

Commission on Local Government
Estimate of Local Fiscal Impact

2017 General Assembly Session

Bill: SB 868

Patron: Favola

Date: 1/18/2017

In accordance with the provisions of §30-19.03 of the Code of Virginia, the staff of the Commission on Local Government offers the following analysis of the above-referenced legislation:

Bill Summary:

Child protective services; investigation of complaints of child abuse or neglect where child is one year of age or younger. Requires local departments of social services to investigate all reports and complaints that allege suspected abuse or neglect of a child one year of age or younger.

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**Executive Summary:**

SB 868 requires local department of social services to investigate all child abuse complaints for children aged one year or younger. Localities have evaluated local negative fiscal impacts ranging from \$0.01 - \$243,000.00. One locality appears to have provided a statewide negative fiscal impact of \$3,573,128.00. Localities noted that the bill would increase investigative caseloads, which leads to an increase in personnel expenditures due to hiring new employees. One locality also noted that hiring and retaining CPS workers is difficult because of low compensation. Localities also noted that there is no provision for additional state funding in this bill to support the additional local cost. Some localities also noted the bill would not impact them as they are already performing these investigations.

Please note that one locality noted that they are unable to determine a fiscal impact due to an unknown number of cases as they are not required to track the complaints for children aged under one year.

Note: The Senate Committee on Rehabilitation and Social Services proposed a substitute for this bill on January 13, 2017. The substitute requires the State Board of Social Services to promulgate regulations requiring local departments of social services to investigate valid reports and complains involving children under the age of two within 24 hour of receiving the report or complaint.

While elements of the bill have changed, the eventual regulations that would be promulgated by the State Board of Social Services would have similar fiscal impacts. Consequently, CLG staff suggest the estimated fiscal impacts provided by the local volunteers shall be considered.

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**Local Analysis:**

**Locality:** Chesapeake Public Schools

**Estimated Fiscal Impact:** \$2.00

No impact on schools.

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Locality: Chesterfield County

Estimated Fiscal Impact: \$0.01

Minimal fiscal impact to the locality is anticipated.

Locality: City of Danville

Estimated Fiscal Impact: \$500.00

Any financial impact on Danville Social Services, if at all, would be minimal. However, it is possible that more cases would be referred to Family Assessment and Planning Team, which would require Danville DSS to use more of the prevention budget. Should the State not provide additional funding, this could increase the local cost. (Many services for families with this age are Medicaid or grant funded (Smart Beginnings, Healthy Families, etc)).

Locality: City of Lynchburg

Estimated Fiscal Impact: \$60,000.00

The City of Lynchburg gets around 10 calls a month involving children one year and younger. Not all are valid complaints. If we would have to investigate every call for these children it would result in the need for another full time investigator which would cost around \$60,000 annually including salary and benefits.

Locality: City of Manassas

Estimated Fiscal Impact: \$0.01

We are already performing these investigations so there would be no additional fiscal impact.

Locality: City of Martinsville.

Estimated Fiscal Impact: \$1.00

Fiscal impact is difficult to determine at this point.

From Henry Martinsville DSS:

There are a couple concerns with this bill as written:

1) The Code of Virginia specifies four validity criteria to be met before CPS can initiate an investigation (child under age 18, jurisdiction, the alleged perpetrator must be in a caretaker role, and the allegations must meet the definition of abuse/neglect per the Code). This particular bill is written using the word "all reports and complaints" without regard to the meeting the validity standards per the Code.

2) If the bill were passed as written requiring all calls of a child under age 1 to be investigated, it would increase workloads, which are already high. In addition, localities such as ours has a difficult time recruiting and retaining staff due to low compensation. Such a bill would need to come with funding to support the increased workload, including potential need for additional CPS workers. Locally, we have five CPS workers. I currently have two vacancies out of the five and have had to re-advertise today because we had no applicants on the first posting who could pass the screening by the state. This is an ongoing problem and the issues with inadequate compensation does not encourage people with experience to apply.

Currently, all valid complaints go through one of two tracks: Family Assessment (determination whether family needs/does not need ongoing services) or Investigation (disposition of Founded or Unfounded). Overall, I think the intent of this bill is good and would say as long as the report/complaint meets the validity criteria per the Code, it would be appropriate to make a valid complaint of a child under the age of one a mandatory investigation versus family assessment as they are vulnerable and cannot protect themselves in any capacity.

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**Locality:** City of Norfolk

**Estimated Fiscal Impact:** \$0.01

Estimated increase in local expenditures; however, current impact is unknown. The local department of social services is currently mandated to investigate claims of child abuse within 45 to 60 days of report for children under 18 years old (including children under two years old). The substitute language would require local divisions to investigate claims of child abuse within 24 hours for children under the age of two. The reduction in time allotted to investigate claims of child abuse may lead to an increase in personnel expenditures; potential need for additional staff to provide quick response to reports or overtime expenses for existing staff to meet timeliness requirements. It is anticipated any additional expenditures will be eligible for an average reimbursement of 77 percent from the Virginia Department of Social Services.

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Locality: City of Roanoke

Estimated Fiscal Impact: \$1.00

We are unable to determine how many complaints we receive on children under one that are not validated. Currently, we are not required to track that information. Because of this, we are unable to determine a fiscal impact for this bill.

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**Locality:** City of Winchester

**Estimated Fiscal Impact:** \$57,000.00

Worst case scenario would be an additional Family Service Specialist to manage the addition demands of the workload that this could create. Our four Family Service Specialist assigned to this job duty already have maxed caseloads now. While it would not increase the case count as currently written, it would increase work demands related to policy requirements for the investigative track (CAC interviews, recorded/transcribed interviews of children, alleged abuser, potential joint investigation with law enforcement, immediate same day response to alleged victim).

I would estimate that our max. fiscal costs would be an additional staff member—Family Service Specialist I with fringe/medical \$57,081.19.

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Locality: Fairfax County.

Estimated Fiscal Impact: \$1.00

On January 13, a substitute bill was passed by the Senate.

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**Locality:** Fauquier County

**Estimated Fiscal Impact:** \$1.00

At this time, Fauquier County is already compliant with the requirement as designated in the current State code provisions including 63.2 - Chapter 15. As such, this provision would have no direct fiscal impact on the locality since the requirement is currently met by the local department of social services with existing resources.

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Locality: Henrico County

Estimated Fiscal Impact: \$243,000.00

The estimate is based on the projecting the prior six months of data out for an entire year. In the past six months, Henrico has had 127 cases that met the parameters included in this legislation, which would be projected to 254 cases for an entire year.

An additional 254 investigations would require three additional positions. The salary and benefits for these positions would total \$233,000. Operating and furnishing costs (desks, file cabinets, etc.) would add \$10,000 in cost for these positions in order to meet this mandate.

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**Locality:** Town of Boones Mill

**Estimated Fiscal Impact:** \$1.00

No fiscal impact on the Town of Boones Mill.

The bill would presumably increase investigative case loads, if some cases previously dismissed are now required to be investigated. But the County funds the local social services department, and the Town does not. A slight increase to the local department case load would not have any fiscal impact on the Town.

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Locality: York-Poquoson

Estimated Fiscal Impact:
\$3,573,128.00

Workload Estimates using SDM Time Standard for CPS Family Assessments from 2008 Workload Measures Study; Based on Calendar Year 2015 data [source: CPS Reporting/DSS Data Warehouse] In calendar year 2015, 77,073 CPS reports received statewide. 52% (40,208) were screened out and 36,648 reports were accepted

- 22,780 family assessments completed
- 10,113 investigations completed

12,853 total founded investigations and assessments w/services involving 16,953 children
1.31 children per case

- 3,674 founded investigations involving 4,852 children
- 9,179 completed assessments w/services needed involving 12,101 children

Percent of all children under age 1 in founded investigations and assessments w/services needed
 $1,807/16,593 = 10.66\%$

- 501 children under age 1 in founded investigations
- 1,306 children under age 1 in family assessments/services needed

Workload Estimates

$40,208 \text{ cases screened out} \times 1.3 \text{ estimated children per case} = 52,270 \text{ total children}$

Estimated number of screened out CPS reports involving a child under age 1:

- $52,270 \times .1066 = 5,572 \text{ estimated children under age 1}$
- $5,572 / 1.3 = 4,286 \text{ additional cases}$

Workload estimate (357 additional family assessments completed per month) = 45.3 FTE caseworkers

Cost Estimate: Average personnel and non-personal services costs for one LDSS staff are \$78,877 for a total cost of \$3,573,128 ($\$78,877 \times 45.3$). These costs would be funded through state general funds (\$3,019,293) and a 15.5% local match (\$553,835).

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