



County Welfare Directors Association of California

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To: County Welfare Directors Association of California

From: Tom Joseph, Director, CWDA Washington, D.C. Office

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Re: Federal Update

Federal Budget

Deficit Reduction Committee: With just days before the House and Senate recess for Thanksgiving, there appears to be no agreement on the \$1.2 trillion deficit reduction plan due November 23. While public statements continue to be amicable, both Republicans and Democrats have begun to position themselves to blame the other party for the lack of an agreement. Anything is still possible, however, as members continue to talk with one another.

It is not out of the realm of possibility for the Super Committee to reach a last minute deal. Congress often acts at the last minute. Short of a 'deal', however, the Super Committee and Congress have a number of options available. Congress could adopt a bill giving the Super Committee extra time to present a package. Or, the Super Committee could, through a reconciliation-type process, adopt a plan instructing each committee to craft a legislative package containing a proscribed amount of savings and/or revenues within their programmatic jurisdiction. That package would not be debatable or subject to filibuster.

As of November 14, there is also a rumor that both Republicans and Democrats are now considering using the budgetary gimmick of counting as budget savings the withdrawal of troops from Afghanistan and Iraq. That assumption would save up to \$1 trillion over ten years.

Federal Fiscal Year (FFY) 2012 Spending: More certain is the intention on both sides of the aisle to avoid a government shutdown by passing by November 18 yet another short-term extension of FFY 2012 funding until the middle of December. The House and Senate have completed a bill containing FFY 2012 funding agriculture and justice programs, which will serve as the legislative vehicle for another short-term extension of all other federal programs, including the Labor-HHS bill. As is often the case, the measure funding health and human services programs for the remainder of the FFY will be one of the last bills Congress adopts before it adjourns for the year.

Other Legislative Updates

Temporary Assistance for Needy Families (TANF) Reauthorization: TANF's three month extension expires December 31. Another extension through the remainder of the

FFY is expected before then. Earlier this fall, CWDA joined with CSAC to submit a statement on TANF reauthorization for the House Ways and Means hearing record. The statement may be obtained from the CWDA staff.

IV-B/ Child Welfare Services Reauthorization: Earlier this fall, Congress did adopt with little debate a renewal of Title IV-B child welfare services programs. The *Child and Family Services Improvement and Innovation Act* (S.1542/HR 2883) was signed by the President (P.L. 112-34). The new law includes some new state requirements to track psychotropic medications given to children in the system as well as a requirement that 50% of all caseworker visits to the child be made in the child's residence. There is some new flexibility in meeting the total annual number of visits standard. The new law was changed to now consider the full 12 month period to determine if 12 visits were made during the year, not necessarily a visit in each and every month. The measure also restored the authority of HHS to grant child welfare services waivers and grandfather existing waivers (e.g., Alameda and Los Angeles Counties) so that they do not have to meet the new requirements.

The law also removes the provision in the discretionary substance abuse treatment grant program which gave greater weight to applicants addressing methamphetamine.

Provision to Coordinate Education Services for Foster Youth: Last month, the Senate Health, Education, Labor and Pensions Committee adopted its renewal of the No Child Left Behind Act. Included in the bill was an amendment offered by Senator Al Franken (D-MN) to facilitate cooperation and collaboration between child welfare and education agencies for foster care children. The amendment would place obligations on education agencies that complement those placed on child welfare agencies by the *Fostering Connections to Success and Increasing Adoptions Act*. It is intended to help ensure that children, when it is in their best interest, can remain in their original school when they enter foster care, move from home to home, or exit foster care in the middle of a school year. When it is not in the child's best interest to remain in the original school, the provision provides for immediate enrollment and prompt transfer of records to a new school for the child.

It is highly unlikely that the Senate, much less the House, will complete the reauthorization of No Child Left Behind this year.

Health Reform Implementation: Late last month, CWDA joined CSAC in submitting comments to HHS on proposed rules to implement the Affordable Care Act. Comments were provided on establishing the health exchanges and on the interaction of determining eligibility for Medicaid and or for insurance subsidies under reform, while ensuring that individuals and families do not lose coverage in the process. Both sets of comments emphasized the current roles of counties in health care and the expertise they have in assisting the State and federal governments in making health coverage available to the uninsured in 2014. Copies of the comments may be obtained from CWDA staff.