



Division of  
the Budget

## HUMAN SERVICES

Foster care caseload **declined** from

**37,000** in FY 2003 to



**16,000** in FY 2018

due to the New York's emphasis on preventive services.



Since 2012, the New York Youth Jobs Program has incentivized the employment of **37,000 jobs** filled by young adults at over **2,500 businesses** in areas with high youth unemployment.

### \$20 BILLION AFFORDABLE AND HOMELESS HOUSING AND SERVICES INITIATIVE

Continued support in the creation or preservation of more than **100,000 units of affordable housing** and **6,000 units of supportive housing**.



**\$200 million**

to support raising the age of criminal responsibility, including comprehensive diversion, probation, and programming services for 16- and 17-year-old youth in the juvenile justice system.



## Budget Highlights

**Fight for Equality.** The Budget advances the Governor's Justice and Women's agendas with a constitutional amendment to protect against discrimination on the basis of sex, and legislation requiring equal pay for equal work, protecting workplace breastfeeding rights, increasing protection against sexual harassment in the workplace, barring discrimination on the basis of gender identity or expression, and banning conversion therapy.

**\$20 Billion Affordable and Homeless Housing and Services Initiative.**

The Budget continues to support the creation or preservation of more than 100,000 units of affordable housing and 6,000 units of supportive housing.

**\$200 Million to Implement Raising the Age of Criminal Responsibility.**

Funding provides support for raising the age of criminal responsibility and reform measures, including comprehensive diversion, probation, and programming services for 16- and 17-year-old youth in the juvenile justice system.

The FY 2020 Executive Budget advances Governor Cuomo's Justice and Women's agendas that deliver on the promise of progressive government and open doors of opportunity for all New Yorkers. It continues the unprecedented \$20 billion investment in affordable housing, supportive housing, and homeless services. The Budget also funds services for the needy and protects youth involved in the criminal justice system through implementation of raising the age of criminal responsibility.

## Overview

New York's human services programs promote the safety and well-being of the State's most vulnerable residents, safeguard workers' rights, and support New York's veterans and their families.

The Office of Temporary and Disability Assistance (OTDA) and the Office of Children and Family Services (OCFS) oversee programs that support and provide: financial assistance to elderly and disabled persons who are unable to work; services to public assistance recipients to prepare for and secure employment; child support enforcement; child care subsidies to assist low-income working families; protective services for children and adults; and services to at-risk youth in the community, local detention centers, and State operated facilities.

Homes and Community Renewal (HCR) preserves and creates affordable housing and promotes community development. The Office of National and Community Service (NCS) supports community service grants that provide youth education, assistance to individuals with disabilities, public health services, and disaster preparedness.

The Department of Labor (DOL) protects workers, promotes workforce development, and operates the State's Unemployment Insurance System. The Division of Human Rights (DHR) protects civil rights in the areas of employment, housing, public accommodations, education and credit.

The Division of Veterans' Affairs (DVA) connects veterans, members of the armed forces, and their families to various economic, medical, and social benefits and services available as the result of active duty military service.

The Nonprofit Infrastructure Capital Investment Program (NICIP) makes targeted investments in capital projects that improve the quality, efficiency, and accessibility of nonprofit human services organizations that provide direct services to New Yorkers.

## Providing Opportunity for All New Yorkers

The obligation of a caring, compassionate society is to ensure that all people can share in economic growth. The FY 2020 Executive Budget delivers on the promise of progressive government and provides the necessary services to open doors of opportunity for all New Yorkers.

Under the Governor's leadership, progress continues on a slate of critical social and economic policies that are improving lives. This includes the efforts to provide New York's most vulnerable residents with affordable, safe, and secure housing, and to restore fairness to hard work by raising the minimum wage to \$15 per hour. In addition, the state's youth are afforded every opportunity to work and succeed while youth ages 16 and 17 are protected from the adult justice system.

The Budget continues Governor's unprecedented \$20 billion investment in affordable housing, which is creating or preserving more than 100,000 units of affordable housing and 6,000 units of supportive housing.

In April 2016, Governor Cuomo signed into law the nation's first statewide \$15 minimum wage plan, marking a major milestone in the Governor's efforts to restore economic justice and fairness to working families in New York State. Three annual increases to the minimum wage have taken place so far and, when fully phased in, an estimated 2.3 million people will benefit.

The Governor also established a \$175 million Workforce Initiative for investments that will continue to support strategic regional efforts to meet businesses' short-term workforce needs, improve regional talent pipelines, extend apprenticeships, address the long-term needs of expanding industries, and provide opportunities for job seekers.

### Performance Profile

**Providing Economic Security.** The FY 2020 public assistance caseload is estimated at 532,000 recipients, a decrease of approximately one million since enactment of the Federal Welfare Reform Act of 1996.

**Reducing Foster Care Caseload.** The foster care caseload declined from 37,000 in FY 2003 to 16,000 in FY 2018 due to the State's emphasis on preventive services.

**Delivering Jobs for Youth.** Since 2012, the Governor's New York Youth Jobs Program has incentivized the employment of 37,000 jobs filled by young adults at nearly 2,500 businesses in areas of New York with high youth unemployment.

Table 11: Summary of Spending (All Funds)

Category	FY 2019 (millions)	FY 2020 (millions)	Change	
			Dollars	Percent
			(millions)	
Human Services	9,865	9,337	(528)	(5.4)
OTDA	5,300	5,187	(113)	(2.1)
OCFS	3,022	2,749	(274)	(9.0)
DOL	566	557	(9)	(1.6)
HCR	880	752	(128)	(14.5)
DVA	18	16	(2)	(10.7)
NCS	17	17	0	0.0
DHR	14	14	0.0	0.0
NICIP	48	45	(3)	(6.3)

## Proposed FY 2020 Human Services Budget Actions

### Fighting for Equality

- Pass the Equal Rights Amendment.** Nearly a century after it was first proposed, New York State has still not passed the Equal Rights Amendment to protect against discrimination on the basis of sex in the State Constitution. As part of the Governor's Justice Agenda, the FY 2020 Budget advances an amendment to the State Constitution to prohibit discrimination based on an individual's sex.
- Ensure Equal Pay for Equal Work.** In 2017, the Governor directed the Department of Labor to produce a report on the state of the gender pay gap. Released in April 2018, the report found that in New York women earn the equivalent of 89 cents to each dollar earned by men, the narrowest gap of any state in the nation and higher than the national average of 80 cents. However, for women of color in New York, the gap was much wider. Black and African American women, the report found, are paid the equivalent of 64 cents on the dollar and Hispanic and Latina women are paid 55 cents on the dollar.

As part of the Governor's Women's Agenda, the Executive Budget advances legislation to expand the definition of "equal pay for equal work" in both the public and private sectors to require that equal pay be provided for all substantially similar work. To help address the gender wage gap, it would also ban questions on salary history.

This legislation builds on two executive orders signed by the Governor in 2017 to eliminate the wage gap by prohibiting state entities from evaluating candidates based on wage history and requiring state contractors to disclose data on the gender, race, and ethnicity of employees – leveraging taxpayer dollars to drive transparency and advance pay equity statewide.

- **Guarantee Workplace Breastfeeding Rights.** In June 2018, the Governor directed the Division of Human Rights to investigate allegations of pregnancy-related discrimination by several major companies, following reports of widespread instances of pregnant employees being passed over for promotions, demoted, denied reasonable accommodations, or fired. In addition, the Governor directed the Division of Human Rights, the Department of Labor and the Workers' Compensation Board to launch a comprehensive, multiplatform, multilingual education and outreach campaign for employees to know their rights, and for employers to know their responsibilities to prevent unlawful pregnancy discrimination.

Building on these efforts, and as part of the Governor's Women's Agenda, the Budget advances legislation to make absolutely clear that lactation is a pregnancy-related condition covered by the Human Rights Law and that employers must make reasonable accommodations for it in the workplace.

- **Increase Protections Against Sexual Harassment in the Workplace.** As part of the Governor's Women's Agenda, the Budget advances legislation to increase protections against sexual harassment in the workplace by eliminating the restriction that the harassment be "severe or pervasive," mandating that all pre-dispute non-disclosure agreements allow for filing a complaint, and requiring employers to conspicuously post a sexual harassment educational poster.

This builds on legislation enacted in the FY 2019 Budget that expanded workplace protections in the State's Human Rights Law to include contractors, subcontractors, vendors, consultants, or others providing services in the workplace; required employers to adopt a sexual harassment prevention policy and training; and mandated that as of January 2019 all State contractors must submit an affirmation that they have a sexual harassment policy and that they provide annual training to all of their employees.

- **Defend Gender Expression and Non-Discrimination.** With Governor Cuomo's leadership, New York became the first large state to pass marriage equality. As part of the Governor's Justice Agenda, the Budget advances the Gender Expression Non-Discrimination Act (GENDA), which amends Human Rights Law to bar discrimination on the basis of gender identity or expression.

This proposal will codify into law state-wide regulations that the Governor was the first executive in the nation to issue that prohibited harassment and discrimination on the basis of gender identity, transgender status, or gender dysphoria.

- **Ban Conversion Therapy.** Conversion therapy, which refers to programs intended to change an individual's sexual orientation or gender identity, has been repudiated by leading medical and professional organizations, including the American Academy of Pediatrics; the American Counseling Association; the American Psychiatric Association; the American Psychological Association; the American School Counselor Association; the National Association of School Psychologists; and the National Association of Social Workers.

As part of the Governor's Justice Agenda, the Budget advances legislation that would ban such practice. This statutory change builds on comprehensive regulations the Governor announced in 2016 to prevent conversion therapy, including regulations barring New York insurers from providing coverage for conversion therapy given to an individual under 18 years old, by making it a professional misconduct to provide conversion therapy to a minor.

- **Extend Anti-Discrimination Protections to All Students.** The Budget advances legislation to define "educational institutions" to include public schools to reaffirm that DHR has jurisdiction to investigate claims of discrimination, harassment, and bullying in public schools.
- **Protect Workers.** The Budget advances critical worker protection proposals, including an increase in penalties for knowing failures to pay wages and removing disincentives to work part-time for unemployment insurance recipients.

## Expanding Access to Affordable Housing and Combatting Homelessness

- **Continue the \$20 Billion Affordable Housing and Homelessness Initiative.** The Budget continues the \$20 billion, comprehensive five-year investment in affordable housing, supportive housing and related services to provide New Yorkers with safe and secure housing. This investment is creating or preserving over 100,000 units of affordable housing and 6,000 units of supportive housing. Funding includes \$3.5 billion in capital resources, \$8.6 billion in State and Federal tax credits and other allocations, and \$8 billion to support the operation of shelters, supportive housing units, and rental subsidies.

To ensure progress, the FY 2020 Budget continues the capital resources needed for the following:

- **Supportive Housing.** \$950 million for the construction or operation of 6,000 supportive housing units throughout the State;
- **New Construction.** \$472 million for new construction or adaptive reuse of rental housing affordable to households that earn up to 60 percent of area median income (AMI);
- **Senior Housing.** \$125 million for developing or rehabilitating affordable housing targeted to low-income seniors, aged 60 and above;
- **Rural and Urban Community Investment Fund (CIF).** \$45 million for mixed-use affordable housing developments that may include retail, commercial or community development components;
- **Middle Income Housing.** \$150 million for new construction, adaptive reuse, or reconstruction of rental housing affordable to households that earn between 60 and 130 percent of AMI;



- Affordable Housing Preservation. \$146 million for substantial or moderate rehabilitation of affordable multi-family rental housing currently under a regulatory agreement;
  - Mitchell-Lama Rehabilitation. \$75 million to preserve and improve Mitchell-Lama properties throughout the State;
  - Public Housing. \$125 million for substantial or moderate rehabilitation and/or the demolition and replacement through new construction of public housing authority developments outside of New York City;
  - Small Building Construction. \$62.5 million for rehabilitation and/or the demolition and replacement through new construction of buildings of 5 to 40 units;
  - Home Ownership. \$41.5 million for promoting home ownership among families of low and moderate income and stimulating the development, stabilization, and preservation of New York communities;
  - Mobile and Manufactured Homes. \$13 million for mobile and manufactured home programs;
  - Main Street Programs. \$10 million for stimulating reinvestment in properties located within mixed-use commercial districts located in urban, small town, and rural areas of the State;
  - New York City Housing Authority (NYCHA). \$200 million for projects and improvements related at housing developments owned or operated by NYCHA; and
  - New York City Affordable Housing. \$100 million for the preservation, restoration or creation of affordable housing units in New York City. All units must be affordable to households earning up to 60 percent of AMI.
- **Protect Against Housing Discrimination.** The Budget advances legislation to prohibit housing discrimination based on lawful sources of income and place reasonable caps on security deposits.
  - **Ensuring Availability of Disaster Assistance.** The FY 2020 Budget proposes \$72 million in capital funding to continue projects related to ongoing Superstorm Sandy reconstruction efforts at the Governor's Office of Storm Recovery (GOSR). The Budget also continues the availability of State and Municipal Facilities funds for reconstruction projects related to Lake Ontario flooding and expands eligibility to include Seneca Lake flooding that occurred last August.

- **Provide Mobile and Manufactured Homes.** The FY 2020 Budget provides an additional \$5 million for the Manufactured Home Advantage program to ensure the State's commitment to all forms of affordable housing.

## Providing Quality Human Services

- **Ensure Child Care Availability.** As part of the Women's Agenda, the Governor launched in December 2018 the Child Care Availability Task Force, a group of experts focused on developing innovative solutions that will improve access to quality, affordable child care in New York. The Task Force has begun its work examining access to affordable child care, the availability of child care for parents with non-traditional work hours, statutory and regulatory changes that could promote or enhance access to child care, business incentives to increase child care access, and the impact on tax credits and deductions relating to child care.
- **Improve Child Care Health and Safety Requirements.** The Federal Child Care Development Block Grant's (CCDBG) 2014 reauthorization enacted new requirements related to health and safety. The estimated cost to implement the health and safety requirements is \$78 million and will be supported with Federal child care funding. The FY 2020 Executive Budget proposes legislation to authorize background checks and to amend licensing and registration requirements for child care programs to comply with the health and safety requirements.
- **Extend and Expand Temporary Operator Authority.** The Budget extends for three years the State's authority to appoint a temporary operator for emergency shelters that have serious financial or health and safety deficiencies. The Budget also expands this authority to include foster care agencies licensed by OCFS. This expansion allows for the State to better respond and ensure that the children in the care of these agencies are protected.
- **Expand Kinship and Foster Care Capacity.** Enacted in 2018, the Federal Families First Prevention Services Act (FFPSA) adds new restrictions on Federal room and board support for foster children placed in group care settings. FFPSA also mandates that states conduct background checks on any individual working in a group care setting, regardless of their contact with children. The FY 2020 Budget prepares for these new requirements with legislation to expand background checks to comply with FFPSA as well as creating the Family First Transition Fund. This fund will leverage Federal and private foundation funds to provide counties and foster care agencies with support to expand kinship and foster care capacity, helping the State comply with these requirements.
- **Restructure Youth Facility Billings.** Counties are billed for 50 percent of youth facility costs. Since FY 2016, the State has capped the amount billed annually at \$55 million statewide. The FY 2020 Budget changes the method of making the payment. Instead of



issuing bills to counties, the State would reflect what the county would be billed in the local assistance program payments to counties. This approach will provide administrative relief to both the State and counties as a result of not having to process billings and payments for youth facility operations. There is no change in the cost to counties for youth facilities.

- **Fund New York City HIV/AIDS Rent Cap through Safety Net Assistance.** The FY 2015 Budget authorized a limit on rent paid by New York City residents living with HIV/AIDS who receive Public Assistance. The State cost for this limit, no more than 30 percent of monthly income toward rental costs, was paid for with funds from financial settlements in FY 2016 through FY 2019. The FY 2020 Budget would shift the cost of this program to Safety Net Assistance – creating a permanent funding source for the program.
- **Establish a New York City Share for Family Assistance to Needy Families Expenditures.** The FY 2020 Executive Budget establishes a 10 percent local share for New York City for the Family Assistance program. This is consistent with the existing 10 percent local share that the City pays for the Emergency Assistance to Families program.
- **Reform the Persons in Need of Supervision (PINS) Process.** Under existing law, family courts can place youth who are the subject of PINS proceedings into detention facilities or foster care based solely on allegations relating to non-criminal behavior (i.e., alleged to have been truant from school, incorrigible, disobedient or beyond the control of their parents). There is no equivalent model in the adult criminal justice system whereby an adult may be held in jail, or be removed from their home against their will, based on an allegation that the adult engaged in conduct which did not violate any law. Moreover, PINS detention is costly and produces negative outcomes for youth. The FY 2020 Executive Budget advances legislation that prohibits the detention and placement of most youth who are alleged to be PINS.
- **Reform Residential Domestic Violence Shelter Requirements.** Statutory provisions that require domestic violence victims to apply for Public Assistance and permit providers to charge victims with sufficient resources a fee for services have been determined by the Federal government to contradict Federal rules for Family Violence Prevention Services Act (FVPSA) funding. To ensure that all victims have access to vital emergency services with no strings attached, the FY 2020 Budget eliminates these requirements.
- **Support Human Services Training within the State.** The FY 2020 Executive Budget supports a redesign of the State’s human services training program. With the establishment of a centralized training center in Rensselaer, OCFS will be better positioned to meet the increased and changing demand for human services trainings. This transformative approach will expand opportunities for curriculum development and delivery and maximize training effectiveness through increased use of simulation-based trainings at the new, state-of-the-art training facility.

- **Provide Additional Opportunities for Work.** The Budget authorizes local social services districts to provide Public Assistance recipients with the opportunity for 90-day job try-outs as work experience assignments. These programs will provide training and skill learning opportunities that will lead to permanent employment at the end of a trial period.
- **Increase Funding for the Summer Youth Employment Program.** The Budget increases funding for the Summer Youth Employment Program by \$4 million, to \$44 million, to ensure that the State can continue to create job opportunities, while keeping pace with minimum wage increases. In 2018, approximately 19,000 youths were employed through the program.
- **Continue HIV/AIDS Rent Cap Outside of New York City.** The Budget continues the authorization for counties to provide a rent supplement that would limit the rent paid by residents living with HIV/AIDS who receive Public Assistance. New York City had previously opted to authorize this supplement, which limits the rent to no more than 30 percent of monthly income. The State would continue to have the ability to mandate this supplement if sufficient savings to offset the cost are demonstrated. In addition, the Budget expands this initiative by authorizing a new voluntary pilot program in which counties would work with Medicaid managed care organizations to provide funding for the supplement, which would be matched by the State.
- **Protect Veterans from Financial Exploitation.** The FY 2020 Executive Budget advances legislation that would protect New York State's elderly and disabled veterans, and their family members, against "pension poaching." Under this legislation, an entity would be prohibited from charging or receiving compensation for assisting veterans with preparing a claim for Federal veterans' benefits. This measure would also prohibit anyone from charging unreasonable fees for those services where Federal law permits fees as well as require anyone offering such services for a fee to inform their customers that DVA and county veterans services organizations can provide them free services regarding veterans benefits.