S.B. 2124: Department of Human Services Testimony House Human Services Committee: March 13, 2019

Agenda

- Overview of Social (Human) Services
- 2017 S.B. 2206 Study Context and Results
- Key Components of Policy in Engrossed S.B. 2124
- Appendix

S.B. 2124: DHS Testimony – Executive Summary

Overview of Social (human) Services

- The mission of DHS is to provide quality, efficient, and effective human services that improve the lives of people
- To improve lives, DHS enables access to social determinants of health when community resources are insufficient
- Social services is an essential link to connect citizens with a range of programs across social determinants of health
- To better encompass the role of "social services" in connecting people to social determinants of health, we have proposed shifting to the term "human services" in S.B. 2124

2017 S.B. 2206 Study Context and Results

- Since the 1990s, social (human) services costs have been absorbed by the state incrementally
- In 2017-19, the state took over funding of social services in the 2017 S.B. 2206 pilot, keeping overall organizational structure intact
- Payment during 2017-19, then, has been driven by caseload amounts across each of the programs at the county level; for reference, these overall caseloads are shown (see charts)
- The 2017-2019 legislative session in 2017 S.B. 2206 also created an interim study to analyze pilot and develop implementation plan
- From the outset of the study, there has been recognition that ND does not have comparable scale to states that have state-supervised, county-administered programs
- Studies of SNAP administrative costs indicate that the county-administered model is correlated with higher costs
- But improving programs is more than looking at structure: process and cultural change must accompany structural change
- To examine holistic change, the 2017 S.B. 2206 interim study included 4 committees focused on each area of social (human) services
- Each committee submitted recommendations that highlighted a number of drivers of program improvements, though barriers exist today
- To address process/cultural barriers, DHS and counties have improved programs through Theory of Constraint (TOC) method
- The first TOC pilot project on CPS assessments has shown early progress in participating counties
- Going forward, the department will continue using the TOC method to bring continuous improvement to process/culture
- However, entering a state of continuous improvement hinges crucially on the structural changes included in S.B. 2124
- As we have examined structure, process, and culture, guiding principles emerged as fixed points for policy, including no reduction in access

Key Components of Policy in Engrossed S.B. 2124

Zone structure and timeline for zone formation:

- Today's model of delivering social (human) services can be disjointed and inefficient, resulting in worse outcomes for clients
- S.B. 2124 would shift delivery of social (human) services from counties to zones, a hybrid state/county structure
- Proposed timeline for the formation of human service zones has several milestones, with completion at start of 2021
- The department's approval of a zone agreement and plan will depend on several factors, building on multicounty district model
- Human service zone directors are zone employees responsible for management of staff, budgeting, operations & outcomes
- The zone board is composed of representatives from each county in zone and responsible for supervising operations

Zone funding and fiscal note:

- Several principles for zone budgeting are reflected in S.B. 2124 and fiscal note, expanding on the benefits of the pilot formula
- The flexibility of zone funding is meant to increase responsiveness to community needs and enable innovation
- The fiscal note associated with S.B. 2124 of \$182.3m will support transition to new model of human service zones

Other major provisions in SB 2124 include provisions related to state's attorney duties, indigent burials, and termination of parental rights

S.B. 2124: Department of Human Services Testimony House Human Services Committee: March 13, 2019

Agenda

- Overview of Social (Human) Services
- 2017 S.B. 2206 Study Context and Results
- Key Components of Policy in Engrossed S.B. 2124
- Appendix

The mission of DHS is to provide quality, efficient, and effective human services, which improve the lives of people

Mission		Principles
	Quality services	 Services and care should be provided as close to home as possible to Maximize each person's independence and autonomy Preserve the dignity of all individuals Respect constitutional and civil rights
		 Services should be provided consistently across service areas to promote equity of access and citizen-focus of delivery
		 Services should be administered to optimize for a given cost the number served at a service level aligned to need
	Efficient services	 Investments and funding in DHS should maximize ROI for the most vulnerable through safety net services, not support economic development goals
		 Cost-effectiveness should be considered holistically, acknowledging potential unintended consequences and alignment between state and federal priorities
		 Services should help vulnerable North Dakotans of all ages maintain or enhance quality of life by
	Effective services	 Supporting access to the social determinants of health: economic stability, housing, education, food, community, and health care
		 Mitigating threats to quality of life such as lack of financial resources, emotional crises, disabling conditions, or inability to protect oneself

To better encompass the role of "social services" in connecting people to social determinants of health, we have proposed shifting to the term "human services" in S.B. 2124

To: New Terminology

Human Services =

- + A service or assistance provided to an individual or an individual's family in need of services or assistance, including child welfare services, economic assistance programs, medical service programs, and aging service programs, to assist the individual or the individual's family in achieving and maintaining basic self-sufficiency, including physical health, mental health, education, welfare, food and nutrition, and housing.
- + A service or assistance provided, administered, or supervised by the department of human services in accordance with chapter 50-06
- + Licensing duties as administered or supervised by the department of human services or delegated by the department of human services to a human service zone

S.B. 2124: Department of Human Services Testimony House Human Services Committee: March 13, 2019

Agenda

- Overview of Social (Human) Services
- 2017 S.B. 2206 Study Context and Results
- Key Components of Policy in Engrossed S.B. 2124
- Appendix

Since the 1990s, social (human) services costs have been absorbed by the state incrementally

Timeline

Early 1990's: Social service delivery was one of largest single items in many county budgets, and one that was growing much faster than property values. So counties worked for legislation to shift that burden to statewide collected taxes.

1997: Counties were relieved of the local share of Medicaid payments to hospitals, doctors, and nursing homes, an area over which counties had no authority to approve, set rates, or change.

2007: The costs and employees of regional child support enforcement offices were shifted to the State.

2015: The county share of foster care maintenance payments was shifted to the state.

-> As a result of these transitions, property tax payers were left with about \$80 million per year in staff costs with great variation, as some taxpayers were paying 8 mills, others over 45 mills

In 2017-19, the state took over funding of social services in the 2017 S.B. 2206 pilot, keeping overall organizational structure intact

Subject	Details
	NDCC§53-34-04(4) Total Calendar Year Formula Payment = [Social Services (SS) Rate per case x SS Most Recently Available Calendar Year Case Month Data] + [Economic Assistance (EA) Rate per case x EA Most Recently Available Calendar Year Case Month Data)]
Formulas	NDCC§ 53-34-03(2) January 10 th Payment = Total Calendar Year Formula Payment x 50%
	NDCC§ 53-34-03(3-4) June 15 th Payment = (Totally Calendar Year Formula Payment x 50%) – 1st Payment +/- True Up or True Down – Amount Exceeding Fund Balance
	NDCC§ 53-34-04(1) 2015 Net Expenditures = 2015 Gross Expenditures + 25% of Three-Year Average Eligible Federally Allowable Indirect Costs – 2015 Services Reimbursed by Medical Assistance
	NDCC§ 53-34-04(2-3) Rate per case = 2015 Net Expenditures / 2015 Case Month Data
Variable Definitions	NDCC§ 53-34-03(3)(a) Recalculated Formula Payment = Rate per case x Most Recently Available Calendar Year Case Month Data
	NDCC§ 53-34-03(3)(b-d)) True Up/Down = If recalculated Formula is above or below 105% or 95% respectively of the Total Formula payment the county will receive or be reduced by the difference that is more or less than 105% or 95% respectively
Fund Balances	NDCC§ 53-34-06 Fund balance (Effective January 1, 2019): NDCC§ 53-34-05 Counties with \$2,000K expenditures may not exceed a fund balance of \$500k NDCC§ 53-34-05 Counties with less than \$2,000k expenditures may not exceed a fund balance of \$100k

- Benefits of pilot formula: shifted funding to the state under a more consistent reimbursement methodology, with some flexibility to adjust for workload changes as measured by caseload
- **Downsides to pilot formula:** caseload changes are only driver, locks in historical costs, locks in basket of services paid for in EA or SS rates, locks in current service levels even if variation

The 2017-2019 legislative session in 2017 S.B. 2206 also created an interim study to analyze pilot and develop implementation plan

2017 S.B. 2206 Section 8

Before November 1, 2018, the department of human services shall report to the legislative management on the status of the pilot program and the development of a plan for permanent implementation of the formula established in section 50-34-04. The implementation plan must include

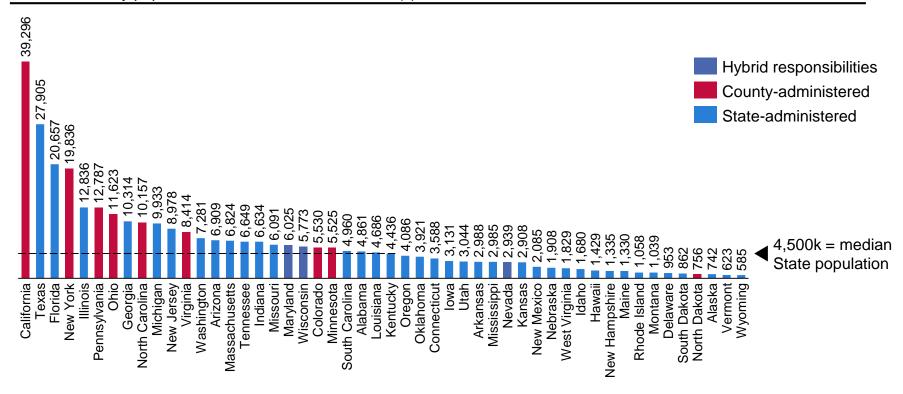
- recommendations for caseloads and outcomes for social services, designated child welfare services, and economic assistance;
- considerations regarding the delivery of county social services to ensure appropriate and adequate levels of service continue;
- · options for efficiencies and aggregation;
- analysis of the potential reduction in social service offices, organizations, and staff due to consolidations;
- the feasibility and desirability of, and potential timeline for, transitioning county social service staff to the department of human services;
- and considerations for oversight and chain of command within social services and human services.

The implementation plan must be submitted to the sixty-sixth legislative assembly as part of the department of human services budget request and identify the estimated biennial cost of the plan.

From the outset of the study, there has been recognition that ND does not have comparable scale to states that have statesupervised, county-administered programs

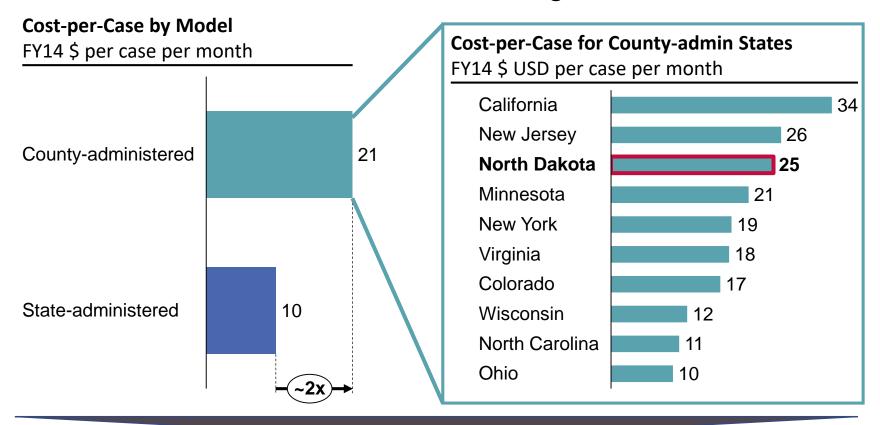
Child Welfare Delivery System (as part of Social Services): Organization by State

States ranked by population, shown here in thousands (k)



The other 8 states (other than North Dakota) with a state-supervised, county-administered social services system are all in the top 50% of states by size of population

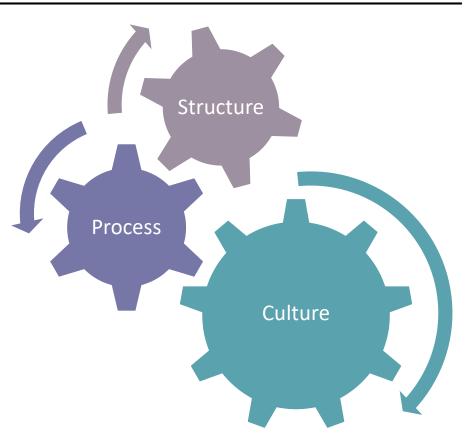
Studies of SNAP administrative costs indicate that a countyadministered model is correlated with higher costs



- The cost per SNAP case is about 2 times higher in states with county-administered programs
- Among state with county-administered program, ND has one of highest costs per case for SNAP at about \$25 per case per month
- Using SNAP as an indicator, these findings suggest an opportunity for increasing overall efficiency of administering programs in ND, particularly around eligibility programs

But improving programs is more than looking at structure: process and cultural change must accompany structural change

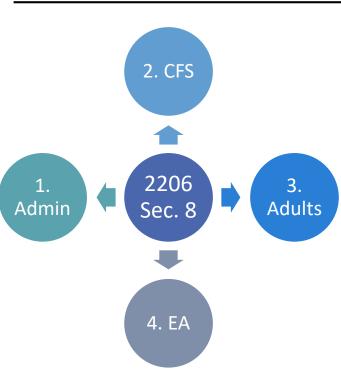
3 Key Levers for Change



- 3 Core Areas
 - Process
 - Structure
 - Culture
- Focus is on service delivery to the client in the most effective and efficient way possible
- Seek to remove geographic, political and cultural boundaries to deliver smart, efficient and compassionate human services
- Primary Stakeholders
 - Individuals & Families
 - Taxpayers
 - Employees

To examine holistic change, the 2017 S.B. 2206 interim study included 4 committees focused on each area of services

Committee Organization



- Pilot study kicked off on Oct. 12, 2017
- Each committee met about a dozen times (monthly) between Oct. 2017 and Sept. 2018

(Admin = Administrative; CFS = Child & Family Services; Adults includes older adults and persons with disabilities; EA = Economic Assistance)

Committee Participants

Name	Organization/Title	Committee / Role
Chris Jones	ND DHS, executive director	All
Sara Stolt	The Project Co.	Facilitator and project manager
Jason Matthews	JM Strategies	Facilitator
Terry Traynor	ND Association of Counties (NDACo), director	All
Lukas Gemar	DHS Administration	All
Amy Erickson	DHS Human Resources (HR), administrator	Administrative Committee
Steve Reiser	Dakota Central Social Services, director	Administrative Committee
Joe Morrissette	Office of Management and Budget, director	Administrative Committee
Kim Jacobson	Traill and Steele County Social Services, director	Administrative Committee
Laural Sehn	DHS Fiscal, accountant	Administrative Committee
Marcie Wuitschick	DHS HR, director	Administrative Committee
Tom Solberg	DHS, deputy director	Administrative Committee
Heidi Delorme	DHS Fiscal, deputy director	Administrative Committee
Jonathan Alm	DHS Legal, director	Administrative Committee
Kim Osadchuck	Burleigh County Social Services, director	Administrative Committee
Michelle Masset	Emmons County Social Services, director	Administrative Committee
Rhonda Allery	Lake Region Social Services, director	Administrative Committee
Tom Eide	DHS, chief financial officer	Administrative Committee
Chip Ammerman	Cass County Social Services, director	Children and Family Services Committee
Marlys Baker	DHS Children and Family Services (CFS), CPS	Children and Family Services Committee
Dennis Meier	Morton County Social Services, director	Children and Family Services Committee
Em Burkett	Stutsman County Social Services, director	Children and Family Services Committee
Karin Stave	DHS CFS, regional representative	Children and Family Services Committee
Peter Tunseth	UND CFS Training Center, director	Children and Family Services Committee
Diana Weber	DHS CFS, in-home program administrator	Children and Family Services Committee
Kelsey Bless	DHS CFS, permanency program administrator	Children and Family Services Committee
Amanda Carlson	DHS CFS, early childhood services	Children and Family Services Committee
Monica Goesen	DHS CFS, regional representative	Children and Family Services Committee
Vince Gillette	Sioux County Social Services, director	Economic Assistance Committee
Brenda Peterson	Morton County Social Services, eligibility manager	Economic Assistance Committee
Sidney Schock	Cass County Social Services, eligibility manager	Economic Assistance Committee
LuEllen Hart	Grand Forks County Social Services	Economic Assistance Committee
Michelle Gee	DHS Economic Assistance, director	Economic Assistance Committee
Linda Brew	DHS Economic Assistance, regional representative	Economic Assistance Committee
	and system support and development director	
Diane Mortenson	Stark County Social Services, director	Adult Services Committee
Doug Wegh	Hettinger County Social Services, director	Adult Services Committee
Joyce Johnson	DHS Economic Assistance, Medicaid policy director	
Kristen Hasbargen	Richland County Social Services, director	Adult Services Committee
Nancy Nikolas-Maier	DHS Aging Services, director	Adult Services Committee
Karla Kalanek	DHS DD, program administrator	Adult Services Committee
Heather Steffl	DHS, public information officer	Adult Services Committee

These recommendations highlighted a number of themes for program improvements, though barriers exist with old structure

Barriers to Change Today

		Barriers to C	change Today
Theme	Examples from Committee Recommendations	Structure	Process & Culture
Specialize work	 2a) Move sub-adopt to a few identified experts 2b) Shift foster care licensing to one entity per region to allow dedicated staff to focus on it 3a) Designate aging/ adult services staff to specialize in one program if possible 4b) Eliminate the work eligibility workers do that isn't part of eligibility determination 	Rate per case funding formula does not enable change in mix of services provided, thereby preventing specialization	Every county is accustomed to doing every function; specialization requires integration with other counties
Collaborate effectively to share resources/ capacity	 2c) Allow counties to share licensed foster homes across county lines, so that placements match a child's needs and provider capabilities 4b) Regionalize eligibility determination for Medicaid coverage of foster children, TANF, Medicaid long-term care, Basic Care Assistance, etc. 	County boundaries create siloed operations, and grant-like funding formula disincentivizes sharing of resources	County offices are not responsible for program outcomes outside the boundaries of their counties
Improve ways of working and align to best practices	 2d) Reduce the CPS assessment from 62 to 25 days 2e) Eliminate redundancy/multiple levels of review of licensing decisions 2f) Develop a navigator role to partner with CFS/Child Protection Services (CPS) 4c) Develop the Full Kit for processing program applications and determining eligibility 	Scaling best practices across counties can be difficult due to institutional silos of county-based org. structures and funding formula	Making improvements requires time, effort, and a willingness to embrace changes
	Importantly, S.B. 2124 does not make any of these changes; rather, the intent of the bill is to address and eliminate the barriers (in particular, the structural barriers) that exist to	Address these barriers through	Address these barriers through pilot projects

making these changes or improvements today

projects

S.B. 2124

To address process/cultural barriers, DHS and counties have improved programs through Theory of Constraint (TOC) method

What is Theory of Constraints (TOC)?

- TOC is a methodology for identifying the most important limiting factor (i.e. constraint) that stands in the way of achieving a goal and then systematically improving that constraint until it is no longer the limiting factor. Combined with a focus on systems thinking, TOC can transform operations within an organization or system.
- The primary focus of TOC is to identify the constraints, believe there is <u>hidden capacity</u> and apply the "rules of flow" to measure the work output and the quality of work.

How did North Dakota get involved in TOC?

- DHS Executive Director Jones was introduced to Kristen Cox, the Executive Director of OMB in the Utah Governor's Office. Ms. Cox is a leading expert in TOC and finding efficiencies within government agencies and programs.
- Ms. Cox and her team visited North Dakota on May 1, 2018, and provided and day-long seminar on TOC and how it would work in social services. A broad audience attended including state and county social service system professionals.
- DHS engaged Ms. Cox and her team in a one-year contract to apply TOC to human services programs, and to mentor and train DHS staff, county social service staff, NDACo staff and consultants to continue the work in the future.

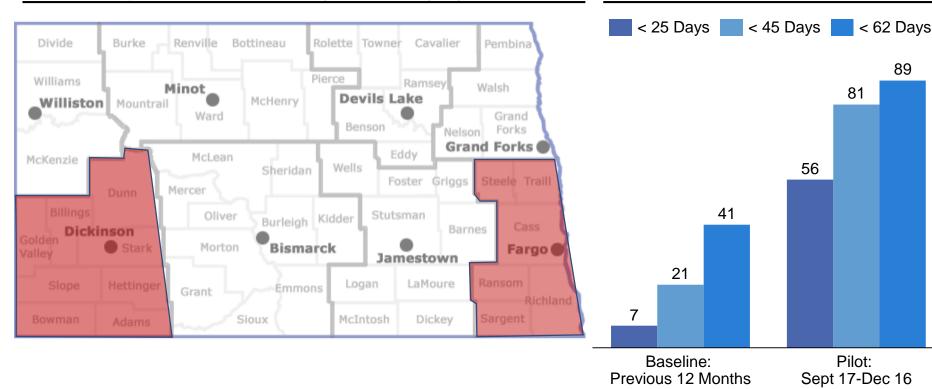
Where has TOC been used?

- Child Protection Services was identified as the first program to apply TOC. Based on a detailed review of CPS cases over a 12-month period the team identified three major opportunities for improvement.
 - Engaging with the alleged victim (child) immediately.
 - Timeliness of CPS assessments from initiation to completion.
 - Thorough and complete CPS assessments.

The first TOC pilot project – on CPS assessments – has shown early progress in participating counties

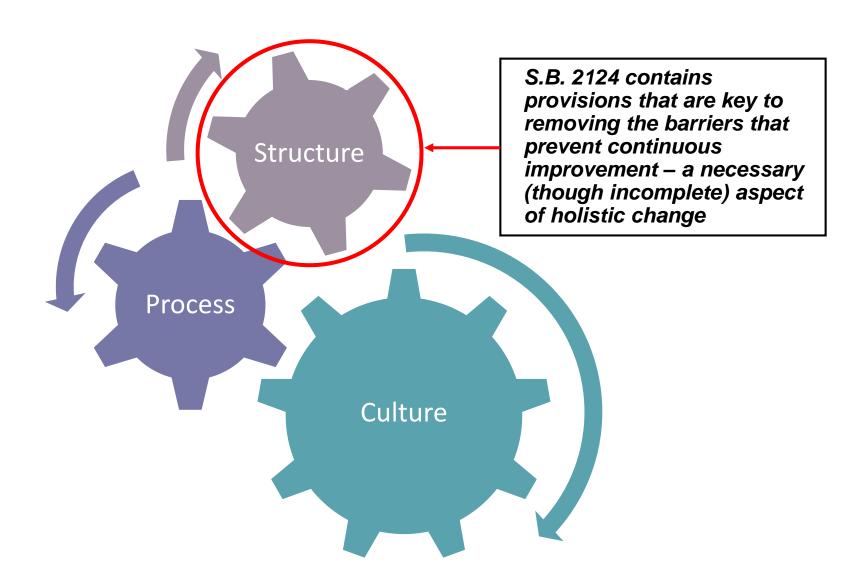
Participating Counties, participating counties highlighted in red

Results, cumulative % of assessments completed in less than N day timeframe



- Within the pilot, 89% of the closed cases were closed within 62 days (the current law to complete an assessment), versus a baseline for 12 months of CPS cases in the pilot regions of just 40.8%.
- Additionally, 56% of the 499 closed cases were closed within 25 days, versus a baseline for 12 months of CPS cases in the pilot regions of only 7.35%.
- Not only has timeliness of assessments improved, but pilot regions have in some cases unlocked hidden capacity, increasing access to services and transferring staff from administrative work to direct client services

However, entering a state of continuous improvement hinges crucially on the structural changes included in S.B. 2124



As we have examined structure, process, and culture, guiding principles emerged as fixed points for policy

Guiding Principles

- No reduction in access points
- Redistribution of dollars from administration to direct client service delivery
- No reductions in force or reductions in pay (roles will be redesigned for some)
- Promote equity in access and meet clients where they are
- Promote specialization of efforts where possible to improve consistency of service
- Promote decision making as close to the client as possible

S.B. 2124: Department of Human Services Testimony House Human Services Committee: March 13, 2019

Agenda

- Overview of Social (Human) Services
- 2017 S.B. 2206 Study Context and Results
- Key Components of Policy in Engrossed S.B. 2124
 - Zone structure and timeline for zone formation
 - Zone funding and fiscal note
 - Other major provisions
- Appendix

Bill Overview

- Direct delivery of human services in up to 19 multi-county "zones" that preserve all current service access locations – counties with population over 60,000 may be single county zones
- Local decision-making in zone creation, with final plan approval by DHS zone agreement by January 1, 2020; zones to be fully implemented by January 1, 2021
- Unique local programs to be continued
- A state funding formula for direct costs that is tied to actual 2018 expenditures and state salary adjustments
- Local funding of indirect costs with a portion reimbursed through the indirect cost plan
- An expanded human service zone board composed of county commissioners, legislators and other local leaders that would hire the zone director and ensure local service needs are addressed
- Consultation role for DHS in zone director selection and clear participation in evaluating performance of the director and zone
- Creation of four zone operational supervisors to provide technical assistance, program supervision, evaluation, and support to zones – but these FTE's will be found within existing zone employment
- All zone employees will remain within the state's merit system as required by federal law.
 Employment and salaries of existing employees will be preserved, with transfers and reassignments protected by all existing rules
- A process of progressive discipline to ensure performance without endangering the resources necessary for client services
- Optional transfer of zone employees to the state for specific services that may be identified for specialization; but also allows for zone supervision of state employees if they physically remain in the zone office
- Statewide consistency in indigent burial and ultimately general assistance to increase efficiency and guarantee equal access

Source: NDACo Bill Summary 20

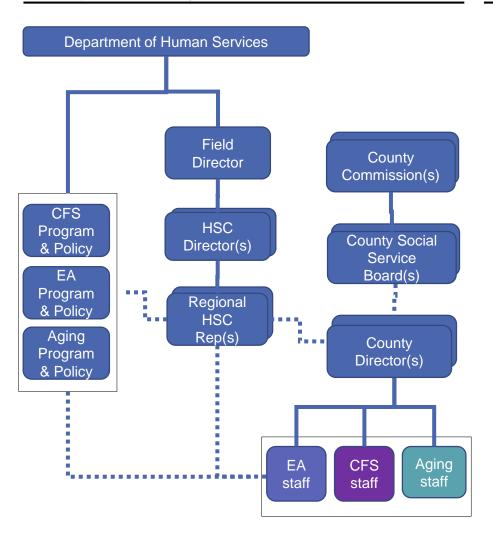
S.B. 2124: Department of Human Services Testimony House Human Services Committee: March 13, 2019

Agenda

- Overview of Social (Human) Services
- 2017 S.B. 2206 Study Context and Results
- Key Components of Policy in Engrossed S.B. 2124
 - Zone structure and timeline for zone formation
 - Zone funding and fiscal note
 - Other major provisions
- Appendix

Today's model of delivering social (human) services can be disjointed and inefficient, resulting in worse outcomes for clients

State supervised, county-administered structure: Visual

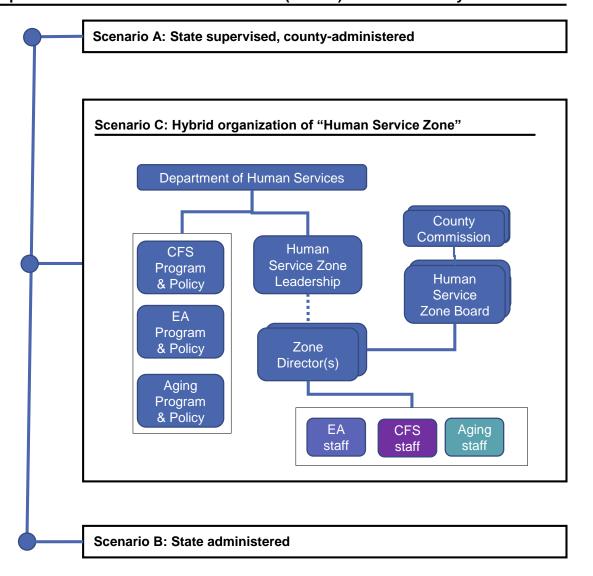


State supervised, county-administered structure: Detail

- The State of North Dakota's state supervised county administered social delivery model consists of multiple management layers of supervision to deliver social services.
- The Department of Human Services Program and Policy provide administrative oversight, ensure federal and state reporting compliance, create and update policy and administrative rule, and ensure Human Service Center (HSC) administrative rule compliance.
- The DHS Regional Representatives are part of the Field Services function and are typically housed in HSCs. They are responsible for providing administrative oversight and technical assistance for County Social Services. Additionally, they are responsible for approving payments, licenses and other decisions.
- County Social Services are responsible for administering the programs as directed by the State.
- Along with these three layers, each layer reports up separately or to other entities all together.
 - Program and Policy do not directly oversee the Field and Regional Representatives and the Regional Representatives do not directly oversee County Social Services, as they report up through County Commissions.
 - However, due to client privacy protections, County Commissions do not have a full picture of performance into the delivery of Social Services.
- With these multiple layers, there are times that decisions may be made too far away from the client(s).
- Finally, and most importantly, this structure, at times, causes a fair amount of confusion and stress for staff and clients, especially on difficult cases.

S.B. 2124 would shift delivery of social (human) services from counties to zones, a hybrid state/county structure

Spectrum of structural models for social (human) services delivery



Detail of Preferred Model: Scenario C

- This is the structural recommendation of SB 2124.
- This model creates up to 19 zones and is structurally similar to current law for multi-county social service districts.
- This structural model creates clearer lines of accountability between State Program and Policy and the administration of Social Services.
- Structurally different for multi-county social districts is that the intent is that zones are defined for the responsibility for delivering state mandated services, regardless of client address.
- With that difference, budgets will be completed by Zones, in collaboration with the department; however, as we move forward with pilots within the TOC process, this structural model, along with changes to funding flexibility will promote greater collaboration, specialization and utilization of capacity that exists in the State today.
- In this model, Zone Directors will participate in a DHS Human Service Zone Leadership Team and partner with Social Service Program and Policy to ensure effective and compliant delivery in each zone.
- The Department will provide consistent budgeting guidelines, HR policies and policies and guidelines for standard and consistent program delivery.
- This model also supports incremental movements toward improvements in efficiency and effectiveness in client centered delivery.

Proposed timeline for the formation of human service zones has several milestones, with completion at start of 2021

ates / Milestones	Detail / Description of Milestones	Bill References
July 1, 2019 Bill Enactment	 Zone agreement must: Identify the proposed counties of the human service zone Identify the host county Identify the human service zone board members 	Section 62 (Page 57, lines 27-29)
Dec 1, 2019 Zone Agreements Zone Board Jan 11, 2020	 Zone board must: Have 15 or fewer members appointed by county commissioners Have at least one county commissioner from each county in zone Elect a vice presiding officer and appoint secretary Establish procedures for review and approval of claims against the human service zone human services fund 	Section 62 (p. 57) Section 72 (p. 70) Section 74 (p. 71)
First zone payment	First zone payment must: Be based on the most recent data on historical cost and income Be made to the host county Include payment for indirect costs	Section 130 (p. 123)
Mar 31, 2020 Zone Director	 Zone director must: Be hired by the zone board by April 1, 2020 Be employed by the zone; located within the human service zone Serve as the presiding officer of the zone board 	Section 67 (p. 66) Section 74 (p. 71)
June 30, 2020 Zone Plan	 Zone plan must: Provide funding for indirect costs and liability coverage Specify any role transitions for team members Describe all unique locally-provided programs that would continue 	Section 62 (p. 57 - p.59)
Jan 1, 2021 Approval & Statewide Implementation	 to be provided under plan Allow for nonresidents of participating counties to access services Specify that reductions in access points are only made with agreement of human service zone board, county commissions of affected counties, and the department 	

The department's approval of a zone agreement and plan will depend on several factors, building on multicounty district model

Subject	Design Intent / Brief Description	Language	Rationale	SB 2124 Reference(s)
		Whether the affected county agencies are able to supply an adequate level and quality of social and economic assistance services.	Carry over existing multicounty district law	SECTION 63 page 59, 27-28
		The number and qualifications of staff personnel serving the affected county agencies.	Carry over existing multicounty district law	SECTION 63 page 59, 29-30
		The ratio of the number of cases handled by the affected county agencies to the number of their staff personnel.	Carry over existing multicounty district law	SECTION 63 page 60, 1-2
	The goal is to	The geographical area and population served by the affected county agencies.	Carry over existing multicounty district law	SECTION 63 page 60, 3
	establish zones in a way that will enable efficiency	The distance of recipients from the affected county agencies.	Carry over existing multicounty district law	SECTION 63 page 60, 4
Guiding principles for zone	and effective service delivery. These are	The benefits that would be realized from the creation of the district human service zone in terms of lower costs, increased availability of services, new services, and improvement of services.	Carry over existing multicounty district law	SECTION 63 page 60, 5-7
creation	a autica aut auita ui a	The amount of current and future access points for individuals to apply for and receive services within a human service zone.	Access points should be maintained or increased for counties that are part of zone	SECTION 63 page 60,15-16
		The existing pattern of the counties trade area and any regional pattern established by the department.	Leveraging existing county connections promotes efficiency and alignment with other services (e.g., public health units)	SECTION 63 page 60, 17-18
		The county has a population exceeding sixty thousand individualsto operate as a singlezoneandit is in the best interest of the neighboring counties.	Large counties have sufficient scale to operate independently, and this should be allowed if neighboring counties also benefit from being part of different zone	SECTION 63 page 60, 19-21
		The proposed human service zone is excluding a county that shares an urban area with other counties in the proposed human service zone.	Urban areas will benefit from being in 1 zone since this prevents bifurcating of services for citizens in same community	SECTION 63 page 60, 22-23
		The human service zone director can adequately supervise the activities and operations of the human service zone.	The zone should not be so large as to make it difficult for a zone director to supervise performance of services	SECTION 63 page 60, 26-27

across communities

Human service zone directors are zone employees responsible for management of staff, budgeting, operations & outcomes

Subject	Design Intent / Brief Description	SB 2124 Language	Rationale	SB 2124 Reference
Employ- ment at zone level	+ From: county director is county employee + To: zone director is a zone employee	[Zone directors] [m]ust be employees of the human service zone and located within the human service zone, unless serving more than one human service zone.	Zone directors facilitate partnership with the state as well as peers, helping to ensure that operations are collaborative and uniform across the state, while remaining accountable to local zone board	SECTION 67 p.67, 1-2
Authority for super- vision of staff	+ Zone director has authority to hire and fire and may serve as supervisor for department employees assigned to zone	[Zone directors] [m]ay hire, take disciplinary actions, and direct the work of a human service zone team member in accordance with the department's policiesMay serve as a designee of the department to supervise department employees assigned to or located within the human service zone.	Zone directors should have authority to manage staff in order to ensure program compliance and performance	SECTION 67 p.67, 5-6 p.67, 21-22
Role in leading budgeting	+ From: county directors are given a grant amount + To: zone directors have active role in creating budget	Shall develop a budget for the human service zone in partnership with the department and other human service zone directors to ensure the administration of human services.	An active role of zone directors in creating the budget will ensure that there is constant attention to how the budget can enable operations that proactively meet the needs of all citizens and incorporates best practices from across the state	SECTION 67 p.67, 18-20
Role as custodian designee	Zone director effectively serves as custodian of children whose parents have had rights terminated	Are the custodian designees of the executive director of the department for any child in the custody of the department.	Allows for decision-making closer to the child and local context	SECTION 67 p.67, 23-24
Role in foster care grievance process	+ From: regional representative review of foster care grievance + To: peer review of foster care grievance by zone director in conflict-free human service zone	If no written resolution between the parties relating to the grievance is made at the informal meeting, the foster parents may request a formal hearing to be held at the regional foster carea conflict-free human service zone officeThe regional foster carehuman service zone director or the director's designee shall review all prior contact[and] shall then make a final determination relating to the grievance.	Simplifying the organization complexity of delivering human services will involve re- imagining the role of the regional representatives at Human Service Centers	SECTION 112 p.112:4-16

The zone board is composed of representatives from each county in zone and responsible for supervising operations

Subject	Design Intent / Brief Description	SB 2124 Language	Rationale	SB 2124 Reference(s)
Board President Zone director serves as the presiding officer of the social service zone board		The human service zone director shall serve as presiding officer of the human service zone board as a nonappointed member.	Since the zone director is responsible for client service delivery and the day-to-day operations of the zone, they are well-positioned to set the agenda of the zone board and facilitate discussion	SECTION 72 p.70, 13-15
Process of appointing members	Appointed members selected by county commissioners	The board of county commissioners of each county within the human service zone shall appoint the appointed members of the county social human service zone board based upon fitness to serve as members by reason of character, experience, and training without regard to political affiliation.	The county commissioners have insight into who will be more effective in representing the human service needs of their counties on the human service zone board	SECTION 72 p.70, 4-7
Qualities of appointed board members	+ Demographics of board must reflect constituent counties + Each county must be represented on the zone board by at least one commissioner	Each sex, race, and ethnicity must be fairly represented on the human service zone board based on the zone's demographics, and each county must be represented on the human service zone board by at least one county commissioner of that county.	+ Zone board must ensure that the needs of all counties within the zone, and all communities within each county, are receiving sufficient service levels + Adequate representation of community perspectives is essential to fulfilling the role of the board	SECTION 72 p.70, 9-12
Duties of board members	+ Advocate for those in need + Make recommendations on how to improve programs + Assist in coordination of services for public and private agencies + Establish procedures for review and approval of claims + Hire zone director	[1] Provide information to the department relative to the community needs of the human service zone residents and advocate to meet those [2] Review services and programs provided by the human service zone and make periodic recommendations for improvement [3] Aid and assist in every reasonable way to efficiently coordinate and conduct human service activities [4] Establish procedures for the review and approval of all claims against the human service zone human services fund. [5] Hire, supervise, and take other personnel actions related to the human service zone director with direct consultation and involvement	 The role of the zone board is designed to accomplish 5 distinct goals: Highlight community needs or gaps in services Ensure that any flaws in zone performance are addressed Promote collaboration between community stakeholders Maintain responsibility of fiscal affairs Supervise the zone director (in collaboration with department) and hear and act on employee grievances 	SECTION 74 p.71, line 9 through p.72 line 20

from the department

FTE transfer authority is included in 2124 for functions where state can gain consistency/efficiency from specialization of work

	•		•	Bill Text
Subject	Design Intent / Brief Description	Bill Text Language (19.8057.02000)	Rationale	Reference(s) (19.8057.02000)
FTEs authorized as transfers from county	+ From: each county operates same basket of services + To: services are distributed to maximize efficiency and client outcomes	Up to [223] full-time equivalent positions included in Senate Bill No. 2012, as approved by the sixty-sixth legislative assembly, may be adjusted or increased only if one or more human service zones transfers powers and dutiesAny positions added to the department of human services under this section would be position transfers from the human service zones	+ The contingent authorization for these functions reflect 2206 study committee recommendations, as some functions were determined to be more efficiently performed in consolidated manner (which does not mean centralized) + Authorizations are contingent because not all may happen this biennium, or alternative strategies may be developed	SECTION 140 p.135:20-26
		[4 FTEs] to serve as human service zone operational directors	DHS will need positions for operations directors to oversee zone functions	SECTION 140 p.136:16-18
	Broadly, those functions targeted for potential transition to the state are those where work requires a greater specialization and content knowledge. Through specialization of work, these transitions would ensure more consistent and efficient delivery.	[16 FTEs] if [DHS] assumesduties associated with foster care training and the recruitment and licensing of family foster care homes [2 FTEs] if [DHS] assumesduties associated with adoption assistance eligibility determination	 CFS committee recommendations included: Establish statewide foster care recruitment strategy Regionalize foster care licensing Move sub-adopt negotiations to region or state 	SECTION 140 p.136:19-21 p.137:1-3
FTEs transferred		[14 FTEs] if [DHS] assumes…duties associated with foster care assistance or IV-E eligibility determination	IV-E determinations are complicated/ error-prone, and a specialized team may perform better than generalists	SECTION 140 p.136:22-24
for specific functions		[27 FTEs] if [DHS] assumesduties associated with child care licensing	Inconsistency or lack of critical mass in regional delivery motivates consolidating operations	SECTION 140 p.136:25-26
		[16 FTEs] if [DHS] assumesduties associated with [LIHEAP]	EA committee suggested to outsource; consolidation to state may be preferred	SECTION 140 p.136:27-29
		[104 FTEs] if [DHS] assumesdetermination of eligibility and other related activities [for various programs]	Some eligibility functions, such as long- term care eligibility, would be more efficiently performed at state level	SECTION 140 p.137:4-8
		[30 FTEs] to relieve human service zones of miscellaneous duties [e.g., fraud investigations, estate collections, third party liability, etc.]	The state is better positioned to perform duties that would make human service zones less efficient by distraction	SECTION 140 p.137:9-11
	•	[10 FTEs] to serve as quality control to the human service zones	Quality control positions will support and ensure performance across zones	SECTION 140 p.137:12-13 28

S.B. 2124: Department of Human Services Testimony House Human Services Committee: March 13, 2019

Agenda

- Overview of Social (Human) Services
- 2017 S.B. 2206 Study Context and Results
- Key Components of Policy in Engrossed S.B. 2124
 - Zone structure and timeline for zone formation.
 - Zone funding and fiscal note
 - Other major provisions
- Appendix

Several principles for zone budgeting are reflected in S.B. 2124 and fiscal note, expanding on the benefits of the pilot formula

Zone Budgeting Principles (in BOLD are principles driving prior formula)

- 1. Reimburse historical costs of providing services across zone
- 2. Adjust for differences in pay between zones and cost of living
- 3. Adjust for process change (enabling consolidation, sharing capacity)
- 4. Adjust for changes to the basket of services (enabling specialization)
- 5. Adjust for caseload increases or decreases
- 6. Adjust for equalizing service levels across the state, recognizing potential differences in delivery modes in different zones
- 7. Adjust for statewide changes in services or service levels
- 8. Adjust for contingencies or pressing situations

Ranked in order of priority

The flexibility of zone funding is meant to increase responsiveness to community needs and enable innovation

Subject	Design Intent / Brief Description	SB 2124 Language	Rationale	SB 2124 Reference(s)
Formula starting point	+ Historical costs less income is funding starting point	The calculation must be based on the human service zone's most recently available data on historical cost and income	This approach strikes an initial balance between covering expenses that support operations while not overpaying	SECTION 130 p. 125, 28-29
Flexibility of formula	+ The department adjusts formula up or down from historical cost and income + The adjustments up or down are based on factors such as compensation equity, actual expenditures, current costs, services provided, need, duties assigned and caseload	[The director's calculation] of the total formula paymentmay includehuman service zone director's proposed budgetCompensation equity and increases[c]urrent and future duties of and services offered by the human service zone[other] pertinent factors, which include actual expenditures over the previous or current payment period, current costs, offered services, need, income, performance of duties directed or assigned and supervised by the department, and caseload.	+ Adjustment in response to "need" and the human service zone director's proposed budget will better tie the funding to the needs of the local context + Adjustment for "current and future duties" would allow funding to reflect operational changes to the basket of services at the zones, enabling specialization and sharing of resources; adjustments for "actual expenditures" enable these transitions to occur smoothly + Adjustment for "compensation equity and increases" is included because payment is currently unequal between counties — which is reflected in differences in the rate per case by county in the old formula — and this would move toward equity under new method + Adjustments for "caseload" are still included as an essential part of the formula calculation, but no longer the only driver	SECTION 130 p. 125, line 27 through p. 126, line 19
Formula recalc-ulation	Recalculation of formula to occur biannually	The director may recalculate and adjust each human service zone's formula payment biannually [based on factors outlined above]	Recalculating 2x per year makes the zone operations more nimble while matching the biannual payment timeline	SECTION 130 p. 126, 15-16
Indirect cost formula	The intent is to continue reimbursing counties for a share of indirect costs incurred that support delivery of human services	The director shall calculate payment for indirect costsThe total payment by the department for reimbursement of indirect costs incurred to support human services cannot be less than the prorated amount paid to counties for this purpose in state fiscal year 2018 as identified in the indirect cost plan, unless a cost reduction or cost savings is achieved by the county.	The goal of this provision is to protect the payment for indirect costs supported by counties, ensuring that counties receive an amount that fairly protects the reimbursement they have received in the past for indirect costs	SECTION 130 p. 126, 23-28

The fiscal note associated with S.B. 2124 of \$182.3m will support transition to new model of human service zones (1/2)

Line Item	Estimated Amount ¹ , \$	Rationale / Description of Calculation
Projection of CY18 and CY19 program-related costs	161,206,697	= $[CY18 \text{ actuals}]^2 + [CY19 \text{ projection}]^3 = 80,213,303 + 80,993,394$
Indirect Cost Obligation	5,550,522	Estimate for the indirect costs is 25% of the last available full 12 months of data plus the costs for preparing indirect cost allocation plan
Sub-total: Historical Costs	166,757,219	Sum of historical program-related costs and share of indirect costs
Revenue (MMIS Revenue Estimate)	(5,306,627)	2 times the amount distributed from MMIS in CY18. Monies distributed to the counties from the Medicaid Management Information system (MMIS) support costs for services like home & community-based services
Inflationary Increases	8,584,833 ⁴	Inflationary increases are based on 2% / 3% inflators for salaries, benefits other than health, and operating; est. health benefits are inflated at 7.5% each year
Sub-total: Total Costs minus Revenues plus inflation	170,035,425	
Compensation Equity Adjustments	3,408,119	The same roles at various counties are paid very differently due to historical contingencies reinforced through the rate-per case formula; this amount would allow for bringing up compensation of lower-paid counties
Family First Legislation Implementation Investments	7,500,000	Funds to support preventative services and enhanced review of residential placements under Qualified Residential Treatment Provider (QRTP) provisions
Contingency & Pilot Implementation	1,356,456	Funds to support unforeseen county expenses (e.g., burials, overpayments), program pilots, and scaling of best practices from pilots
Total	182,300,000	

¹ These estimates could adjust based on most recently available cost data from counties. 2 [CY18 actuals] are reported based on data for actual Salaries, Benefits, and Operating cost payments from the counties for CY18. 3 [CY19 projection] is calculated as the [CY18 actuals] with any inflator of 6.4% for only the estimated health benefits portion of county social services spending. 4 At a 2% and 2% inflator, this 8.6m would change by (692,290)

The fiscal note associated with S.B. 2124 of \$182.3m will support transition to new model of human service zones (2/2)

ine Item	Estimated Amount ¹ , \$	Zone Budgeting Principles Supported
Projection of CY18 and CY19 program-related costs	161,206,697	1 3 4 5
Indirect Cost Obligation	5,550,522	0
Sub-total: Historical Costs	166,757,219	
Revenue (MMIS Revenue Estimate)	(5,306,627)	
Inflationary Increases	8,584,8334	2
Sub-total: Total Costs minus Revenues plus inflation	170,035,425	
Compensation Equity Adjustments	3,408,119	2
Family First Legislation Implementation Investments	7,500,000	67
Contingency & Pilot Implementation	1,356,456	34
Total	182,300,000	

Zone Budgeting Principles

- Reimburse historical costs of providing services across zone
- Adjust for differences in pay between zones and cost of living
- Adjust for process change (enabling consolidation, sharing capacity)
- Adjust for changes to the basket of services (enabling specialization)
- Adjust for caseload increases or decreases
- Adjust for equalizing service levels across the state, recognizing potential differences in delivery modes in different zones
- Adjust for statewide changes in services or service levels
- Adjust for contingencies or pressing situations

¹ These estimates could adjust based on most recently available cost data from counties. 2 [CY18 actuals] are reported based on data for actual Salaries, Benefits, and Operating cost payments from the counties for CY18. 3 [CY19 projection] is calculated as the [CY18 actuals] with any inflator of 6.4% for only the estimated health benefits portion of county social services spending. 4 At a 2% and 2% inflator, this 8.6m would change by (692,290)

S.B. 2124: Department of Human Services Testimony House Human Services Committee: March 13, 2019

Agenda

- Overview of Social (Human) Services
- 2017 S.B. 2206 Study Context and Results
- Key Components of Policy in Engrossed S.B. 2124
 - Zone structure and timeline for zone formation
 - Zone funding and fiscal note
 - Other major provisions
- Appendix

Other Major Provisions in SB 2124

of Parental

Rights

Section: Topic **Description** The proposed changes do not add additional legal responsibilities, with the exception of representing the human service zone in adoption cases if the human service zone needs to respond to a petition for adoption pursuant to chapter 14-15 of the North Dakota Century Code, as the proposed changes Section 1: currently fall under the duties of the state's attorney currently set forth in State's separate chapters, which are now referenced under section 11-16-01 of the attorney North Dakota Century Code...If the proposed changes are not added to Section 1, the Department or the Attorney General's Office would need additional appropriation and full-time equivalent positions to provide legal representation and initiate proceedings... The proposed changes in Section 17 of this Bill replace references to "county" social services boards" and "county's general assistance policy" with language Section 17: referring to the newly created "human service zones" and "human service zone's general assistance policy" with regard to responsibilities for indigent Indigent burial. The proposed changes also assign to the Department the authority Burial to negotiate with funeral directors regarding expenses instead of the county social services board. The proposed changes in Section 36 and 37 of this Bill provide that **upon an** Section 36 order terminating parental rights, if there is no parent having parental & 37: rights, one option is to commit the child to the custody of the county social Termination service director up until December 31, 2019. After [December 31, 2019], one

option will be to commit the child to the custody of the human service

the custody of the Executive Director of the Department.

zone director. Previous language had directed the child to be placed into

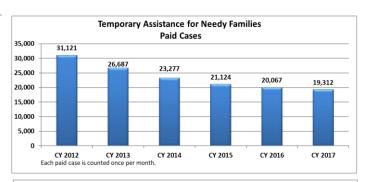
S.B. 2124: Department of Human Services Testimony House Human Services Committee: March 13, 2019

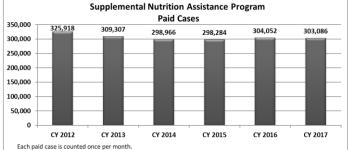
Agenda

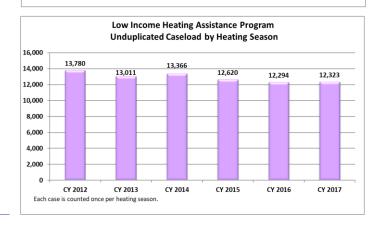
- Overview of Social (Human) Services
- 2017 S.B. 2206 Study Context and Results
- Key Components of Policy in Engrossed S.B. 2124
- Appendix

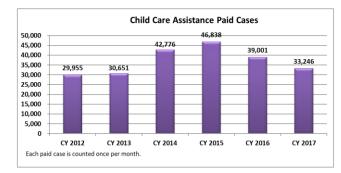
Payment during 2017-19, then, has been driven by caseload amounts across each of the programs at the county level; for reference, these overall caseloads are shown (1/2)

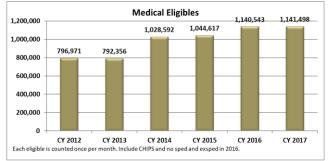
Major Components of Economic Assistance Formula Caseload

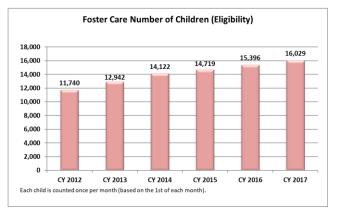




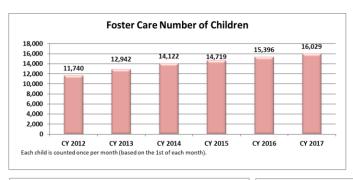


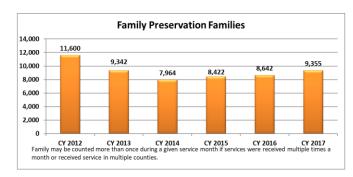




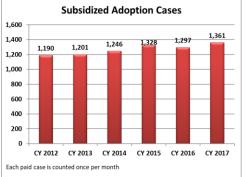


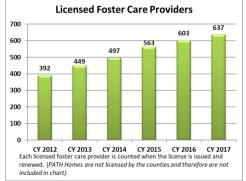
Payment during 2017-19, then, has been driven by caseload amounts across each of the programs at the county level; for reference, these overall caseloads are shown (2/2)

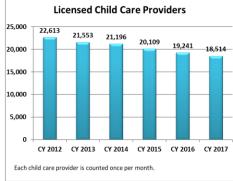


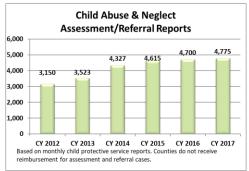


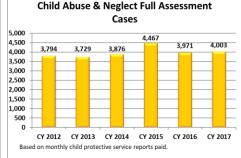
Major components of Social Services Formula Caseload

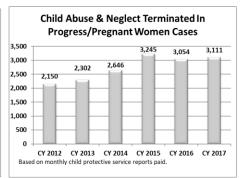












Recommendations from Child & Family Services Committee

Recommendation	Benefits + Notes
a) Move sub-adopt negotiations to region or state	 Provide consistent service delivery across all counties by having a few identified experts who will focus solely on sub-adopt
b) Shift foster care licensing to one entity per region	 Regionalize expertise by having an experienced county take the lead on foster care licensing in each service delivery region
c) Regionalize foster care placement-intake/call center	 Allows counties to share licensed foster homes across county lines, so that placements match a child's needs and a provider's preferences, experience and abilities
d) Reduce the CPS assessment from 62 days to 25 days	 Provide upfront timely services to families Provide faster resolution while keeping children safe
e) Maintain local access for providers, while eliminating redundancy/multiple levels of review of licensing decisions	 Simplify the licensing process Create standard work practices Increase ability to share licensing resources across county lines
f) Develop a navigator role to partner with CFS/Child Protection Services (CPS)	 Help address social determinants of health with the family Connect regularly with families Reduce the caseload for CPS case managers by providing early support and intervention
g) Establish a statewide foster care recruitment strategy	 Replaces fragmented and diluted funding to regional foster care coalitions with a statewide recruitment strategy and tools Provides consistent recruitment messages and outreach material statewide Contract with marketing agency to develop the strategy/message
h) Regionalize foster care licensing	 Provide consistent and timely licensing by using dedicated expert staff for licensing of foster homes Increase efficiency due to staff focus and expertise
i) Expand access to Universal Home Visit Program in partnership with hospitals	 Provide front-end prevention Has a parent-aide checking on high-risk (to be defined) parents after birth of a child for up to (TBD) years Generate cost savings over time by increasing family connections, parenting skills and understanding of child development and reducing risk of abuse and neglect Applies a consistent evidence-based model Divert at-risk population from foster care Is primary prevention – offered to every family that has a baby
j) Expand Alternative Response beyond current target population	Provides needed services to families without filing a formal CPS report

Recommendations from Adult Services Committee

Areas of Focus	Notes and Recommendations
a) Worker Specialization	 Notes: Specialization is a necessity to ensure quality delivery of services Current system expects every professional to know a little bit about everything, which is overwhelming and may result in misinformation or misunderstandings Recommendations: If possible, designate staff to only work in one program. At a minimum, require specialization and expertise in a key area Establish annual proficiency standards (benchmarks) for each worker to meet
b) Information and referral assistance	Notes: People are unaware of available services and the Aging and Disability Resource LINK (ADRL) online and telephone information and assistance resources Recommendation: Expand the ADRL's capacity to provide information about community-based services and supports for people with disabilities across the lifespan to better connect people to needed services and supports
c) Universal Intake and Assessment	 Notes: Clients are overwhelmed with having to fill out multiple forms Challenges are further compounded by a lack of communication among various entities and programs Currently, intake is not a centralized system; the goal should be to utilize whatever hidden capacities exist within the system to improve efficiencies Recommendation: Eliminate multiple assessments. Develop an easy-to-access universal intake process using a universal set of questions to screen applicants and determine eligibility for long-term supports services for adults. This will greatly benefit clients and create greater efficiency. SPECIAL NOTATION: As this will be a significant change, the Adult Services Committee has agreed to continue working as a group to identify further efficiencies/improvements and create and implement a new intake and assessment system.

Recommendations from Economic Assistance Committee

Recommendation	Benefits + Notes
a) Eliminate the work eligibility workers do that isn't part of eligibility determination	Gives eligibility workers more time for processing applications and providing case management Examples of work not related to eligibility: Fraud investigations Estate collections Third Party Liability Health Tracks Referral Primary Care Physician assignment
 b) Regionalize eligibility determination for Medicaid coverage of foster children, Temporary Assistance for Needy Families, Medicaid long- term care, Child Care Assistance and Basic Care Assistance 	 Creates specialized teams across regions who regularly work with and process these complex cases Improves the quality of eligibility determinations
c) Develop the Full Kit for processing program applications and determining eligibility	 Workers have the information they need to accurately determine eligibility Identify the necessary items to begin starting an eligibility application Provide the Full Kit checklist for all programs
d) Central client call center	 Provides one number for clients to call across the state to ask questions, get an update on their applications, change addresses, etc. Creates a designated team of call center experts Assures universal access regardless of location to all EA client information Builds a triage process
e) Centralize training for EA program eligibility determination	 Develops training curriculum and offers consistent ongoing training to eligibility workers statewide Establishes a training team connecting trainers with policy and program administrators to assure consistent development and delivery of training
f) Policy development	 Include frontline eligibility workers in the policy development and training curriculum process Create program work groups that include eligibility workers to improve programs
g) Outsource Low Income Home Energy Assistance Program (LIHEAP)	Connects LIHEAP with organizations familiar with the program
h) Build a robust set of interfaces to allow eligibility workers access to more information to more efficiently and effectively process client applications	 Examples of interfaces Job Service North Dakota, Child Support, Unemployment, WSI Benefit Work #