panel would be required to present
2 a preliminary report of its findings and recommendations to the
3 Governor and the Legislature prior to January 1, 2002 and subsequent
4 reports thereafter with the first full report due no later than July 1,
5 2002.

6 This substitute would also direct the Department of Treasury to
7 allocate a minimum of 124 additional positions to DYFS for fiscal year
8 2002. In addition, the commissioners of Department of Human
9 Services and the Department of Personnel and the State Treasurer are
10 directed to review and make recommendations for the Division of
11 Youth and Family Services for the following personnel and
12 compensation issues: (1) minimum starting salary of \$35,000 for an
13 entry level Family Services Specialist; (2) title reevaluations for certain
14 DYFS direct care positions; (3) retention and hiring bonus programs,
15 or both, for certain DYFS direct care positions; (4) career
16 opportunities for DYFS direct care staff; and (4) title series for
17 clerical staff, with objectives of consolidating and upgrading those
18 titles and establishing bridge titles for DYFS clerical staff that bridges
19 into the professional and paraprofessional job titles.

20 The substitute would make an appropriation of \$12,000,000 to
21 effectuate the purposes of the act.

22

23

24

25

26 Establishes a DYFS Review Panel; provides for additional positions;
27 makes an appropriation.

CHAPTER 252

AN ACT concerning the Division of Youth and Family Services, supplementing Title 30 of the Revised Statutes and making an appropriation.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.30:4C-3.1 "Review Panel" established.

1. There is hereby established in, but not of, the Department of Human Services the Division of Youth and Family Services Staffing and Outcome Review Panel ("Review Panel").

C.30:4C-3.2 Membership of Review Panel.

2. The Review Panel shall consist of nineteen (19) members as follows:

a. The Commissioner of Human Services, or a designee, shall serve ex-officio.

b. The Commissioner of Personnel, or a designee, shall serve ex-officio.

c. The State Treasurer, or a designee, shall serve ex-officio.

d. The Attorney General, or a designee, shall serve ex-officio.

e. The Public Defender, or a designee, shall serve ex-officio.

f. The Director of the Administrative Office of the Courts, or a designee, shall serve ex-officio.

g. A representative of the Office of the Governor.

h. Two members of the Senate to be appointed by the President of the Senate who shall each be of different political parties and who shall serve during the legislative session in which the appointment is made, one of whom shall be the Chairman of the Senate Women's Issues, Children and Family Services Committee. A member may be appointed for any number of successive terms.

i. Two members of the General Assembly to be appointed by the Speaker of the General Assembly who shall each be of different political parties and who shall serve during the legislative session in which the appointment is made, one of whom shall be the Chairman of the Assembly Senior Issues and Community Services Committee. A member may be appointed for any number of successive terms.

j. Eight public members shall be directly appointed by the Governor as follows:

(1) three public members who are representatives from employee organizations, two of whom are representatives of the Communications Workers of America;

(2) a public member who is a representative of the Association for Children of New Jersey;

(3) a public member who is a representative of Legal Services of New Jersey;

(4) a public member who is a representative of a contracted service provider to the Division of Youth and Family Services; and

(5) two public members, one of whom is a foster parent and one of whom is an adoptive parent.

C.30:4C-3.3 Terms, voting rights, vacancies.

3. Public members shall serve for terms of three years, and along with ex-officio members, shall have full voting rights. Vacancies in the membership of the Review Panel shall be filled in the same manner provided for the original appointments. The public members of the Review Panel shall serve without compensation but may be reimbursed for traveling and other miscellaneous expenses necessary to perform their duties, within the limits of funds made available to the Review Panel for its purpose.

C.30:4C-3.4 Organization of Review Panel.

4. The Review Panel shall organize as soon as practicable but no later than 60 days following the appointment of its members. The Governor shall appoint a chairman and vice-chairman from among the members.

C.30:4C-3.5 Meetings, availability of services.

5. The Review Panel may meet at the call of its chairman and at the times and in the places it may deem appropriate and necessary to fulfill its charge. The Review Panel shall be entitled to call to its assistance and avail itself of the services of the employees of any State, county or

municipal department, board, bureau, commission or agency as it may require and as may be available to it for its purposes. The Department of Human Services shall provide staff services to the Review Panel.

C.30:4C-3.6 Duties of Review Panel.

6. a. The Review Panel shall review the staffing levels of the Division of Youth and Family Services in the Department of Human Services in order to develop recommendations regarding staffing levels and the most effective methods of recruiting, hiring and retaining staff within the Division of Youth and Family Services. In addition, the panel shall review the division's performance in the achievement of management and client outcomes.

b. The Review Panel shall present a preliminary report of its findings and recommendations to the Governor and the Legislature prior to January 1, 2002, and subsequent reports annually thereafter with the first full report due no later than July 1, 2002.

7. The Department of the Treasury is directed to allocate a minimum of 124 additional positions to the Division of Youth and Family Services for fiscal year 2002.

8. The Commissioners of the Department of Human Services and the Department of Personnel and the State Treasurer are directed to review and make recommendations for the Division of Youth and Family Services for the following personnel and compensation issues:

a. minimum starting salary of \$35,000 for entry level Family Services Specialists for fiscal year 2002;

b. title reevaluations for certain Division of Youth and Family Services direct care positions;

c. retention and hiring bonus programs, or both, for certain DYFS direct care positions;

d. career opportunities for DYFS direct care staff; and

e. title series for clerical staff, with objectives of consolidating and upgrading those titles and establishing bridge titles for DYFS clerical staff that bridges into the professional or paraprofessional job titles.

9. This act shall take effect immediately.

Approved October 31, 2001.