

# Social Services Regional Supervision and Collaboration Working Group

Aimee N. Wall



## Today's Plan

Minutes

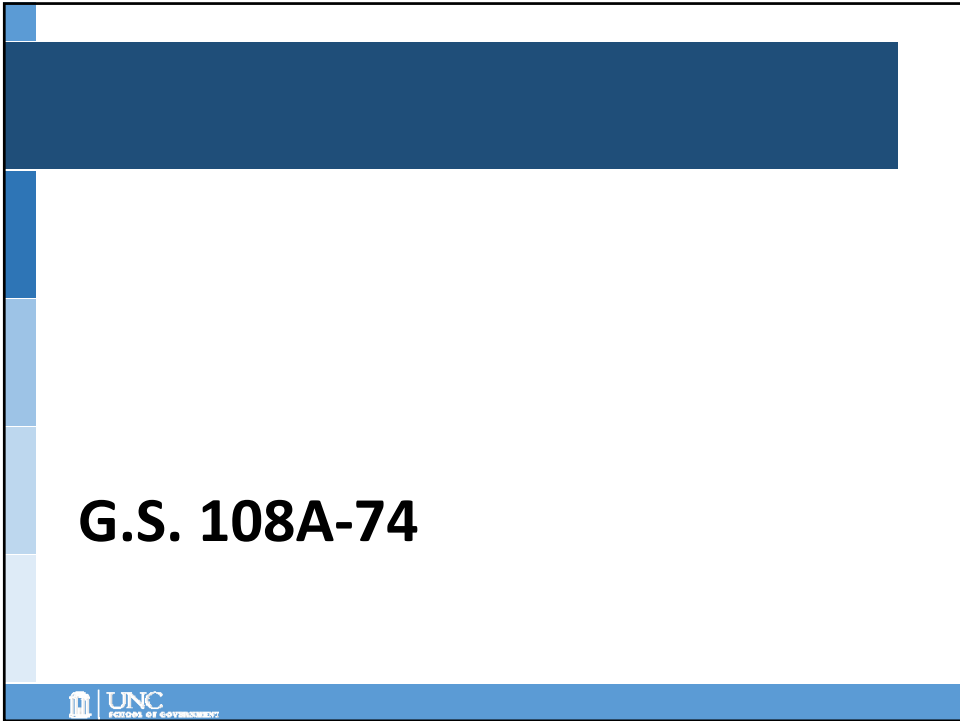
Proposed Maps – Update

Overview of G.S. 108A-74

Organization and Governance of Local Social  
Services Agencies

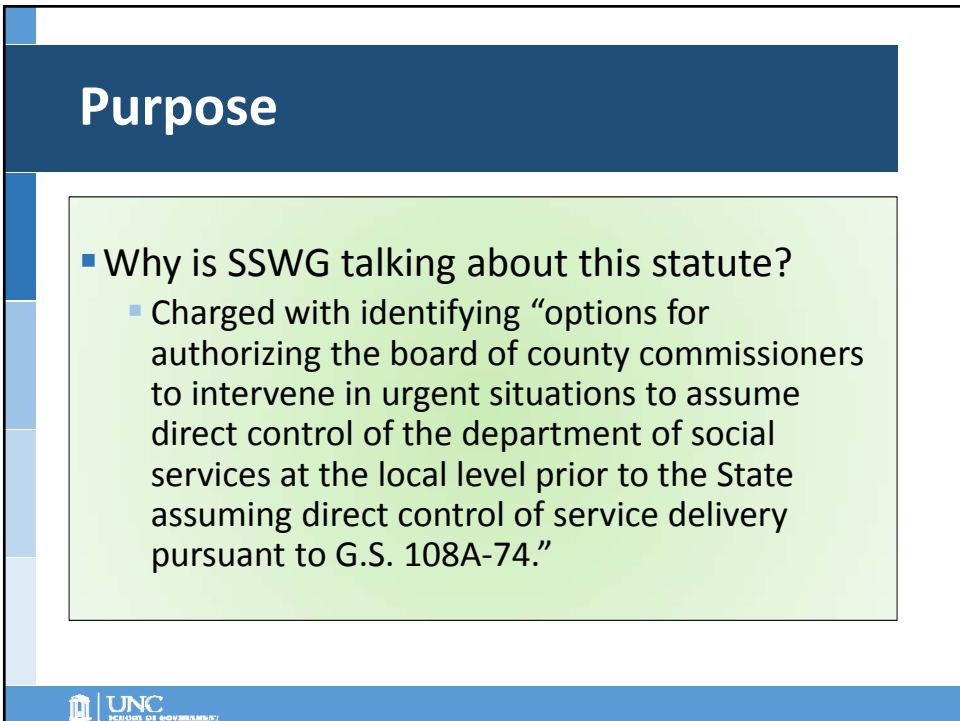
Next Steps





# G.S. 108A-74

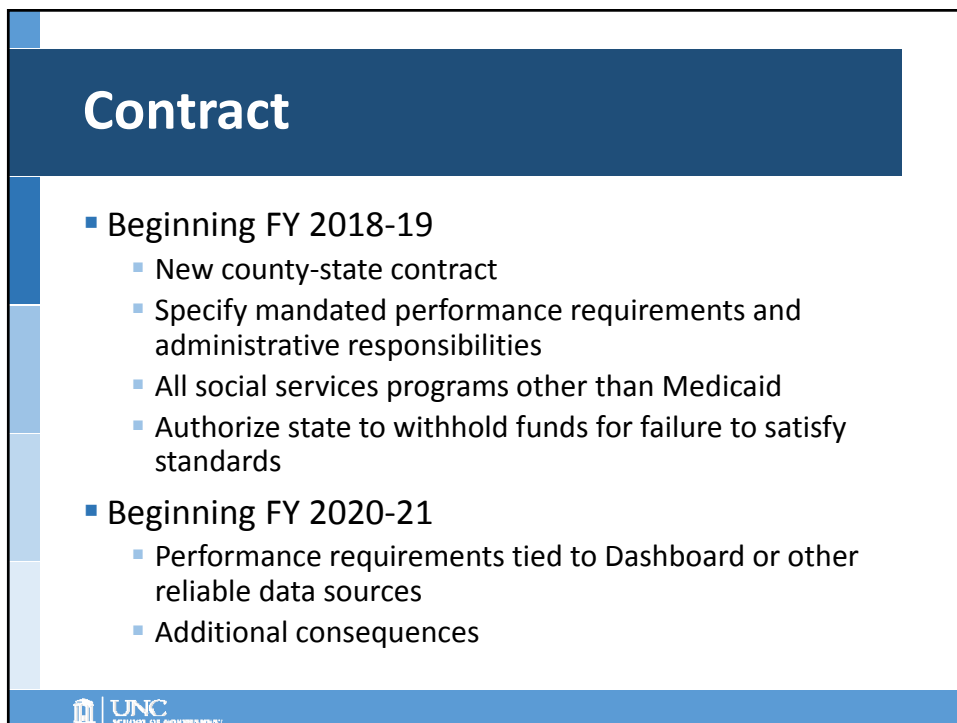
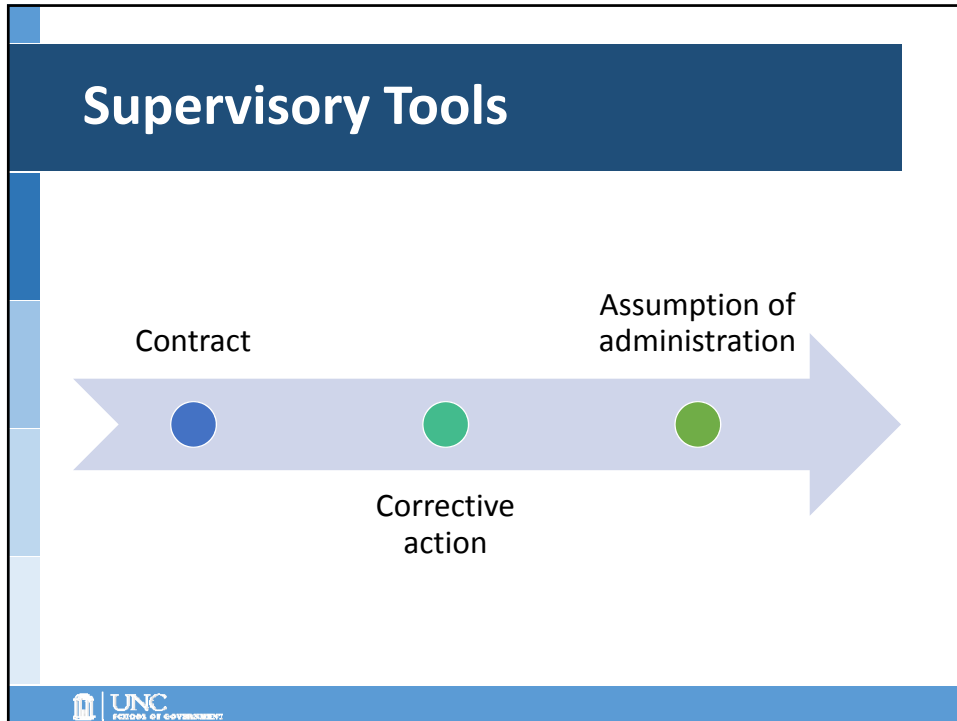
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## Purpose

- Why is SSWG talking about this statute?
  - Charged with identifying “options for authorizing the board of county commissioners to intervene in urgent situations to assume direct control of the department of social services at the local level prior to the State assuming direct control of service delivery pursuant to G.S. 108A-74.”

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## Corrective Action

- Beginning March 1, 2020, DHHS required to pursue corrective action in some circumstances
- Similar to corrective action for Medicaid timeliness
  - [G.S. 108A-70.41](#) (Corrective Action)
- Details
  - What triggers corrective action?
  - What happens if corrective action is triggered?

## Not Necessarily

- Corrective action and temporary assumption of administration may be program specific!



## What Triggers Corrective Action?

### Compliance

- Failure to comply with the contract or applicable law
- 3 consecutive months or 5 months within any 12-month period

### Urgent circumstances

- Secretary may require corrective action plan more quickly in urgent circumstances
- “Urgent circumstances” not defined
- Timeline in these cases not specified

## What Happens?

- DHHS and county will develop a joint plan that
  - Specifies what constitutes success
  - Includes schedule for providing updates to social services governing board
- Duration up to 12 months
  - Six month check-in – measurable progress?
    - If no → plan failure → temporary assumption of administration
    - If yes → may extend plan for add'l 6 months (not to exceed 18 months total)

## Temporary Assumption of Administration

- Current law authorizes DHHS to assume control of service delivery for child welfare ([G.S. 108A-74](#)) and Medicaid ([G.S. 108A-70.42](#))
- Extended to other social services programs beginning March 1, 2020
- Regional offices will be responsible
- Details
  - What triggers temporary assumption of administration by the state (TAA)?
  - What happens if TAA is triggered?

## What Triggers TAA?

County DSS fails to complete the corrective action plan by the end of period specified in plan

At 6 month check-in, DHHS concludes that county DSS has not made measurable progress on completion of corrective action plan

## What Happens?

### 1. Notice of intent to assume administration of local social services programs

- At least 30 days prior to TAA
- To BOCC, county manager, DSS board, and DSS

### 2. Regional office shall assume control within 30 days of giving notice


- Administer program(s) using state staff or contractors
- Work with DSS to develop plan to return administration
- Inform BOCC, county manager, DSS board, and DSS director of (1) key activities and (2) ongoing concerns


## What Happens?

### 3. Restore county administration


- DHHS determines that DSS able to meet performance requirements and that administration should be restored to county
- Notice to BOCC, county manager, DSS board, DSS of this decision and the date DSS is authorized to resume administration

**Questions?**






**LOCAL ORGANIZATION AND GOVERNANCE**



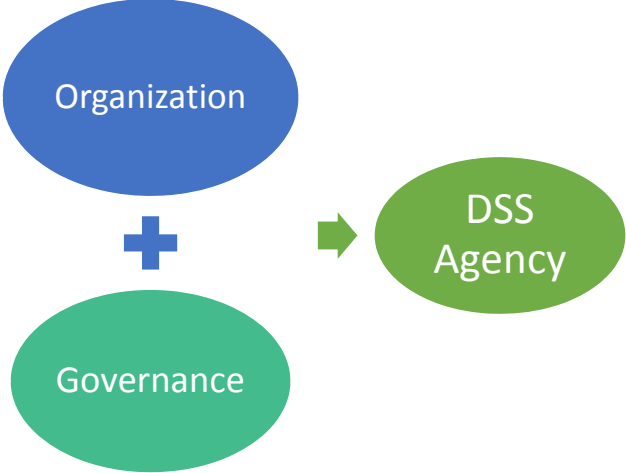


## Purpose

- Why is SSWG talking about this issue?
  - Charged with identifying new options for BOCC involvement prior to TAA
  - Must understand BOCC's current role with DSS and current options for involvement




## DSS Agencies




The diagram illustrates the relationship between Organization and Governance. On the left, a blue oval labeled 'Organization' is positioned above a green oval labeled 'Governance'. A blue plus sign is centered between them. A green arrow points from this combination to a green oval on the right labeled 'DSS Agency'.

## Organization





- Three options
  - Single county DSS
  - Consolidated human services agency (CHSA)
  - After 2020, regional departments using public authority model
  
- BOCC chooses option

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## Governance


- Four options
  - County Board of Social Services
  - Consolidated Human Services Board
  - BOCC as Governing Board (DSS or CHS)
  - After 2020, Regional Board
  
- BOCC chooses option



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## Board of Social Services

Membership	Powers and duties
<ul style="list-style-type: none"><li>Two members appointed by BOCC</li><li>Two members appointed by NC Social Services Commission</li><li>One member appointed by the other members</li></ul>	<ul style="list-style-type: none"><li>Hire director</li><li>Consult with director in preparing agency budget</li><li>Advise director</li><li>Authority to inspect social services and public assistance records</li><li>Authority to make some decisions related to certain programs*</li><li>Review suspected cases of fraud for some public assistance programs*</li></ul> <p>* May be delegated</p>



## Options Under Consolidation Law

**1**


- Board of County Commissioners
- Department of Social Services &/or Health Department

**2**

- Board of County Commissioners
- Consolidated Human Services Board
- Consolidated Human Services Agency

**3**


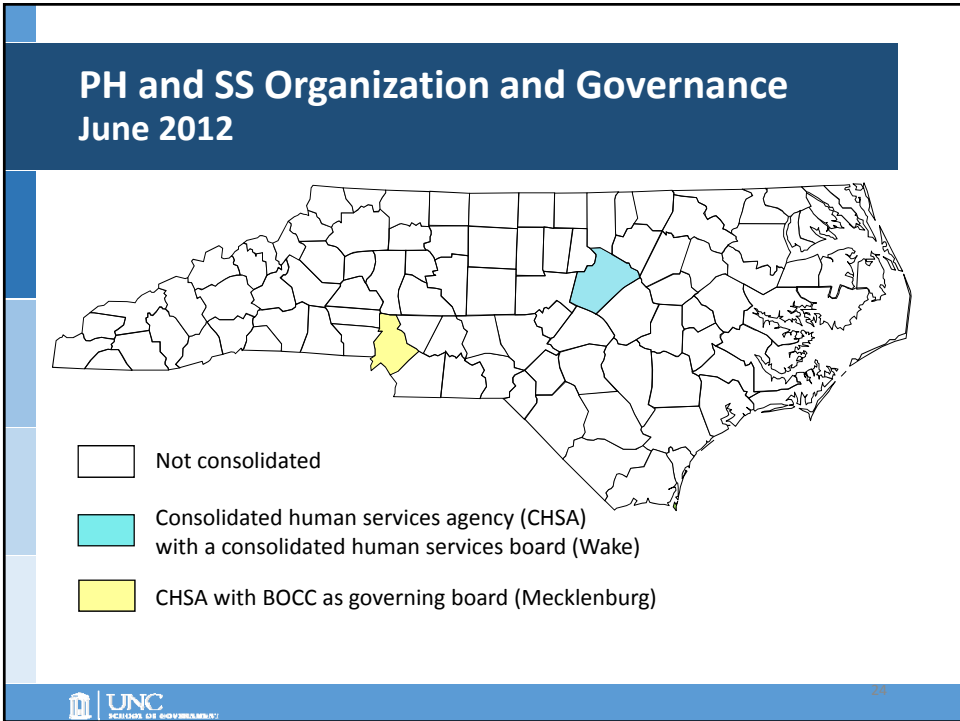
- Board of County Commissioners as a Consolidated Human Services Board
- Consolidated Human Services Agency

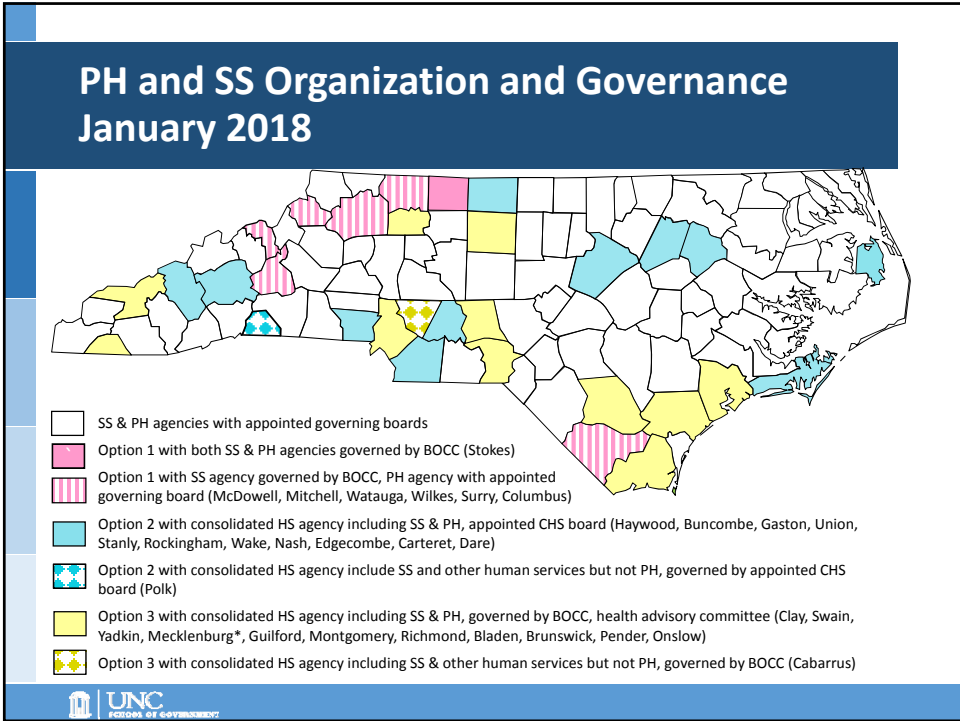


## Key Differences

	Board	Hire Agency Director	Personnel
<b>DSS</b>	Appointed; 3-5 mem.	Board hires	SHRA
<b>PH</b>	Appointed; 11 mem.	Board hires	SHRA
<b>One</b>	Elected*	BOCC hires	SHRA
<b>Two</b>	Appointed; up to 25 mem.	Manager hires with advice & consent of CHS board	SHRA Optional
<b>Three</b>	Elected*	Manager hires with advice & consent of BOCC	SHRA optional

\* If public health affected, must appoint health advisory committee (except in Mecklenburg)



## Personnel

- DSS and PH employees subject to State Human Resources Act (formerly known as State Personnel Act or SPA)
- If create a CHSA, BOCC may elect to remove employees from SHRA
  - If so, employees must be subject to policies that comply with the Federal Merit Personnel Standards

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## Federal Merit Personnel Standards

- Recruiting, selecting, and advancing employees based on merit
- Equitable and adequate compensation
- Training employees
- Retaining/separating employees on the basis of performance
- Correcting inadequate performance
- Assuring fair treatment of applicants and employees
- Assuring employees are protected against coercion for partisan political purposes

5 C.F.R. 900.603



## Motivations for Change



- Improve service delivery for citizens
- Create a new vision for human services programs
- Create a unified personnel system for all county personnel
- Change the relationship between board of county commissioners and the departments
- Identify efficiencies and reduce human services spending



## Current Authority of BOCC

- Establish organization (county DSS, CHSA, region)
- Determine governing board
  - May abolish governing board; have BOCC assume the powers and duties (pink and yellow counties)
- If CHSA, decide whether employees are SHRA
- Department budget
- Require reports and updates
- Integrate business operations at county level (e.g., finance, HR, IT)



## SSWG Homework

- SSWG charge: Identify “options for authorizing the board of county commissioners to intervene in urgent situations to assume direct control of the department of social services at the local level prior to the State assuming direct control of service delivery pursuant to G.S. 108A-74.”
- Temporary assumption of administration is an extreme remedy
- ***What options should be available at the local level to help address concerns earlier and hopefully avoid TAA?***

## Questions?



## Upcoming Meetings (Stage One)

- Tuesday, February 20
  - Online meeting
  - 3:00 p.m. – 4:00 p.m.
  - Review comments
- Tuesday, February 27
  - In-person meeting
  - **Extended meeting time – 9:00 a.m. – 4:30 p.m.**
  - Relationships with BOCC
  - Revise map
  - Review outline of draft report
- Monday, March 12
  - In-person meeting
  - 10:30 a.m. – 3:30 p.m.
  - Review draft report
- Monday, March 19
  - Probably in-person
  - Hold 10:30 a.m. – 3:30 p.m.
  - Review draft/final report
- Friday, March 23
  - Possible online meeting
  - Hold 10 a.m. – 12:00 p.m.



## Questions?

- Aimee Wall
  - 919.843.4957
  - [wall@sog.unc.edu](mailto:wall@sog.unc.edu)
- Social Services Website
  - <https://www.sog.unc.edu/resources/microsites/social-services>
- CHSA Resources
  - <https://www.sog.unc.edu/resources/microsites/north-carolina-public-health-law/consolidated-human-services-agencies-chsas>

