

FORSYTH COUNTY
BOARD OF COMMISSIONERS

**BRIEFING
DRAFT**

MEETING DATE: DECEMBER 6, 2018 AGENDA ITEM NUMBER: 8

SUBJECT: RESOLUTION AUTHORIZING EXECUTION OF THE MODIFICATION OF THE MEMORANDUM OF UNDERSTANDING (FISCAL YEAR 2018-19) BETWEEN THE NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES AND FORSYTH COUNTY SPECIFYING PERFORMANCE MEASURES AND ADMINISTRATIVE RESPONSIBILITIES FOR ALL SOCIAL SERVICES PROGRAMS OTHER THAN MEDICAL ASSISTANCE (FORSYTH COUNTY DEPARTMENT OF SOCIAL SERVICES)

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS:

SUMMARY OF INFORMATION:

On June 21, 2018, the Board of Commissioners approved a Memorandum of Understanding between the County and NCDHHS setting out performance measures and administrative responsibilities for the County DSS. The NC Department of Health & Human Services has made modifications for the FY 2018-2019 Memorandum of Understanding for all 100 counties. The modifications were made for several reasons including: 1) feedback and information received from counties following the execution of the MOUs and 2) NCDHHS's ongoing analysis of performance data. Additionally, with the impact of Hurricane Florence on county and state operations, NCDHHS modified the MOUs to clarify that no performance improvement or corrective action will be initiated on the basis of the MOU for FY2018-2019. Ongoing oversight and monitoring activities will continue as they have in prior years.

The modifications to the MOU move nine (9) additional measures from static to growth measures, for a total of 17 growth measures, five (5) of the measures are updated to align with federal benchmarks, and one (1) measure was removed.

The modifications to the MOU are summarized by NCDHHS in Attachment A.

ATTACHMENTS: YES NO

SIGNATURE: _____ DATE: _____
COUNTY MANAGER

**RESOLUTION AUTHORIZING EXECUTION OF THE MODIFICATION OF THE
MEMORANDUM OF UNDERSTANDING (FISCAL YEAR 2018-19) BETWEEN THE
NORTH CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES AND
FORSYTH COUNTY SPECIFYING PERFORMANCE MEASURES AND
ADMINISTRATIVE RESPONSIBILITIES FOR ALL SOCIAL SERVICES PROGRAMS
OTHER THAN MEDICAL ASSISTANCE
(FORSYTH COUNTY DEPARTMENT OF SOCIAL SERVICES)**

WHEREAS the North Carolina General Assembly revised the provisions of N.C.G.S. 108A-74 to require, beginning in fiscal year 2018-2019, all departments of social services to enter into a Memorandum of Understanding (MOU) with the North Carolina Department of Health and Human Services (NCDHHS) each year that specifies mandated performance requirements and administrative responsibilities with regard to all social services programs other than medical assistance;

WHEREAS, on June 21, 2018, the Forsyth County Board of Commissioners authorized the execution of such MOU; and

WHEREAS, based upon feedback from counties across the state, NCDHHS has modified the MOU to provide performance measures that focus more on growth than merely static measures, and to make other revisions to clarify the MOU;

NOW, THEREFORE, BE IT RESOLVED, that the Forsyth County Board of Commissioners hereby authorizes the Chairman or County Manager and Clerk to the Board to execute, on behalf of Forsyth County, the attached Modification Agreement to the Memorandum of Understanding (Fiscal Year 2018-19) between the North Carolina Department of Health and Human Services and Forsyth County, subject to a pre-audit certificate thereon by the County Chief Financial Officer, if applicable, and approval as to form and legality by the County Attorney.

Adopted this 6th day of December 2018.

Modifications to the MOU

- 1) **Section 2.1:** Clarifying language that the Department will not take any actions under Attachment X on the basis of the MOU for fiscal year 2018-2019.
- 2) **Section 12.0:** Change to the Department's point of contact
- 3) **Section 14.0:** Clarifying language that for some performance measures, a County will be assessed based on an individualized growth measure and not the standard performance measure.
- 4) **Attachment I through IX - Performance Measurements:**
 - a. The format of the performance measurements has been modified. This modification creates three columns: Standard Measure, County Performance Measure and the Rationale and Authority. The Standard Measure is the statewide measure based upon federal or state law, rule or policy identified in the Authority. The County Performance Measure will be the county-specific target. For some performance measures, this county measure will be the same as the Standard Measure for all counties. For other performance measures this county measure will be the growth measure tailored to each individual county to be determined for next fiscal year's MOU.
 - b. Included with every performance measure is an expanded rationale giving additional background and context to the required measure as well as updated and additional citations to the authority from which the measure is derived.
 - c. Specific Attachments:
 - i. Attachment I: Child Welfare – Child Protective Services (CPS)
 - The two CPS performance measures have been changed to growth measures.
 - ii. Attachment II: Child Welfare – Foster Care
 - All Foster Care performance measures have been changed to growth measures.
 - We have deleted the Foster Care performance measure which read: "The County will document permanency goals for 95% of foster youth within 60 days of a child entering custody or for whom the county has placement authority."
 - We have amended the Standard Measure from 41% to 40.5% for the Foster Care performance measure which previously read: "The County will provide leadership for ensuring that 41% of children who enter foster care in a 12-month period are discharged to permanency within 12 months of entering foster care."
 - We have amended the Standard Measure from 9% to 9.1% for the Foster Care Performance Measure which previously read: "For all children who were victims of maltreatment during a twelve-month period, no more than 9% received a subsequent finding of maltreatment."
 - iii. Attachment III: Child Support
 - Each Child Support performance measure will remain growth measures.
 - In the first four Child Support performance measures, we have included in the text of the Standard Measures what is required under federal law.
 - The fifth Child Support performance measure remains unchanged.
 - iv. Attachment IV: Energy Programs
 - These performance measures will remain the Standard Measure for each county.

- The Rationale and Authority for these performance measures has been updated.
 - v. Attachment V: Work First
 - The first two of these performance measures have been changed to growth measures.
 - The remaining two performance measures will continue as the Standard Measure for all counties. The standard measure has been changed from 100% of applications and recertifications processed in the given timeframe to 95% of applications and recertifications processed in the given timeframe.
 - vi. Attachment VI: Food and Nutrition Services
 - These performance measures will remain the Standard Measure for each county.
 - We have amended the Standard Measure from 100% to 90% for the Food and Nutrition Services performance measure which previously read: “The County will ensure that 100% of Program Integrity claims are established within 180 days of the date of discovery.”
 - vii. Attachment VII: Adult Protective Services
 - Each Adult Protective Services measure has been changed to a growth measure.
 - viii. Attachment VIII: Special Assistance
 - Each Special Assistance measure has been changed to a growth measure
 - ix. Attachment IX: Child Care Subsidy
 - This performance measure will remain the Standard Measure for each county
 - The Rationale and Authority for this performance measure has been updated
- 5) Attachment X - Corrective Action**
- a. We have inserted a clarification that the Department will not initiate any actions set forth in Attachment X during this fiscal year.