

LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

ASSEMBLY, No. 3707

STATE OF NEW JERSEY 220th LEGISLATURE

DATED: DECEMBER 15, 2022

SUMMARY

- Synopsis:** Makes various changes to New Jersey Task Force on Child Abuse and Neglect; establishes child protection worker caseload standards.
- Type of Impact:** Annual State expenditure increase.
- Agencies Affected:** Staffing and Oversight Review Subcommittee of the New Jersey Task Force on Child Abuse and Neglect; Department of Children and Families.

Office of Legislative Services Estimate

Fiscal Impact	<u>Annual</u>
State Cost Increase	Minimal, Indeterminate

- The Office of Legislative Services (OLS) assumes that this bill will result in a shift of State expenditures from costs currently incurred by the Department of Children and Families to fund the federal monitor, assigned pursuant to Charlie and Nadine H. v. Murphy, to costs incurred by the department to provide the Staffing and Oversight Review Subcommittee of the New Jersey Task Force on Child Abuse and Neglect with the funds required for the subcommittee to fulfill its expanded responsibilities established under the bill. To the extent that more funds are needed by the subcommittee to perform these functions, or that the subcommittee forms before the federal monitor's exit, State expenses will increase by an indeterminate amount.
- According to the Department of Children and Families, the department cost to fund the federal monitor's work in FY 2022, the last compete year in which the monitor will be funded, was \$279,378.
- The OLS assumes that the department will incur minimal, indeterminate administrative expenses in complying with the caseload requirements established under the bill as current caseload data reflects near or complete compliance with this provision, which provides that no child protection worker can be concurrently responsible for more than 15 cases at any time, except as allowed by the Commissioner of Children and Families under certain circumstances.

BILL DESCRIPTION

The bill expands the purview of the subcommittee within the New Jersey Task Force on Child Abuse and Neglect to: 1) review and develop recommendations regarding the performance of the Division of Child Protection and Permanency in the Department of Children and Families; and 2) review, analyze, and develop recommendations regarding the department's performance in providing child welfare services to children and families as outlined in the bill. The bill also replaces an annual reporting requirement imposed upon the committee regarding the division's performance in achievement or management and client outcomes with a reporting requirement regarding the department's performance. The bill requires the department to annually allocate sufficient funding to permit the subcommittee to hire independent contracted staff or obtain other resources needed to carry out the responsibilities set forth in the bill.

The bill also requires the Commissioner of Children and Families to ensure that no child protection worker is concurrently responsible for more than 15 cases at any time, unless the commissioner determines that assignment of cases in excess of this limit is temporarily necessary to ensure the life and safety of any child under the care and supervision of the department.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS assumes that this bill will result in a shift of State expenditures from costs currently incurred by the Department of Children and Families to fund the federal monitor, assigned pursuant to Charlie and Nadine H. v. Murphy, to costs incurred by the department to provide the subcommittee with the funds required to fulfill its expanded responsibilities established under the bill. To the extent that more funds are needed by the subcommittee to perform these functions, or that the subcommittee forms before the federal monitor's exit, department expenses will increase by an indeterminate amount.

Generally, this bill transfers many of the oversight functions of the department's federal monitor to the subcommittee. The federal monitor, the Center for the Study of Social Policy, was appointed in 2006 and, in March of 2022, the court announced that the federal oversight of the department will end no later than June 2023. Under the Modified Settlement Agreement, the State is responsible for providing the federal monitor with a sufficient, reasonable budget necessary to fulfill the monitor's duties. This estimate assumes that the State will shift expenditures provided to the federal monitor to the subcommittee, upon the termination of the monitor's oversight duties. According to the Department of Children and Families, the department cost to fund the federal monitor's work in FY 2022, the last compete year in which the monitor will be funded, was \$279,378.

Moreover, the OLS assumes that the Department of Children and Families will incur minimal, indeterminate administrative expenses in complying with the caseload requirements of the bill due to current caseload data reflecting near or complete compliance with the caseload standard established under the bill: no child protection worker can be concurrently responsible for more than 15 cases at any time, except as allowed by the commissioner under certain circumstances.

Any expenditures under this provision will be due to costs associated with increasing staffing levels.

Current caseloads are assessed under the federal monitor's reports, which include measurements of the following child protection worker caseloads: intake worker, adoption worker; permanency worker; and Institutional Abuse Investigations Unit investigator. According to the federal monitor's Period 26 Report covering the period from January 1 through June 30 of 2020, the most recent report available, the Division of Child Protection and Permanency is meeting the caseload standard established under the bill for permanency workers and Institutional Abuse Investigations Unit investigators.

While the Division of Child Protection and Permanency does not meet the monitor's caseload standards for intake and adoption workers, data indicates near compliance. Under the federal monitor, individual intake workers are to have no more than 12 open cases. Moreover, no intake worker with 12 or more open cases can be given more than two secondary assignments per month. Secondary assignments refer to shared cases between intake workers for families who have an open case, and have subsequent allegations of abuse or neglect that require additional investigation. The OLS notes that the monitor's caseload standard is slightly more rigorous than the standard under the bill. According to the Period 26 Report, 97 percent of intake workers met the monitor's caseload standard. Moreover, the report indicates that 99 percent of adoption workers meet the federal monitor's caseload standard for that type worker, which is identical to the standard set under the bill.

Section: Human Services

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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).