

Approved: May 22, 2012

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(Date)

## MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairperson Carolyn McGinn at 11:47 a.m. on May10, 2012, in 548-S of the Capitol.

All members were present except Senators Emler and Vratil, who were excused.

### Committee staff present:

Jan Lunn, Committee Assistant  
Melinda Gaul, Chief of Staff, Senator McGinn's Office  
J. G. Scott, Chief Fiscal Analyst, Legislative Research Department  
Michael Steiner, Senior Analyst, Legislative Research Department  
Bobbi Mariani, Fiscal Analyst, Legislative Research Department  
Jill Wolters, Office of the Revisor of Statutes  
David Wiese, Office of the Revisor of Statutes  
Daniel Yoza, Office of the Revisor of Statutes

### Conferees:

Joyce Grover, Executive Director, Kansas Coalition on Sexual and Domestic Violence  
Kathe Decker, Director of Economic and Employment Support Services, Department of Social and Rehabilitation Services

### Update on Domestic Violence and Sexual Assault Prevention Grants

Amy Deckard, Legislative Research Department, reported that the Department of Social and Rehabilitation Services (SRS) has contracted with the Kansas Coalition on Sexual and Domestic Violence (KCSDV) to provide services to victims of sexual and domestic violence through subcontractors within the state of Kansas. As of June 30, 2012, KCSDV has decided not to renew their contract with the State; SRS has indicated their plan is to bypass KCSDV and provide \$2 million in grants directly to community domestic violence centers from the Temporary Assistance For Needy Families Fund (TANF), which is a block grant program. At the current time, none of the 29 KCSDV partners have signed agreements with SRS, which could jeopardize the services provided to approximately 540 Kansas clients. Ms. Deckard reviewed general TANF program requirements; TANF contains maintenance of effort (MOE) requirements as well as certain outcome requirements. Ms. Deckard could not provide information as to the length of time KCSDV has held the current contract or whether a request for proposal (RFP) previously has been distributed.

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Joyce Grover, Executive Director of the KCSDV, provided a history of the coalition and outlined the structure of the organization. She discussed the focus and purpose of the organization as one which is to focus on statewide policy initiatives, training, services, and interaction of various systems and agencies. Ms. Grover indicated the goal of the KCSDV is to advocate for victims with the provision of quality and consistent services according to the needs of each client within a secure environment. The specific program, OARS (Orientation, Assistance, Referral, and Safety) is the collaboration between the KCSDV and SRS. The KCSDV coordinates this program, which is based on the client's needs with the goals of safety and self-sufficiency. While in the OARS program, advocates assist with safety planning, shelter, support groups, counseling, court, economic advocacy, and goals related to work or training. Ms. Grover emphasized the importance of keeping the roles of advocates clear; however, with the addition of the family violence provision in 1998 through TANF funding, the advocate role becomes more challenging. Reporting requirements have become more difficult to manage; program requirements (psychological evaluation, movement from cash assistance to employment, etc.) conflict with victims' needs and safety. Responding to questions, Ms. Grover added:

- The provision to limit lifetime services to 18 months was new to the contractual agreement on which KCSDV did not bid. A requirement related to confidentiality of victims' information could create a safety issue for those receiving services; a requirement that the recipient of benefits become employed within 18 months also could conflict with the recipient's needs at that time. Additionally a mandatory psychological evaluation is required, which can occur when a victim is under stress. There is concern regarding how these evaluations would be used and with whom they could be shared.
- Ms. Grover indicated she was the general counsel representing KCSDV from 2001 until two years ago at which time she was appointed executive director.
- The SRS contract for providing these services were sole sourced to KCSDV until 2009. The contract was for a 6-year time period with evaluation and review occurring every two years. Since January 30, 2011, KCSDV has been on two, 6-month extensions.
- Ms. Grover confirmed that last fall additional requirements were added to the RFP related to parental unification, abstinence-based sex education, as well as others.

Kathe Decker, Director of Economic and Employment Support Services at SRS, shared her personal story with committee members and testified concerning the OARS program and its funding source, TANF. (Attachment 2) She emphasized the importance of reporting requirements and consequences when federal requirements are unmet. Ms. Decker reported the goal of the OARS program is self-sufficiency in addition to following work requirements. When recounting a story involving a recipient of benefits, a committee member objected to Ms.

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Decker's characterization of the individual and events, particularly when the individual was not present to defend her actions.

Additional discussion and questions were heard. Ms. Decker indicated:

- The rationale for limiting services to 18 months was to allow for progress evaluation and to provide an opportunity for additional services (i.e., SSDI, more licensed therapy).
- With regard to whether private or community service centers supported SRS with the plan to provide \$2 million in grants, Ms. Decker responded that several have expressed interest but as of the current date, none have agreed to a contractual arrangement. Ms. Decker indicated that a letter from Willow Domestic Violence Center had been received; a committee member requested a copy be submitted to the Senate Committee on Ways and Means.
- The goal of the contractual revisions is to provide services while expecting accountability from KCSDV (or those centers receiving grant funding).
- When asked whether Ms. Decker agreed with Ms. Angela de Rocha's (SRS' Communications Director) public comments that there has been no accountability by the KCSDV. Ms. Decker responded that accountability from the coalition had been an issue.
- With regard to a question concerning the contractual agreement ending June 30, Ms. Decker indicated KCSDV does not provide direct services; they provide training, leadership, and professional support to direct-service providers. \$300,000 is the administrative fees paid to KCSDV.
- A committee member questioned information (contained in Attachment 2), which indicated SRS encourages domestic violence victims who receive aid to try and create two-parent families without regard to dangers, Ms. Decker indicated that information was disseminated by KCSDV, which was included in newspaper articles. However, SRS does support the concept that two-parent families are best for children.
- When asked about the vision for a healthy two-parent family when battering has occurred, Ms. Decker could not respond as to what the family dynamic would be or look like.
- A committee member suggested there are four provisions contained in TANF requirements: provide assistance to needy families, reduce dependency by promoting job preparation, preventing out-of-wedlock pregnancies, and encouraging formation and maintenance of two-parent families; TANF requirements do not provide that all four are included in every program.

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- Committee members expressed concern regarding all of the requirements contained in the RFP, particularly the 18-month lifetime limit on services as well as the requirement that 90 percent of benefit recipients are employed at the end of 18 months. Committee members affirmed the KCSDV position that it would be challenging to comply with these additional regulations while providing complex services related to domestic violence survivors. A committee member asserted that SRS was constructing barriers to the provision of services for needy Kansas families.
- A committee member inquired whether SRS representatives were contacting domestic violence centers' direct-line workers for information and bypassing the chief executive officer. Ms. Decker responded that to her knowledge, no calls were made to direct-line employees.
- Under Section 4.3 of the RFP under the "Purpose and Scope of Work," a committee member asked if a victim was currently receiving services under the coalition's umbrella and desired to continue services would SRS continue to fund the domestic violence center for providing those services. Ms. Decker responded there had been no decision to add that language to the RFP. In addition, it was suggested that TANF may not be the most appropriate funding source; SRS was encouraged to review all funding options and language to ensure continuation of services, particularly to those currently within the OARS program.
- When asked if the grant language were revised, would the KCSDV be allowed to rebid the contract, Ms. Decker responded the KCSDV made the decision not to continue the collaboration with SRS. The committee member suggested consideration is provided to KCSDV to rebid should contractual language or its funding source be changed.
- A committee member recalled the update in the Senate Ways and Means Committee meeting (February 10, 2012) concerning the Supplemental Nutrition and Assistance Program (SNAP) and changes to the previous policy, which caused some families who previously had been receiving SNAP benefits to become ineligible; the committee member asked if a directive had been issued to SRS to cut all federal funds coming to Kansas by changing the parameters for those eligible beneficiaries. Ms. Decker responded there had been no directive issued.

Ms. Angela de Rocha, SRS Communications Director, joined the meeting and was asked several questions. Discussion and answers follow:

- In a Wichita Eagle newspaper article, Ms. de Rocha was quoted as saying the coalition has not provided information about the scope of the program; there has been "no

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accountability at all” and this is the agency’s attempt to “impose some accountability.” A committee member asked whether Ms. de Rocha believed that the KCSDV provided no accountability at all; Ms. de Rocha responded that SRS has had to repeatedly request statistical and demographic information relating to what services are being provided, how many clients are receiving service, etc. She indicated there had been no adequate accountability. Another committee member suggested that numerous information requests had been submitted to SRS (by legislators and Legislative Research Department) during the 2012 Legislative Session for which information has not been provided or has been provided in an untimely manner. Ms. de Rocha suggested all committee members contact her personally for information requests.

The meeting was adjourned at 12:57 p.m.

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