

Episode 49 - Susan Mangold: Child Welfare Services: Does the Source of Funding Matter?

[00:00:08] Welcome to LIVING PROOF A podcast series of the University at Buffalo School of Social Work at www.socialwork.buffalo.edu. We're glad you could join us today. The series Living Proof examines social work research and practice that makes a difference in people's lives. I'm your host Adjoa Robinson and I'd like to take a moment to tell you about a new feature of living proof. In addition to listening subscribing to and sharing podcasts you can now rate and write a review of each episode of living proof to rate or write a review of a podcast. Just go to our Web site at www.socialwork.buffalo.edu/podcast and click on that create your own review button. We look forward to hearing from you. Greetings from Buffalo. The summer home of Shakespeare in the park and a different outdoor festival each weekend. I'm your host Peter Sobota. And you thought health care reform was tough to get your arms around. Hold on. As Professor of Law Susan Mangold discusses her findings related to the impact of funding sources on child welfare services. Here Professor Mangold explains the varying and complex mix of child welfare services funding. And after reviewing a child welfare database in Ohio offers preliminary conclusions that might surprise you. Child welfare services are typically funded through a mix of federal state and local dollars.

[00:01:41] This mix varies state to state with different states utilizing different percentages of each source unanticipated access to a vast child welfare database in Ohio led Professor Mangold to wonder does the type of funding make a difference in the quality of services and outcomes. Among other interesting findings Professor Mangold discovered that the largest cost in providing services are the resources spent in determining eligibility for federal funding and that while the WA Substance favors family unification the funding mechanisms favor placement. Professor Mangold discusses the unique aspects of Ohio's child welfare approach and describes the provocative findings that the type of funding had a larger impact than the amount of funding she concludes by discussing the next steps in her research. Susan Vivian Mangold is Professor of Law at the University of Buffalo Law School where she has developed courses related to family violence child advocacy and child welfare law professor Mangold has published in the field of child welfare law and as presented to audiences of lawyers social workers physicians and others engaged in the protection of children. She is director of the Eubie ball the center's program on children family and society. Professor Mangold is a graduate of Harvard College and Harvard Law School where she was executive director of Harvard legal aid for five years before entering academics. She was a staff attorney at the Juvenile Law Center in Philadelphia where she represented children in abuse and neglect cases and worked on impact litigation in the child welfare juvenile justice and mental health areas. Professor Mangold was interviewed by Dr. Kathleen Kost associate professor at UB School of Social Work. I'm Dr. Kate Kost from the University of Buffalo's school of social work. Here with me to talk about child welfare issues of funding and risk Preservation Services is Sue Mangold from the law school. Thanks for joining us. My pleasure. Could you please explain how you became interested in the funding aspects of child welfare services.

[00:03:57] Well I've been studying the child welfare system basically my entire academic career and I worked in the child welfare system before going into academics and all through those years. Twenty something years now I've been very much focused on what the actual law says. Kind of the black letter law and what are potential reforms. And when I teach about the child welfare system we focus on the major federal legislation and what the mandates are and then we look at the 50 states and we see how those are codified and implemented in each of the states. Meanwhile you read that a certain state say Ohio uses predominantly local funding in the federal state local mix and another state uses predominantly state funding and the federal state local mix and a third state might use prominently federal funding title 4E. But a lot of reliance on Title 20 and I know we'll get into the

details of that say there are in other words these are all different kinds of funding streams and I guess I just started asking myself does it matter. Does it matter. Dollar for dollar what the funding stream. So we're spending all this time on the substance of the law. What about the appropriations aspect not the amount of money but the type of money and how it flows into the state does that make any difference. And so as I began to ask those questions and looking at the funding mechanism where I wrote first just kind of laying out the funding aspects of the legislation I'm focused on the eligibility requirements.

[00:05:27] And then in this piece I actually turn to the different strategies for federal state and local funding and a small sampling of some of the counties in Ohio to see if there is any impact on the quality of services. Could you talk a little bit about the different funding streams. Having read your paper I found it fascinating. I didn't realize there were so many different kinds of matching grants and funding streams and just administrative costs anyway. Very complex issues. Yes and a lot of time and resources are spent trying to figure out the best way to bring down the most federal money into a state. And as I mentioned in the paper the largest cost in the child welfare system is the determination of eligibility not the payment for foster care preventive services or adoption assistance or any of the things that the substance of the law focuses on. It all has to do with the funding side of the system. So anyway there's three components of child welfare funding there's federal funding that comes into the state. There's state funding that in part matches federal funding and in part provides for services that are provided through federal funding. And then there's local funding meaning county level funding. Some states use no local funding and use only federal and state money. Other states like Ohio use virtually no state money and use all local money to match the federal money. The federal money comes to the states through a variety of sources. The main one for the child welfare system is title 4 e of the Social Security Act. So when I refer to title 4 funds it's title for each of the Social Security Act.

[00:07:10] And those are funds that are provided to states for eligible kids and to find those in just a moment who are in the child welfare system and it provides for foster care maintenance. So the payment for the kids who are in the foster care system. It provides money for children who have been adopted out of the system and receive adoption assistance and those two forms of funding are uncapped meaning as much as the state uses the federal government provides the federal match for those services so if it uses a million dollars and their federal match is 52 percent they get 52 percent of a million dollars if they use two million dollars. They get 52 percent of two million dollars. There's no cap on the money. Another type of federal funding that flows into the states is title for B of the Social Security Act and that money is targeted but mostly preventive services. And so when you study the child welfare system one of the terms that you come across all the time are reasonable efforts to prevent placement or in New York. We use the term diligent efforts so all the preventive services that are in place once a child's been identified to try and prevent that child from going into the foster care system or to reunify that child with their family once they've been in the system a lot of the law the substance of the federal laws are about those preventive services. But those are capped services and always have. And so states only receive a certain amount of money and if they're innovative and they create all kinds of new opportunities for families to utilize those services the federal funds are going to run out because they're capped services.

[00:08:48] And so one of the things that struck me and of course I'm not alone in this but very early on is if you spend all your time on the mandates or the substance of the laws you spend a lot of time thinking about preventive services and reunification services and that's very much the thrust of the laws. Yet it's only about 11 percent of the funding. The vast majority of the funding for this system is about foster care and adoption assistance but mainly foster care. And so while the law says that we make reasonable efforts to prevent placement and we prefer prevention and reunification to foster care. The funding story is completely contradictory to that. So the appropriations don't match the funding while the law prefers reunification. The funding prefers placement and unlimited

funding is available for placement. I said I would define what was meant by eligible children. The federal funds for foster care and adoption assistance are only available to kids who are eligible for that funding. And that's just about half of the children who are in the child welfare system are eligible for federal funds to be eligible for federal funds. The child's family their biological family has to meet the eligibility requirements from the old Aid to Families with Dependent Children program. So although that program went out of existence in 1996 and now we have Temporary Assistance to Needy Families in the Social Security Act those eligibility requirements remain because they are referred to in the foster care provisions.

[00:10:24] So as time goes on and they're not adjusted for inflation those funding eligibility requirements become more and more difficult for families to meet if you will meaning there's fewer and fewer kids who are eligible for federal reimbursement. Also the law requires that the states be able to determine that the family is eligible. And questions from states such as What about an abandoned child. So if you have the paradigmatic child and the child welfare system that doesn't really exist. But you know if you imagine sort of the kid left in a basket at the steps of the county agency that child would not be eligible for federal reimbursement because if you didn't know the family of origin you wouldn't be able to prove that they were eligible under the 1996 laws. So the eligibility requirements and trying to prove eligibility are a tremendous cost to the states and the single biggest cost in the child welfare system not that they are the majority of the expenses but the single largest cost is trying to show kids are eligible because if they can show that they're eligible then at least half of the cost to the state is reimbursed by the federal government. The other types of federal funding that are available are Title 20 money those are block grant monies but when states choose to use the federal block grant money for child welfare that means they're choosing against other uses for that title 20 money mental health Child's Health Wellbeing jobs programs all kinds of sort of community wellness programs that could be eligible for Title 20 money you're choosing to use those for child welfare instead.

[00:12:00] If that's a large part of your pool and the other type of funding that's used is funding under the Temporary Assistance to Needy Families because there is money in that for job training and various forms of parents education which can be again targeted at the child welfare system. But again if you targeted at that population then you're doing it at the expense of other aspects of your population. So those are the federal funding streams. The main one is title 40. There's also title for a home and then Social Security. Block grants under Title 20 and Temporary Assistance to Needy Families funds. And then there's state money that's used to match the federal money and to provide for those kids who aren't eligible and to provide that preventive services when the federal money runs out. And then there's local money that can be used instead of state money to provide those same provisions. One of the things that I really gleaned learned a lot from your paper was just the importance of those funding streams in regards to what kinds of services were available where the emphasis was in the classroom. Very often it's difficult for students to understand so why aren't we putting more effort into preserving the family into prevention efforts and it really I think as you say comes down to the issues of funding and where states can get reimbursed and the costs of money that's available. So what you need to know that is also very different than the way New York is organized. It is so very different but it was a little more serendipitous than that. So I was in Ohio presenting a paper out adoptions conference and a paper on funding and focusing on title 4 funding and focusing on adoption assistance within title 4.

[00:13:41] So it was an aspect of this paper and someone came up to me from the audience and said I worked for an agency that has some data that might be of interest to you. So from the federal government you can get the federal and state data and throughout my remarks at this conference I kept giving kind of anecdotal county data but I didn't have comprehensive data and it's very hard to get. But come to find out an organization Ohio called the public Children's Services Association of Ohio is the member Organization for the 88 counties in Ohio and they have 10 years of county

based child welfare funding and outcome data which they publish and is used within their state and by their counties to inform their legislature and inform county practice but isn't more widely distributed its sort of internal information and so they were we became partners in this project and in the paper that that you have we added to the adoption paper that I was presenting the National Center for Adoption Law is in Columbus Ohio. So it was relevant material for this particular forum and we looked at some of the data regarding adoptions. What were your findings. Well the findings were very interesting. We found that within. I mean we knew that within the state of Ohio there's 88 counties as I said and it just so happens that 44 of them have dedicated property taxes that are dedicated to child welfare services so the voters every five or 10 years vote on whether or not to renew these levees that can only be used for child welfare services. 44 of the other counties don't have these dedicated levies and just use general county funds. And there's very little state funding in Ohio. Ohio is the state.

[00:15:25] When you said it's so different and I said Well yes and then it's also serendipity of serendipity is the person was in the audience. But Ohio is different in that it's the state that uses the highest proportion of local funding it uses more local funding than it uses federal funding and it uses virtually no state funding. So we found that the counties with levies the 44 counties with levies had better statistics regarding child welfare outcomes so we used the outcomes that are used by the Federal Government to audit the child welfare systems and we looked at those that were relevant to adoption and we found that the number of placement days and the number of days awaiting adoption were consistently lower across the board for the states with the counties with levies than for the counties without levies. And so that was sort of the key finding. What surprised you about the work and what sort of percolated you will from now. Well you know in these economic times like all states but it particularly has been very hard hit by the recession. Many counties came up for renewal within the last few years. And so the voters were faced with the question of maintaining a local tax that's dedicated exclusively for child welfare services and those taxes by and large were all reaffirmed. So that was interesting to me. I was imagining I was theorising that within the period of these taxes there would be more ebb and flow that the as you approached an election and as you came right off an election thereby be more attention paid. Dollar for dollar.

[00:17:02] In other words that over the period of the 10 years you might see some variation kids might be rushed out of the system kids might be rushed towards adoption there would be something noticeable within that 10 year span that would be consistent across the counties at certain points. And that wasn't the case. They were consistently better quality outcomes than the counties without the levees. And I guess it's just the thing that perked my interest the most was just that type of funding not the amount of funding it's not the case that the counties with the levies spend more per child. Some of them do some of them don't. It's not uniform. It's the type of funding so that leads us to our next research which is trying to figure out what about it what about this type of funding seems to lead to these better outcomes. Certainly it's an indication of the taxpayers willingness to pay to support Preservation Services more than adoption or out of home placement services. I'm following the argument of the funding streams correctly that there if there's better outcomes for those kids the local taxpayers then are willing to pay him my interpreting that correctly. You're interpreting it correctly. But I think politically it doesn't work quite like that. So in other words a big part of the cost is actually to match the federal funds for the foster care. So it's still placement dollars and then there's the half or so of kids that don't qualify for the federal dollars and those are local dollars too.

[00:18:37] So in some of the campaigns around the time of these taxes there's not so much an emphasis on preventive services but it's an emphasis on adoption services and the need for foster care services. I think the kinds of child welfare services that are more easily understood perhaps by the voters although you're correct that you need the local money to be able to pay for the preventive services that are that for which there is less federal funds. You're correct in your interpretation but

looking at some of the literature I would say that that's not more emphasized than foster care or adoption of systems. Why do you think that funds for title forby which oversee all the prevention services which are consistent with the law mandates are caps whereas title for Flury aren't that open ended funding. Well there's a long historical story of how for IE was uncapped meaning it basically deals at the outset with a real underestimation of what the cost would be and the thought being that they didn't know what the total number of kids were. There is no data at the time we're talking about the 1960s. And so the funding was left uncapped and then when title forby was introduced as part of the Adoption Assistance and Child Welfare Act in 1980 a generous amount of money was provided but that money has not increased at a pace both with inflation and the size of the growth of the child welfare system and the creativity in terms of preventive services. And there's not a big constituency to argue for more money for the child welfare system it's fairly flat funding the child welfare system it has grown but not given the size of the growth of the system and inflation and child welfare.

[00:20:28] Like a lot of Human Services is countercyclical meaning when the funds are the most tight the need is the greatest and that's the hardest time to try and seek additional funds. The Bush administration did try and push a child welfare option which would have eliminated the categories and the eligibility requirements. But in return would have kept all the funding so you could have saved these administrative costs and got rid of some of the really meaningless and nonsensical categorization and eligibility requirements. But at the cost of the caps and again heading into a recession states governors were very reluctant to lock themselves in. And of course a cap can be lowered as well. Better not to risk losing funds that would be needed. Right. And it's not politically popular I think. You know just from reading some of the debate to cap foster care funds. So since it started off and kept as politically unpopular to cap those as it is to try and uncap the other services in difficult political time. So you just it's not that it makes sense it's just the sort of fiscal reality of the politics and the politics of history. Exactly right. You spoke a little bit about what your next steps were in your in your research when you stay in Ohio. Will you continue to work with that data and then move. We're going to continue to work with that data. We actually just got back. We were invited to participate in this really remarkable research workshop sponsored by the National Institutes of Health and the National Institute of Mental Health where they gathered together 15 different teams partnering academics with community based folks and community based partnership research.

[00:22:16] And so the research project that we went into that you know that we applied for this workshop with the man that we really find too and while we were there is to study Ohio more concretely and more in a more focused way to try and discern what it is if we can discern what it is about the funding strategies that may make a difference. I don't think any of us are naive to think that other states will Pasdar other counties will pass dedicated levies for children. But we're hypothesizing that maybe the local accountability may be the reliability. In other words you know what your percentage is over a period of 10 years. The flexibility of the funding it doesn't come with the federal mandates it doesn't come with all these different funding streams it's just local money that's for child welfare for the locality to determine how to use and the amount of funding that they can seek to raise the amount they make the case. So if the amount the flexibility the reliability of the accountability or something else and so the next phase is to do a study and throughout the 88 counties that will involve the county directors as what they're called in Ohio as opposed to secretaries or commissioners they're the directors of the various county agencies in Ohio as well as this very rich data that we've only started to mine.

[00:23:37] So we've got that all and data sets now and we're running a variety of questions and studies and there's also an interest in the state of Ohio as well as we have one but at the federal level we're also doing disproportionality studies and so we're looking to see whether these positive outcomes hold true when we divide the kids by race which is something that the federal government does consistently try and address the disproportionality in the child welfare system. And we're we're

looking to see whether there's any type of funding mechanism that seems to better address the disproportionality. That's one of the questions that we're trying to find out through the data and through targeted interviews and then a survey. Can you say a little bit more about the NIH research workshop. There were 15 different groups you said. That's right. So there were 15 very different teams. Each team had a lead academic so I was the lead academic on our team and a lead community person and our lead community person was Christa Ward Allen who's the executive director of public Children's Services Association of Ohio which I mentioned earlier Greg Capp car from her agency was also there. And then Kathryn Circelli who really I think should be considered the main academic but she assisted us with all of the statistical analysis and she's JD criminologist at the University of Rochester and the Department of Psychiatry so she was at this conference as a faculty member but is also a member of our team. So there were 15 teams there. And we heard you know presentations on submitting grants to NIH and the various program directors were there. The director of all 27 programs was there and they gave us very concrete information different successful community based partnership research teams were there to to us about what works what kind of pitfalls to expect. And then we had time to meet with mentors who the workshop organizers had assembled.

[00:25:38] And so some of our mentors included a woman who oversees that eighth of the country sort of the Western plus Hawaii portion of the country for Health and Human Services. And so she asked me mostly very pointed questions about how I was thinking about the funding to make sure that we had kind of a nuts and bolts down and then she asked some larger questions about the conceptualization of the child welfare system. We met with people from NIH who are program directors who gave us advice on what would fly what wouldn't fly. We met with people who were trustees of major national foundations. One of the suggestions that the organizers had made to our project was that we should seek some foundation funding to do this Ohio based project before seeking NIH and IMH funding. And so they provided the opportunity to meet with all of those. It was incredibly intense. I mean we worked from quarter to 8:00 in the morning till night 15 at night through breakfast through lunch through dinner. You'd get your lunch and they say Hurry and come sit down you know it's time to get back and then we had a meeting as a team before and after that because we were getting all this feedback from our mentors and you wanted to address it before you met with another set of mentors so you wouldn't just get the same critique again so we would meet at 7:00 in the morning and then we meet again at nine thirty at night. So it was very intense but incredibly worthwhile. How exciting. Yeah.

[00:27:07] And the other teams I mean just meeting the people from you know there were people from Alaska starting wellness people studying nutrition in Texas people you know just at every possible interesting community based projects was represented from all different states and different disciplines. I was the only law professor there but there were several people from social work doctors of medicine nurses criminologists sociologists know just a wealth of expertise and nutritionists costs of cross-fertilisation if you will. Absolutely. Absolutely. Yeah that's exciting. Well thank you very much. This has been enjoyable. Good luck with your research. Thank you. You've been listening to Professor Susan Mangel discuss the funding impact on child welfare services are living proof. The podcast series at the UB School of Social. Hi I'm Nancy Smyth professor and dean at the University at Buffalo School of Social Work. Thanks for listening to our podcast. For more information about who we are our history our programs and what we do we invite you to visit our website at www.socialwork.buffalo.edu. at UB We're living proof that social work makes a difference in people's lives.