Overview

North Carolina’s Legal Framework

Approaches Used in Other States

Options
G.S. 108A-1

“Every county shall have a board ... which shall establish county policies for [social services] programs in conformity with the rules and regulations of the Social Services Commission and under the supervision of NC DHHS.”

Exception: Medicaid rules are from NC DHHS
Big Picture – North Carolina

- General Assembly
- DHHS
- Social Services Comm’n
- BOCC
- SS Governing Board
- DSS
“Administered”

- NC: State-supervised, county-administered
- Most others: State-administered

Speed Discussion:

What does “state-supervised” mean?
How does it work in practice?
How should it work?
County-Administered TANF

- In 2015, 8 states reported being county-administered
  - 50% of TANF caseload (CA, CO, MN, NJ, NY, NC, ND, OH)
- Three elements set them apart
  - County employees deliver services in county-run offices
  - County governments contribute funding
  - County elected officials have a role in reviewing budget and/or policy

County Role Varies (TANF)

More County Autonomy

CO

CA

MN

ND

Less County Autonomy
“The structural differences...do not correlate with any quantifiable differences in key program or client outcomes.”

“...states with county-administered TANF programs are not systematically different from other states in terms of population size, political party, or other state characteristics.”
County-Administered CWS

- In 2012, 9 county-administered, 3 “hybrid” states

Comparison (2001)

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<thead>
<tr>
<th>State-Administered</th>
<th>County-Administered</th>
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<tbody>
<tr>
<td>• More structured approach to risk assessment, licensing of kinship homes, and</td>
<td>• More foster homes received specialized (higher) payments</td>
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<td>staff/caregiver training</td>
<td>• More training for child welfare workers</td>
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<td>• More specialized training initiatives focused on minority children</td>
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<td>• Higher rate of adoption</td>
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<td>• More likely to have changed activities after change in federal law/policy</td>
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<td>• Higher ratio of CPS dollars spent relative to the total number of children</td>
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<td>investigated</td>
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Georgia Example

- County director hired by state
- Governor may “remove any member of any county board, any county director, or any employee or official of the department whenever he or she shall find that good cause for such suspension exists....”
- Director of the Division of Family and Children Services may terminate the employment of any county director or district director...
- County board appointed by local officials but accountable to the state

Which One is Better?

Consistency Across the State

Flexibility to adjust to local circumstances
Legal Representation

- Who is the employer?
  - State? County? Other?

- Who supervises the representation?
  - County director? State director? State attorney?

- Maryland example
  - 2009: Legislation enacted to require all representation by either the AG or an attorney approved by AG
  - Attorneys gradually transitioning from county/private to AG staff
Options

- State-administered
  - Not proposed in 2017

- State-supervised, county-administered
  - Current structure

- State-supervised, regionally-administered
  - Original version of S 594
  - Mandatory system of up to 30 public authorities

- State-supervised, county or regionally-administered
  - Option under new law
Questions?

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