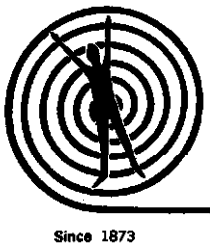
MEETING HUMAN NEEDS

The Social and Political History of Title XX

Paul E. Mott



national conference on social welfare

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INTRODUCTION

Norman V. Lourie, President
National Conference on Social Welfare

The National Conference on Social Welfare (NCSW) is proud to present this important document made possible by a grant from the Social and Rehabilitation Service of the United States Department of Health, Education and Welfare. It is unusually excellent in its quality and in its devotion to recording recent events objectively. We hope this history will be useful to those who have responsibility to influence, develop and refine social policy in this specialized complex and sometimes confusing area. It should also be a useful tool for teachers and students.

In acting as sponsor for the development of this history the National Conference is carrying out one part of a broader obligation growing from its relationship with the United States Department of Health, Education and Welfare.

Between now and the National Conference on Social Welfare which will be held in Washington, D.C., June 13 - 17, 1976, the NCSW aided by several agencies in the Department of Health, Education and Welfare, is conducting a series of Task Forces which will address major social policy issues in the human services field. Each Task Force is composed of a broad ranged group of competent individuals who will produce draft papers on the following subjects:

Current Issues in Title XX

Expanding Management and Professional Accountability in Social Service Programs

The Future for Social Services in the United States

Principles of an Income Maintenance System in the United States

Roles for Government in Public and Private Retirement Programs

The Future of Long Term Care in the United States.

These drafts will be discussed at institutes during the NCSW annual forum in June. Refined as the result of discussions, these will be published by the NCSW and are designed to be utilized by the Department of Health, Education and Welfare, private agencies, congressional committees and interested individuals.

This is the second year of a type of effort which brings the National Conference on Social Welfare into a formal relationship with the Department of Health, Education and Welfare utilizing the Conference structure between its annual forums in ways that might be useful for the development and design of American human services policy.

The Conference, now in its 103rd year, has the advantage of being the neutral gathering ground for individuals, public and voluntary agencies, and interest groups of all points of view in the human services field. The Conference carries only the banner of human betterment and offers an arena in which folks search together for better ways to relieve suffering, seek justice for all and achieve the promise of the American dream.

in 1975 similar institutes were held on the 1975 NCSW theme "Health is a Right; The Human and Political Dimensions." Five published reports are available from those efforts. They are proving most useful. We hope very much that the reports of the 1976 Task Forces will be of value to legislative bodies, private and public agencies and to consumer groups. The theme of the National Conference this year, consistent with the nation's Bicentennial celebration, is "Advancing the Human Society: The Unfinished Agenda of Democracy." (The Conference activity this year is recognized by the American Revolutionary Bicentennial Administration and is a member of the National Bicentennial Service Alliance.)

The main responsibility and credit for this history goes to its talented author, Dr. Paul E. Mott. The Conference was fortunate that he was willing to undertake the task. In so short a time he did a superb job.

Foresight and thoughtful consideration of the importance of this history and the possible utility of the NCSW Task Forces began with William Morrill, Assistant Secretary for Planning and Evaluation. He and key members of his staff were, as the history shows, a most important part of the Title XX development. It was Mr. Morrill who gave considerable thought and guidance to the National Conference and to HEW agencies as we sorted out priorities together.

Special mention should be made to Allen Jensen, formerly of the National Governor's Conference and now a member of the staff of the U.S. House of Representatives Ways and Means Committee; Glenn Allison, National Association of Social Workers and Chairman of the Social Services Coalition; Ed Weaver, Executive Director of the American Public Welfare Association and to the staff and committees of that organization; Bert Carp, formerly on Senator Mondale's staff and now with the Senate Budget Committee; John Young, former Director of the Social and Rehabilitation Services; Mike Suzuki, Deputy Director of Community Services Administration; Pauline Godwin, Special Assistant to the Commissioner of the Community Services Administration; Bertram Brown, Director, National Institute of Mental Health; Thomas C. Parrott, Associate Commissioner for External Affairs, Social Security Administration; John J. Carroll, Assistant Commissioner, Office of Research and Statistics, Social Security Administration and James C. Callison, Acting Deputy Assistant Commissioner, Social Security Administration. Each of them made major contributions. So many other individuals and organizations are part of the history I cannot mention them all, but all were important.

I also want to thank Margaret Berry, Executive Director of the Conference, for her consistent inspiration and energy which keeps us on the track and to Patrick McCuan, Project Director for both this year's and last year's efforts, whose creative and administrative talents were, and continue to be, a key and a great help.

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In 1873 the Conference began when members of several State Boards of Charities decided it was important they come together from across the land to exchange experiences and ideas.

In 1976 this continues to be an important function and the National Conference on Social Welfare is pleased that it can continue to be of service to the nation, its people and its government.

Norman Lourie
February 10, 1976

ACKNOWLEDGMENTS

This monograph recounts the history and development of Title XX, the Social Services Amendments to the Social Security Act. It is a story that needs telling because this law reflects in its development the pluralistic political processes that characterize American society and because it represents an ambitious experiment in state, federal, and citizen relationships that could have far-reaching implications for those relationships.

The author wishes to acknowledge his gratitude to many people who helped in bringing this project to fruition. He is particularly grateful to Ms. Joy Duva and Ms. Gloria Cohen who did the staff work in preparing Appendix A of the monograph. Ms. Duva is essentially responsible for the writing of that Appendix. He is also grateful to the many people who gave willingly of their time to be interviewed about their role in the development of Title XX. Many of these people were interviewed on more than one occasion and provided additional documents and detailed information. But a special note of thanks goes to Allen Jensen who made available all of his files on the events beginning in 1970 through to the passage of Title XX. Mr. Jensen also gave liberally of his time for the interviews required for this project. The author is also grateful to Norman V. Lourie, Suzanne Woolsey, John Young, and Pauline Godwin who read and commented on parts of the draft manuscript.

All of these people are absolved from any responsibility for the final product. In the last analysis it is the author's responsibility to balance all of the views expressed in presenting a view of the events that led to the passage of Title XX.

P.E.M.

CHAPTER 1

SOCIAL WELFARE AND SOCIAL SERVICES

Introduction

Sometimes human inventions are very subtle. Unlike the automobile or airplane, they achieve their effects through the actions of people going about their usual activities. New ideas, social values, and ideologies are often of this subtler order.

One such invention was the concept of social welfare. This was the notion that society has some responsibility for the plights of its members: that public funds could and should be used to aid people who had lost or were losing their own abilities to be self-sufficient.

In the early stages of the development of capitalism, this concept was rejected. Like commodities, human labor was organized into markets where it could be bought and sold according to the laws of supply and demand. If a person was injured, sick, or otherwise incapacitated, then the demand for his or her services was very likely to be very low. That was the individual's problem and not society's, or so at least went the reasoning of the time. To be ill, to be injured on the job, meant the loss of wages because there was no accident and health insurance and no corporate or social responsibility for these conditions.

Attempting to help vulnerable people was an equally individual act. It was called "charity" and was considered a time-honored and virtuous act. Across the United States, as in other countries, local charitable organizations were created by the well-intentioned and well-to-do to assist needy people.

The work was done mostly by well-meaning but untrained people. Eventually it was realized that good intentions and honest efforts were not enough: professionally trained people were required to cope with the mounting and complex problems that vulnerable people were facing at the close of the Nineteenth Century. Immigrants were entering the country in massive numbers and rural Americans were moving to the cities, drawn by the burgeoning industrial system. The problems that accompanied these massive social changes simply overwhelmed the private charity system that was better suited to an earlier, more settled time. What was needed was a large cadre of professionally trained people to work with the poor, delinquent, criminal, aged, and other vulnerable people. With the advent of the present century, social work as a profession was born.

The central values of the new profession were naturally greatly influenced by the ethos of individualism. The problems were still the problems of individuals, caused by individuals, aided in some instances by the professional social worker. The basic tactic was to help each person to cope with his or her situation. The social work agencies were still primarily private ones.

But as the rejuvenated ethic of social welfare spread and as social problems increased in their intensity and prevalence, the provision of social services became increasingly public rather than private, organic rather than individual. Many of the leaders of this new view came from the ranks of the professional social workers, who saw that seemingly individual problems were in fact the result of large social forces and conditions over which they could have little control. For them it was not sufficient to help vulnerable people to cope with faulted social structures. And it was not sufficient to place the burden of social change on private agencies. What was needed was a strategy of institutional change that drew a major share of its resources from public funds. Their preference for public programs was to win wide support long before their strategy of institutional change.

Some forms of public aid had always been available in some parts of the country since colonial times, but with the turn of the century new public institutions emerged to assist special groups: the deaf, blind, orphaned, and the mentally ill. Following the lead provided by Massachusetts, other states created state agencies to administer their programs for the institutional care of the needy.

This public role began to expand beyond its institutional base after the turn of the century. In 1903 Illinois passed a law providing for pensions for the blind. Missouri, in 1911, enacted a law which provided cash assistance to widows, and a year later, Alaska enacted the first old age pension law. Alaska's law was declared unconstitutional, but in 1923 Montana passed a similar law which was allowed to stand. The new welfare ethic was reaching the courts.

By the time of the Great Depression and the passage of the Social Security Act, the country was a patchwork of state, county, and local social service agencies, some were private and voluntary, but most were public. But just as social forces had overwhelmed the private, voluntary system, now the cataclysm of the Depression overwhelmed state and local public programs. Help was needed from the federal government.

Linking Cash Assistance and Social Services

It was in this context that much social legislation was written, including the Social Security Act of 1935. When it was written it was conceived as a direct income transfer program that used the federal taxing power to reduce the economic vulnerability of such groups as the aged, the blind, and the handicapped. It encouraged the states to provide cash assistance to needy people; the federal government would provide one-half of the cost of these programs. There were no limits on the size of the state grants because economic conditions varied from state to state and the states could set their own standards of eligibility. The provision of money and not social services, then, was the focus of the Social Security Act in 1935.

It was nevertheless assumed that while cash assistance would alleviate economic vulnerability, it would not correct the deficiencies in personal functioning that kept people dependent. Jane Hoey, the first Chief of the Bureau of Public Assistance, therefore stressed the need for trained social workers in state and local agencies.

For almost 20 years she inculcated a service strategy which encouraged the use of the personal and family eligibility information to provide the basis for a diagnosis by a trained caseworker. In addition to financial assistance, then, the caseworker could formulate a plan of services designed to help individuals and families achieve self-sufficiency. But it was not until the Social Security Act amendments of 1956 that the service activities of public assistance staffs were given statutory sanction. The amendments recognized that social services, to be provided to welfare recipients only, were eligible for the regular 50 percent federal matching funds. But while there were no ceilings on the amount which could be spent for these services, the states made little use of this new provision.

As the welfare roles continued to rise, the call for greater effort in social services rose also, culminating in the Social Security Act amendments of 1962. Those amendments sought to reorient the program from a basic cash transfer program to one in which the main focus would be on rehabilitation of present cash recipients and the prevention of vulnerability by others threatened with financial instability. A new 75 percent matching rate was offered as an incentive to provide services to public assistance recipients and to those who were formerly or might potentially be recipients to prevent them from becoming dependents. Unmarried parents, families threatened by or experiencing desertion or disruption, families with adults having potential for self-support, children with special problems or in need of protection, and the aged and disabled were groups cited as needing services.

The traditional child welfare services continued to be encouraged, but the notion was that more services would be provided which would prevent or reduce dependency, and maintain and strengthen family life. Community work and training programs were called for. Some of the newly emphasized social services were those necessary to help parents to:

improve home conditions;

assume responsibility for care and guidance of their children;

assume responsibility for the management of financial resources;

use community resources to meet specialized problems.

In the last case provision was made for purchase of services from other public agencies. This provision was little used for a number of reasons. First, the Bureau of Public Assistance — renamed Bureau of Family Services — emphasized traditional casework services and was not exercising a leadership role in the development of new techniques. Second, most states had not figured out how to use this provision creatively to achieve their program objectives. Third, DHEW had not provided leadership in the development of new techniques. Moreover, other public and private agencies were providing these specialized services under separate statutes such as the Vocational Rehabilitation, Community Mental Health, Older Americans, and Economic Opportunity Acts. By 1965 the purchase of health services was expanded to include broad coverage for low income people under the Medicare and Medicaid amendments to the Social Security Act.

Increasing the Emphasis on Self-Sufficiency

The federal fiscal year 1967-68 began with a new organizational structure for several social service programs in DHEW and new statutory amendments to the Social Security Act for welfare and social services. The welfare rolls were escalating even more rapidly than before due to a combination of social circumstances including economic dislocation, family breakup, and a new spirit of advocacy for gaining poor people their legal entitlements. This escalation overwhelmed any positive impact of social service (programs) activity which the 1962 amendments had implied would reduce welfare dependency.

To give new impetus to the rehabilitative thrust of social services, DHEW Secretary John Gardner brought responsibility for Vocational Rehabilitation together with the Social Security Act programs and some other categorical group service programs into a single agency, the Social and Rehabilitation Service (SRS). As the first Administrator, Mary Switzer was expected to apply to welfare problems the same concepts which made vocational rehabilitation successful in putting people to work. As part of that agency, social services responsibility was separated from income maintenance administration and divided among the Administration on Aging, the Rehabilitation Service Administration, and the Children's Bureau, depending on the group for whom the services were intended.

Later in 1967, far reaching amendments to the Social Security Act were passed in which new incentives for working were instituted in the cash grant program, and a new Work Incentive Program and complementary social services, especially child care, were mandated.

Family services were defined as "services to a family, or a member thereof for the purpose of preserving, rehabilitating, or strengthening the family to attain or retain capability for the maximum self-support and personal independence." This definition reinforced the previous goals, but did not do anything to define further or restrict what could be delivered as "social services." In fact, with Mary Switzer's encouragement, based on the rehabilitation model, the potential for expansion was considerably augmented as the purchase of service authorization was extended to private as well as public agencies. In addition the 75 percent matching rate was made available for all services meeting the broad definition in the law rather than only those specified by the Secretary. Moreover, recognizing the widespread need for certain services, such as day care, the Congress encouraged SRS to extend eligibility to entire groups such as people in identified low income neighborhoods. These provisions were a definite spur to put in place the specific services needed to prepare people for employment or reduced dependency. Where the 1962 amendments had taken a relatively narrow and traditional view of social services the 1967 amendments took a broad and expansive view.

As a part of the new emphasis, the concept of separating cash assistance from social service programs gained new adherents. Up to this point the public assistance worker had to act both as a policeman, seeing that the recipient conformed to the rules in order to receive money, and as a helper trying to give positive counseling. With the power to give or withhold a money payment the social services worker was often perceived as a manipulator

of behavior - conveying the moralistic tone of the original Poor Laws that assistance would only go to the "deserving poor." The desire for separation was indicative of the extent to which the concept of social welfare had taken root in American society. Hoshino summarized the new view this way:

> The need for income maintenance arises primarily from the social and economic factors inherent in an industrial society. Money payments or benefits, then, are seen as rights, they are entitlements to be claimed by the consumer and are not conditioned on his behavior or service requirements.

In addition, social services are offered separately by the system. It is assumed that the consumer is able to define his needs and is competent to make decisions. The consumer may therefore accept or reject services, except in protective service situations, in an action which is quite independent of the act of claiming financial aid. *

One scheme for administrative separation for a local agency is depicted in Chart 1. Separation of the service delivery function from the money payment function (within the Social Security Act's public assistance Titles) was a major undertaking. Besides the key opportunity for making services to low income people more responsive to their real needs, administratively it was a strategy to achieve better accountability for the services delivered. But accomplishing that change and realizing those objectives was another matter.

The scattering of responsibility for services within three SRS bureaus was not helpful in achieving these objectives in that there was no focal point for reshaping the welfare services program. To begin to provide such a focus, a Task Force on Organization of Social Services was appointed by Secretary Cohen, and in October of 1968 produced its report, "Services for People." This report had the customary difficulty in providing a definition for social services, generalizing them as "those human services rendered to individuals and families under societal auspices." The Task Force saw these services as falling outside the traditionally "independent" fields of health, education, housing, and of income maintenance from which separation was just beginning. In a later paper Wedemeyer** called these independent fields the"Functional Services" adding to the Task Force's listing transporation and employment services. These he saw as geared more to serving the general public in their aspirations for health and self-development. Social services were then categorized as those services for people whose limitations and handicaps made it difficult for them to maintain their independence, requiring therefore supplemental assistance. Together, the social services and the basic functional services were by 1969 generally accepted as describing the field of social welfare.

At an earlier point Ellen Winston as the Director of the old Bureau of Family Services, had defined social services as being "what a social worker does." Even this definition obviously had to include the social work components which had developed in settings other than public welfare. Social workers were part of the professional staff in hospitals and schools, and many other public and private agencies.

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* Hoshino, George, "Separating Maintenance From Social Services," Public Welfare, Spring 1972.

** Wedemeyer, J.M., Policy Issues in Service Delivery, School of Social Work Sacramento State College, 1969.

But beyond the role of the social worker, social services came to describe the entire work of agencies whose mission involved the same generalized goals as were embodied in the Social Security Act. Martin Rein** was to give social services the "five P's" classification:

- Preparation - giving counseling, guidance and information to enable people to use other institutions;
- Procurement - referral processes;
- Provision - giving of "hard" services which eliminate or cope with obstacles to persons' using other facilities (day care, homemaking aide);
- Participation - organizing of consumers to express needs, pursue common objectives in developing means to meet them, etc.;
- Protection - efforts to maintain equity and quality.

By 1968 the "hard" social services had developed in many settings and under many auspices. There were in addition to the long standing public and private agencies providing vocational rehabilitation and child welfare services, the newer community mental health centers, family planning clinics, crisis intervention (drug abuse, suicide) centers, street workers' programs, day care for children and the aged, and many other programs supported by various combinations of federal, state, local, and private funds.

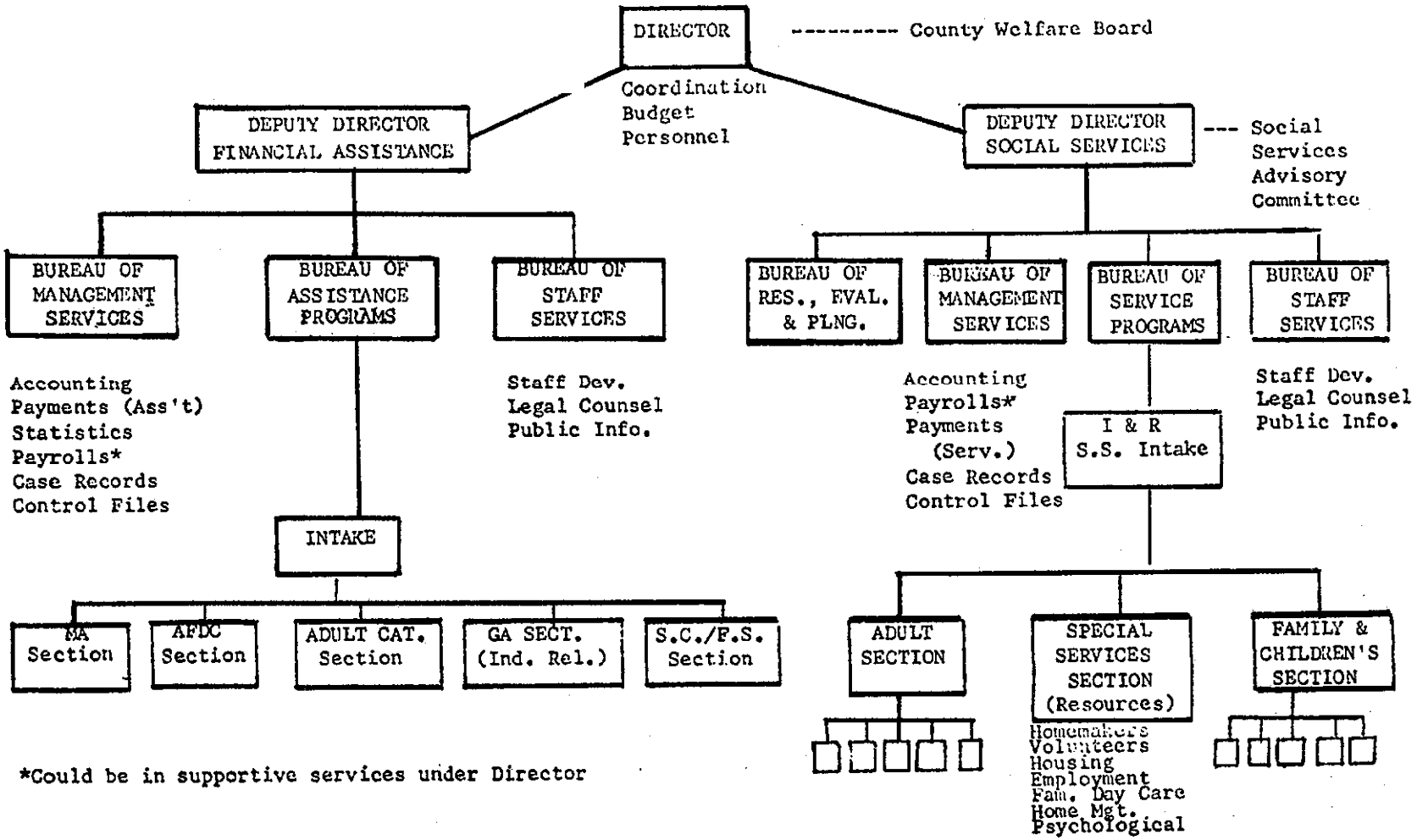
The 1967 Social Security Act amendments, in effect, provided that any of these social services could be purchased as part of a plan for any poor person or family which could qualify as a potential, current, or former welfare recipient. The definition of purposes rather than of services and the open-ended matching guarantee completed the invitation for the states to expand their programs. The invitation in law was confirmed in regulations ** signed by Secretary Cohen just two days before the Nixon Administration took office.

* Rein, Martin, "Social Services and Economic Independence" in The Planning and Delivery of Social Services (Washington, D.C.: National League of Cities, 1969).

** Code of Federal Regulations, Title 45, Chapter II, Social and Rehabilitation Service, Part 220, Service Programs for Families and Children, dated January 28, 1969.

Chart I

EXAMPLE OF A PUBLIC WELFARE AGENCY STRUCTURE WITH SOCIAL SERVICES SEPARATED FROM FINANCIAL ASSISTANCE



*Could be in supportive services under Director

SOURCE: State of Wisconsin

CHAPTER II

THE FIRST NIXON ADMINISTRATION: 1969-1972

The arrival of the new Administration brought with it a sharp contrast in perspectives, which were especially visible in the Department of Health, Education and Welfare. The outgoing Administration carried with it the perspective of the 60's: their goals were to reduce human dependency and their strategies involved creating programs rather than controlling them. While the incoming appointees, Robert Finch, John Veneman, Lewis Butler, John Twiname and others, did not lack for concern about human problems, they did bring with them managerial perspectives about program effectiveness and accountability. Assuring that the programs were delivering their resources to the poor and other vulnerable groups effectively and with as little drain-off into other activities as possible, became one of their major concerns. This penchant for viewing the problems from organizational and managerial perspectives was coterminous with the existence of numerous problems of these types caused by the rapid expansion of the programs under the amendments of '62 and '67.

Three major problems in the social service area were of immediate concern:

1. The real growth of expenditures in social service programs was accelerating rapidly.
2. The service programs themselves seemed to have no rhyme or reason to their organization. There was abundant evidence of overlap, duplication, and confusion. It was a situation that looked not only costly but one that the clients would have great difficulty coping with.
3. Whatever accountability systems there were for social service expenditures were best described as weak. There was very little data to tell DHEW managers how the money was being spent, for whom, and for what purposes.

Solving these problems became major agenda items for the new Administration. The focus for this solution was in the recently formed Social and Rehabilitation Service which contained many of the social service programs. After Robert Finch had been appointed Secretary of DHEW he asked John Twiname, the new Deputy Administrator of SRS to do a management study involving the transfer of the Childrens Bureau to the new Office of Child Development in the Office of the Secretary. This study led in October, 1969 to the formation of the Community Services Administration within SRS and, in effect, brought together into one Administration all the adult/child and family service programs under Titles I, IV-A, IV-B, X, XIV and XVI of the Social Security Act.

Twiname nominated Stephen Simonds, a professional social worker who had previously served as Commissioner of the Assistance Payments Administration, to be the first Commissioner of CSA. Simonds had been among the first state administrators to separate services from cash assistance functions in his home state of Maine. He was given three mandates in connection with the reform of Social Services:

1. Find some equitable way to control the rate of growth in expenditures. Already there had been a 23 percent increase in the year following the 1967 amendments and California was disproportionately funded compared to the other states.

2. Provide leadership in helping the states develop a rationalized social services system. The states' services programs authorized by the Social Security Act would have to be even more separated from income maintenance if the President's Family Assistance Plan were administered by the Federal Government as proposed. And while separation from cash assistance was needed, some integration with the patchwork of other social service programs was needed even more.

3. Design and implement an effective accountability system for measuring where and how social service funds were being spent, and with what results.

Most of the rest of this chapter is devoted to describing the various attempts during the first Nixon Administration to carry out these mandates. It is an important piece of history for understanding the development of Title XX because most of the issues are identical and some of the solutions proposed then were ultimately incorporated in Title XX.

It is important to remember that the new Administration's major attention was focused on developing a welfare reform initiative and that it's interest in social service programs has to be understood in that context. As Dr. Moynihan, Assistant to the President and chief advocate for welfare reform put it: "We need an income strategy rather than a services strategy." The new Administration in DHEW under Secretary Finch agreed. Services should not be considered a substitute for basic minimum income in terms of people's social functioning. But they also acknowledged, as had their predecessors in the early 60's, that income alone was not sufficient for many people in solving their problems. The President, in effect, confirmed this when, in announcing his welfare reform initiative in August 1969, he called for a major investment in day care services to permit more people to hold jobs.

Controlling the Rate of Growth

In the years after the 1962 amendments, the growth of social services expenditures under the public assistance Titles of the Social Security Act accelerated as shown below:

Fiscal year	Federal Grants (thousands of dollars)
1963	**$ 194,304***
1964	**244,437***
1965	**295,142***
1966	**359,165***
1967	**281,589**
1968	**346,654**
1969	**354,491**
1970	**522,005**
1971	**692,433**
1972	**1,598,215**

* Through 1966 Social Services expenditures were combined in these figures with overall welfare administration and training expenditures. Source: SRS Office of Financial Management.

In 1969 there were no fiscal control alternatives that were both realistic and attractive. At least one analyst* proposed the hypothesis that if the Bureau of Family Services (BFS) had been kept intact and given the authority, the program professionals would have restricted the social service activities to traditional casework and continued the prudent definitions of casework services, thus preventing the program from getting "out of control." But BFS already had approved significant purchase arrangements giving California 25 percent of total social service grants even before the 1967 amendments and prior to the creation of SRS.

This thesis misses the point on other counts. First, the whole experience of the 60's confirmed that, just as casework services were of marginal value in a family without a minimum income, so were they of limited help in the absence of complementary "hard services" (e.g. day care and homemaker services) to which to refer people. Second, the Congressional mandate to provide for an expanded effort clearly recognized this point and made it legally and politically difficult, if not impossible, to restrict state service programs to anything resembling their former narrow scope. Third, the futility of trying to regulate the details of state government programs was already dawning on people across the entire political spectrum.

What was true in Jane Hoey's day was no longer true. Governors were extending their influence into the agencies under them and they were recruiting very capable people to assist them. Specialist consultants, who knew how to exploit federal regulations, were increasingly listened to, especially those who knew where the service definitions were ambiguous and the auditing criteria weak. The motivation to find new ways to get more federal money increased with every state budget cycle, so great was the pressure on state fiscal resources. By 1972, one state had become so aggressive that its correctional agency tried to insure by its own written procedures that intake would include some broad aspects of "family planning services" so that social services matching money could be obtained.

Furthermore, the whole notion of telling states what services were appropriate for what human problems was antithetical to the new spirit of decentralizing such choices. To have those choices made closer to the point of delivery, with more responsibility for them assumed by the elected officials of local and state governments, was a major policy position of the new Administration.

Consequently, the decision reached by both SRS and the Secretary's staff was that one essential element in the exercise of budgetary control in this situation was through fixed state allotments similar to those used for vocational rehabilitation. This strategy would allow for more equitable distribution of resources among states and permit a wider range of choices by states and localities as to what services to develop and deliver. This strategy was consistently followed, but it took 2-1/2 years to win statutory authorization.

The first attempt at a ceiling or "closed-end" appropriation was in the first Title XX services amendments ** proposed in the spring of 1970 as a companion to the Family Assistance Plan. At about the same time the Administration proposed in the fiscal year

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* Derthick, Martha, Uncontrollable Spending for Social Services Grants, The Brookings Institution, Washington, D. C., 1975.

** Not to be confused with the Title XX that ultimately became law.

1971 appropriation bill an interim ceiling for each state of 110 percent of the previous year's federal match. SRS initially resisted this proposal from the DHEW Comptroller. Although some CSA staff felt the need to keep the "open-end" on the appropriation to allow the less advanced states to develop their service programs prior to complete separation, the SRS position was that a flat 110 percent was too small an increase to be politically attractive and too inequitable a ceiling when one of the states (California) had over one-third the federal services money expended the previous year. Nevertheless, the proposal was submitted to Congress in both 1970 and 1971. Although adopted by the Senate Appropriations Committee at a 115 percent limit, the proposition was politically unacceptable to other members of Congress who had pressures from their governors to let their states "catch up".

The idea of "closing the end" caught on in the authorizing committees, however, and was incorporated as an $800 million ceiling by the House of Representatives in H.R. 1, the Welfare Reform Bill, in June, 1971. H.R. 1 was not to emerge from the Senate Finance Committee until over a year later, but the ceiling was established in the meantime by another mechanism. In August 1972 the President vetoed the fiscal year 1973 DHEW appropriation bill and gave the lack of a social services ceiling as one of his reasons. The veto was sustained. Soon after, the Chairmen of the Senate Finance and the House Ways and Means Committees negotiated a $2.5 billion ceiling into the Revenue Sharing Act in October 1972. This was after the Finance Chairman first proposed to put the social services money into general revenue sharing. The final legislation was technically an amendment to the Social Security Act, but by combining the passage of the social services "closed-end" with revenue sharing, it muted the protests of governors desperate for the fiscal relief offered in the total bill. The fact that the states had projected a need for $4.7 billion on social services matching funds in 1973 over a projected claim for $1.7 billion in 1972 was undoubtedly a factor convincing the Congress that the states had, indeed, gone too far.

Rationalizing the Service System

The second major mandate of the Community Services Administration greatly concerned social service professionals. It involved the trauma of separating cash assistance from social services, and their concern was embodied in the oft repeated question: "Separation to what?" What would a "rational" social service system look like? What are the models of effective service delivery?

It was feared that the continuing rise in public assistance had been so all-consuming in terms of staff concentration that the separation of cash assistance from social services would result in a very large income maintenance function and a very small services staff with little to offer in the way of services.

Consequently, CSA devoted considerable effort to identifying and developing models for structuring service delivery at the local level. They met with numerous obstacles. First, the main attention of the states was necessarily on income maintenance problems where costs were soaring. Second, the Administration itself was not placing a high

priority on a services strategy. One symptom of this low emphasis was the lack of support for social work training. As the new Administrator of SRS, Twiname had created an Office of Manpower Development and Training to focus on the critical need for trained personnel in the new services system. A White Paper* was commissioned to articulate the special need and role of social work personnel. But the Office of Management and Budget (OMB) made severe reductions in appropriation requests on the grounds that a better use of such funds was to aid students under the Higher Education Act. Besides, they reasoned that if clerical personnel handled income maintenance functions there would be enough social work personnel to handle the separated service program.

In terms of model service systems, it was increasingly pointed out to CSA that the variety of state and local circumstances would not yield to one or even a few model system designs. The essential problem came to be defined in terms of the confusion of proliferating social service programs, many of them emanating out of categorical federal legislation. Whether sponsoring comprehensive services to different groups (the mentally retarded, American Indians, or Older Americans) or specialized services (family planning, Head Start, or vocational rehabilitation) the matrix of categories was developing into a bureaucratic jungle. The programs often had different jurisdictions, different funding rules and different eligibility criteria. Consumer spokesmen complained that people's problems are integrated, but the services aren't. They were alternately treated as recipients, patients, clients... but seldom as whole persons.

Just within the SRS programs it was noted that Medicaid would pay for a patient in a nursing home, but would not pay for the rehabilitation services to get them back to their own home. Or conversely, a poor person might qualify for vocational rehabilitation, but would not qualify for the public assistance necessary to sustain him or her during a training period.

SRS tried to respond by seeing itself as more than simply an umbrella agency. Early in 1970 its six bureaus agreed that their common mission was:

> Enabling America's vulnerable and handicapped people - those physically and mentally disabled, the aging, the children and youth, and improverished families - to move from dependency, alienation, and deprivation toward independence, constructive contributions to society, and realization of their individual potentials.

In effect, all of the agencies were to work together to achieve the goal of the Sixties: increased self-sufficiency and self-support. CSA was viewed as a key to this mission since its social services authorization was so worded as to enable it to fill in gaps in service programs and promote the integration of services not only within SRS, but vis-a-vis other service programs as well. Several choices followed from this approach of which three were central.

One choice was the conscious encouragement of states to include "former and potenial" cash assistance recipients in their state plans. Service programs had a key role in the

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* The Social Services and Related Manpower, Dorothy Bird Daly, Martin B. Loeb, and Frederick A. Whitehouse, Washington, 1970.

prevention of increased dependency. It made no sense to the SRS managers nor to many state welfare directors to make it necessary for an individual to have to get "on welfare" before qualifying for a service to get him or her off welfare. Similarly, it made no sense to withhold a day care service soon after a mother had taken a job so she could get off welfare. The broad definition of eligibility in the 1967 amendments and the 1969 regulations was therefore affirmed.

Another choice involved the encouragement of the use of purchase of service options provided in the 1967 amendments. It was accepted that the state social services agency should have some direct provisions of specialized services to provide a standard for comparison with private agency services and to assure services for clients not otherwise served, but it was SRS policy to discourage the development of a new service operation, when an existing public or private one could be used or expanded upon. For example, it was not an SRS intention to have social services funds pay for services for disabled cash assistance recipients who were served by the vocational rehabilitation (VR) program which had its own obligation and funds to serve the same client. On the other hand when there was still a priority need for rehabilitation services beyond the state's VR allotment or for persons not meeting VR eligibility criteria it would be self-defeating for a social services agency not to have the latitude to purchase those services. This strategy was also seen as an important initial step in the integration of human services.

The conclusion, which could be generalized to other agencies, was that the rehabilitation agency or its facilities should be available to serve all handicapped people including children and the aged, and that social service purchase authority could be the instrument to facilitate service integration by providing funds in the right situations to overcome the bureacratic barriers to helping people achieve socially desirable goals. In all, the effort represented an ambitious attempt, perhaps an overly-ambitious one, to overcome the barriers of categoric laws to serve the whole person.

The third choice resulted in attempts to ground new social service models in the framework of Special Revenue Sharing. The Administration had indicated that it wanted decisions on needs to be met and on services to be provided made nearer to the local level with less regulatory control from Washington. This concept in its essentials already appeared to be embodied in the social services Titles of the Social Security Act. The idea of Special Revenue Sharing was to focus on broad national purposes and let the states and localities choose the means for meeting them within the broad scope of the funding authorization. As Secretary Richardson was to explain later, "once areas of particular national interest have been identified and broad objectives established in the law, the states and localities should be encouraged to find their own means of achieving the national objectives."*

The case for Special Revenue Sharing was not predicated on a belief that local government would exercise more responsible policy choices that the federal government. Most observers agreed that the federal government had been more protective of vulnerable groups in the population than states had and, similarly the states more than their localities.

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* Statement before U.S. Senate Subcommittee on Labor and Public Welfare. October 27, 1971.

But as Mogulof* summarized the problem:

> (Federal) relationships with state and local governments have been made almost intolerable by the current demands of administering procedural requirements. It is as If there Is a Gresham's law of administration, where a focus on means drives out a capacity to sustain concern about goals. Special revenue sharing, to the extent to which it abandons its concern for means can reinvigorate the federal-local relationship so that it deals with issues of much greater importance - namely, goal achievement.

In the 1970-71 period while the General and Special Revenue Sharing concepts were under development more states began to look to Titles IV-A and the adult Titles of the Social Security Act in revenue sharing terms. The federal expenditure under these Titles doubled to over $700 million from fiscal year 1969 to fiscal 1971. About 25 percent was for purchase of service by the state social service agencies from other agencies.

New Pressures for Service Delivery Reform

The attempts to develop service delivery models did not occur in a vacuum. Concomitant events in the states did much to shape DHEW thinking. In 1965 the Speaker of the California Assembly, Jesse Unruh, had determined to sponsor a state preschool compensatory education program supported by as much as $8 million in state funds. Thomas Joe, then a legislative staff member, demonstrated how this program, intended for poor children anyway, could be supported by $6 million in federal social services matching funds with an investment of only $2 million in state funds. The California Preschool Act of 1965 resulted, with services purchased by the Department of Social Welfare from the Department of Education. The program was subsequently expanded to a level of $16 million so that the state ultimately served twice as many children with half as much state funding as originally contemplated.

Taking another tack, California transferred 400 social workers from the Department of Mental Hygiene to the Department of Social Welfare in order to qualify for social services support of a major initiative in adult protective services (complemented by purchase of attendant and foster family care services), in order to prevent institutionalization. Thus did social services strategies become more sophisticated. Through the expanded use of federal funds, greater state funds were saved in institutional and/or public assistance costs as well as whatever state funding might have been used to provide the same expanded social services. By 1970, California was using over $200 million in federal social services funds.

With the same objective In mind, Illinois submitted a State Plan amendment in late 1970 proposing major increases in federal funding in support of services. The majority of them were in the areas of child and family services, including day care, and community-based mental health services in support of deinstitutionalization. Although these services had been previously supported primarily with state funds. Governor Ogilvie had committed himself to increase these services and counted on federal support. This positive expansion

* Mogulof, Melvin B. Special Revenue Sharing in Support of the Public Social Services, The Urban Institute, August 1973.

was reflected in almost a three-fold increase in the Illinois budget for child welfare and day care services alone between 1968 and 1971.

The proposed Illinois plan for fiscal year 1971 was viewed with ambivalence by SRS. The services were worthwhile and the proposal appeared within the law, but the amount was very large: an estimated $75 million increase which later proved to be more than twice that amount. Approval was delayed for months as SRS tried to guard against several dangers seen in the Illinois precedent (in addition to the problem of significant increases in federal expenditures). A key fear was that federal social services funds would be used to supplant state funds without causing a commensurate increase in services, or that traditional institutional services paid for with state funds might be refinanced using federal funds. Another fear was that eligibility determination would become lax and poor people would not be the beneficiaries in some programs purchased from other agencies. A third fear was that the core casework service might be lost in a purchase of service program run by state budget offices.

An interpretation of policy on the purchase of services might have been expected from CSA to cover these concerns. But no such document had been produced by the spring of 1971 when Twiname was faced with the necessity of personal involvement in resolving the impasse over the Illinois Plan amendments. He therefore called upon Tom Joe, Assistant to the DHEW Undersecretary, and DHEW Assistant General Counsel Joel Cohen to draft a statement of principles relating to purchase of services which could be used in a negotiating meeting with Illinois representatives. After some revisions the document was subsequently sent as a memorandum of instruction to SRS Regional Commissoners who were responsible for negotiating and approving state plans and sorely needed some guiding principles to bring some consistency to their treatment of various states. The memo was dated June 17, 1971 and signed by Commissioner Simonds just before he left CSA to take a new position in Maine.

The document was labeled "draft" and was kept at this comparatively low level of visibility because it was felt that the conditions for preventing potential abuses and for limiting expenditures in Illinois could be (and eventually were) the conditions for sizeable expansion in other states which had not yet been turned on to the potential of the 1967 amendments - or to the 1962 amendments for that matter. Similarly, the DHEW Comptroller's staff thought the memorandum was opening a door to greater expenditures, while SRS thought it was partially closing one left wide open by the 1962 and especially the 1967 amendments.

The June 17th memorandum summarized several principles regarding purchased services:

- Services from other agencies should be purchased only when the services are not otherwise available to welfare related individuals in need of them - and provided that such services are not available without cost from those other agencies.
- Federal funding was to be used such that it would significantly expand the social services provided to poor people.

- Residential care was only matchable under very limited conditions.
- The state or local welfare agency was to retain responsibility for case-by-case determination of eligibility for individual services (or group eligibility in the case of certain group services) although it could delegate some of the functions.
- An individual service plan was still required (or a group service plan for approved group services).

SRS saw the use of the purchase authority as a powerful tool for overcoming the categorical barriers to comprehensive service delivery for low income individuals or families whose eligibility status varied among service programs. Secretary Richardson, in supporting the value of the Special Revenue Sharing approach distinquished between the role he perceived for the categorical service programs and the broad formula grant authorities. It was his notion, endorsed by the Office of Management and Budget (OMB) for budget presentations, that the categorical programs such as Neighborhood Health Centers, Nutrition Programs for the Aged, Head Start, and Youth Service Systems were essentially demonstration or pilot projects. Once they had proved their usefulness (if they did), these services should then be related to a major formula grant program such as Medicaid, Social Services, Law Enforcement Assistance Administration block grants or other special revenue sharing types of programs.

But the revenue sharing approach presumed a focus on goal achievement instead of on means, and this approach still had not been conceptialized. To solve this problem, the new CSA Commissioner, Dr. James Bax, who had experience in multi-program integration, was appointed in June 1971. Bax concentrated on the development of a goal structure that would fit the basic mission statement of the SRS, the service integration concept, and provide a basis for accountability. The new system adopted was called GOSS: Goal Oriented Social Services.

G O S S was a more precise statement of social services goals than had been used before, although the goal definitions grew directly out of the legislative and professional goals of the past.

There were four goals describing decreasing states of dependency from Institutionalization through Community-based care (half way house, family foster care, etc.) to Self-care (or family care in the case of children), and finally to modified (some cash assistance) or full Self-support status.*

Using this goal structure and some ideas from the original Title XX proposal in 1970, SRS proposed a legislative initiative to promote further integration of all SRS programs at the community level. It was contemplated that public participation in a planning process would take place around identified target group needs and interests and lead toward consolidation in an overall services plan.

* The subsequent Title XX goal of protection was in 1971 incorporated in the first three goals, depending on the placement objectives for the client.

The role of the advocate, or target group agencies was thought of in terms of fostering arrangements of integrated services (e.g. Youth Service Systems or Developmental Disability Plans) to help their client group maintain or improve their position in the GOSS goal structure. The central role of the caseworker in performing the integrative function for families and individuals was to select appropriate services from those available in the community to assist the client in reaching a planned goal as depicted in Chart 2.1. It was also expected that pressure from the caseworkers in the community would lead to the development of new services needed by their clients.

Secretary Richardson took this concept further and included more DHEW health and social service programs in a proposal called the Allied Services Act which he introduced to the Congress in the spring of 1972. The bill challenged the categorical divisions within the Congressional Committee system and never came to the floor. Its attempt to rationalize the service system created enough interest, however, to have it reintroduced in later sessions of Congress.

Two other proposals made during the last six months of 1972 also were carried over and still remain in formative stage in 1976. One was a proposal to Richardson by Twiname to create a new "Office of Human Development" for the purpose of further advancing service integration. The objective was to carry "separation" to its next natural phase by combining all SRS social service programs with the Office of Child Development and other special target group units in the Office of Secretary. The remaining SRS responsibilities, assistance payments and Medicaid, would then be repositioned in other settings as part of the basic income maintenance and health maintenance reform strategies. Pieces of this reorganization plan were subsequently carried out, but a schism still exists between the social services under the Social Security Act and other social service programs overlapping the same target groups.

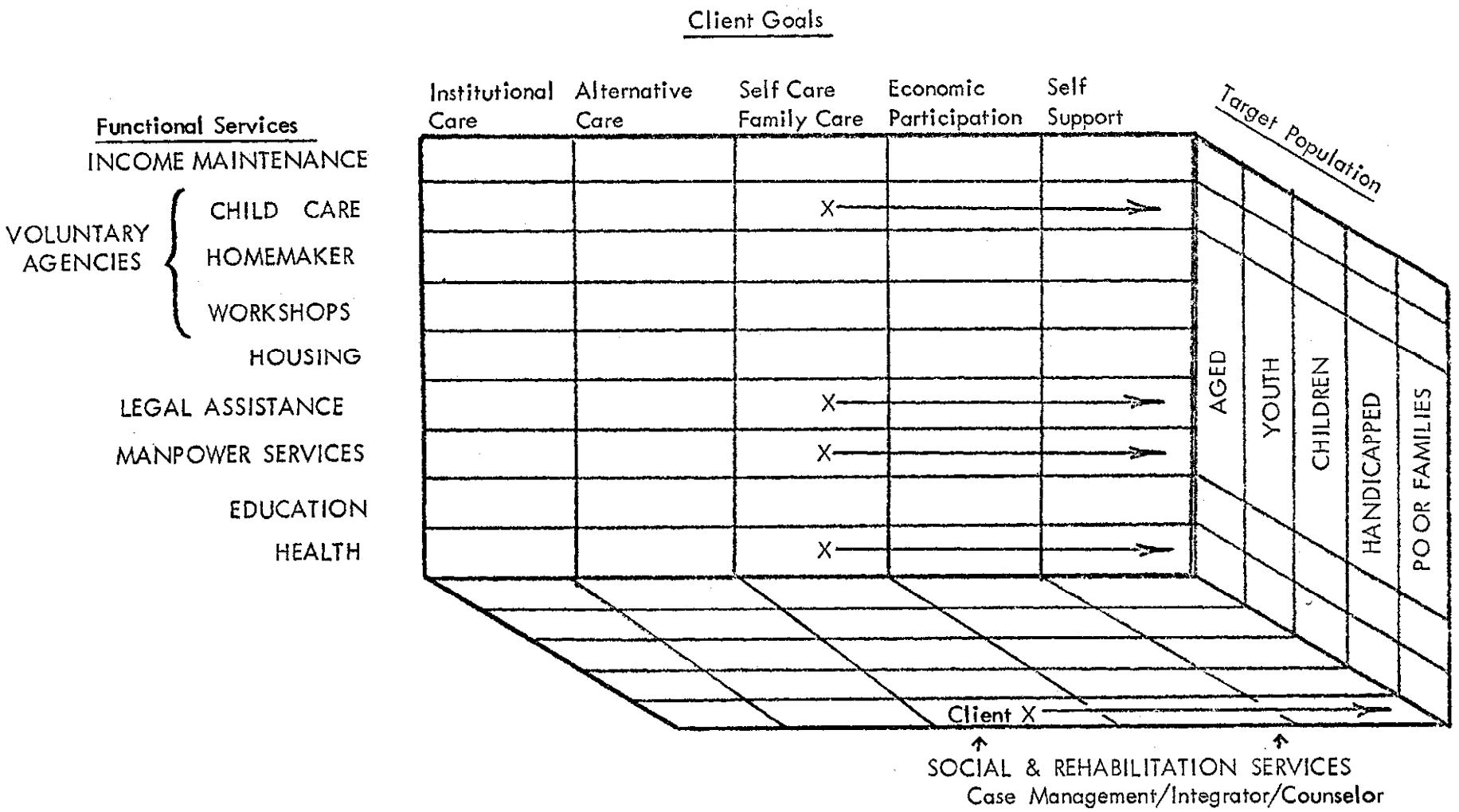
Secretary Richardson, towards the end of his term, introduced his "Mega-Proposal" to foster the bringing together of overlapping service programs. Essentially, there were three roles of DHEW that would be authorized in new legislative reforms:

- Basic federal assistance to families and individuals to include income security, health insurance, and student assistance;
- Assistance to states in which a Special Revenue Sharing approach would consolidate existing formula grants in specialized health, education and social services programs (this portion is being reviewed in the President's 1977 Budget proposals);
- Capacity development grants in which DHEW would conduct research and development, special training, and other efforts directed at improvment in programs and in their management at all levels.

In spite of these federal initiatives, it was becoming clearer in 1972 that the job of constructing a national social service system was going to have to be done by action at the state and local level.

CHART 2.1

RELATIONSHIP OF CASE MANAGEMENT TO FUNCTIONAL SERVICES



Source: SRS Visual Aids File, 1971

The Accountability Mandate

Also by the spring of 1972 the social services expenditures were increasing at an accelerated rate. They had more than doubled in one year, reaching over $1.7 billion in fiscal year 1972. Action was reaching a climax not only on "closing the end" of the social services appropriation, but on establishing accountability for how the funds were being used.

The basis for the accountability system was to be a system of management by the objectives in which the states would develop their own service objectives to achieve the GOSS goals. Reporting systems were designed in order that SRS would know how well the states were performing on their own objectives. Or as Twiname put it in giving CSA its mandate in 1969: "who is receiving which services, toward what objectives, at what costs, and with what results."*

The void of measurable objectives and performance data was expressed by Elliot Richardson soon after he became Secretary, testifying to Congress in the spring of 1970:

> .. .we have no good way to this point of ascertaining the effectiveness of the $1.3 billion for social services. We are convinced in a vague way it is a good thing, but we have no clear cut way of determining whether or not and to what extent we are getting our money's worth.**

Two major efforts were initiated to achieve greater program accountability: 1) further elaboration of the GOSS system, and 2) the development of a social service auditing system.

Expanding GOSS

Working with consultants to develop the GOSS goal structure previously described, Bax was further persuaded that the delineation of only four or five goals would leave social services vulnerable to the same generality it was accused of with "strengthening family life" as a goal. It was decided that a way had to be found to prevent caseworkers from treating the goals as little more than mere platitudes. The eventual solution was to require caseworkers to show the barriers each client faced to achieving the chosen goal and how, via the service plan, these barriers would be overcome. In effect, the service plan was to be tied to the specifics of barrier removal.

Complementing this structure was a list of proposed nationally defined services which would be among those used to remove the barriers identified by the caseworkers. Under the CSA proposal the states would submit a Program and Financial Plan (PFP) indicating the groups they proposed to serve, the barriers (or problems and needs) to be addressed, the services to be offered, and goal achievement anticipated. Also envisioned was a management information system to report results under the PFP from units along the line from the local to the federal level.

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* Author's recollection

** U.S. Senate, Appropriations Committee Hearings on 1971 DHEW Budget.

With the issuance of the June 17th memorandum and the approval of the Illinois plan amendments pending, the pressure for fiscal accountability and control was rapidly escalating. The DHEW budget office called for a greater sense of urgency, and sought Tom Joe's assistance in issuing a special directive from the Undersecretary. Joe consulted with Twiname who welcomed the additional priority that higher official sanction of CSA's activities would generate. They arranged for an exchange of memos confirming the mandate to develop and implement a planning and management control system in regulations that would become effective by July 1, 1972. They were to require states to "submit a program budget for social services backed by a separate accounting system..." and the results would produce "basic program information concerning types of services rendered, costs of particular services compared to numbers and types of recipients, etc."

Bax spent considerable time with state governors and welfare directors in communicating about the development of G O S S and the need for some common approaches in administrative reporting. By spring of 1972 he had personal letters of endorsement from over 30 governors. Many welfare administrators and some governors were not enthusiastic about the administrative changes required; they feared that inordinate amounts of caseworker and management time would be consumed in report preparation. However, most were cooperative because they recognized that something had to be done.

Although the G O S S regulations were not approved they did generate numerous ideas and technologies that would be looked at again when Title XX was drafted. The discussions about G O S S also set of a train of new thinking among leaders in the social service sector.

The Development of SRS Audit Capacity

A parallel development involved the establishment of some means of auditing the state social service claims. Audit functions had in previous years been consolidated in the Secretary's office, but DHEW staff allocations allowed for only occasional "management audits" of SRS programs. To gain fiscal control, the Administrator's organization plan, approved by Secretary Finch in 1970, included a new Office of Financial Management. Francis DeGeorge, a person experienced in control functions in business was appointed early in 1971 with the charge of improving quality control in the income maintenance program and assuring that social services expenditures conformed to the law and regulations.

The specific audit initiative was incorporated into the Presidents' 1973 Budget. The idea was that new SRS staff resources for fiscal accountability and control could significantly reduce excessive state claims for matching funds. This hypothesis took on greater importance in the wake of the approval of the Illinois Plan amendments in the fall of 1971. The DHEW Comptroller's staff was very supportive of the audit initiative.

The need for some auditing capacity became more evident as a number of states began looking backward to consider what they might have been entitled if they had submitted

claims under their existing state plans. They hypothesized, for example, that child welfare services which were funded by a small percentage of federal dollars under Title IV-B of the Social Security Act, were really services to former or potential welfare recipients and could have been matched at 75 percent under Title IV-A.

The June 17th memorandum had stated the principle that significant expansion of services must result from the addition of social service funding. States were claiming, in effect, that there already had been significant expansion, but that it should have been supported by federal funds. They argued that it was inequitable for, say, Illinois to use an unclear federal policy to purchase mental health services when, for the lack of consistent guidence by the SRS regional offices, or even for the lack of imagination, they were providing the very same services without matching support.

Thus, a rash of both retroactive claims and prospective plans were submitted, spurred by the anticipation of a congressional move to close the open-ended authorization. States making such claims wanted to establish their annual expenditure rate at the highest possible level before future allotments were fixed. Chart 2.2 taken from an article in the National Journal in August 1972, shows in dollars the implications of the states' efforts.

Early in 1972 the trend toward accelerating claims for federal funds helped convince the Congress to approve in a supplemental appropriation the SRS staffing request for fiscal control and audit personnel. They were told, however, that while the new regulations and fiscal management staff would help assure proper accountability they would not substitute for "closing the end" on the social services appropriation.

By June, while the Office of Financial Management was recruiting an auditing staff, CSA was ready to launch the new program on which it had worked for two and one half years and particularly intensively for the past year.

There were, in addition to new proposed regulations, orientation manuals on the Goal Oriented Social Services System, a guide to the Program and Financial Plan requirements, a guide to a social service information subsystem, and other training materials. The tools were ready; all that was needed was Secretary Richardson's signature on the proposed regulations.

At this point the DHEW Comptroller's Office raised an eleventh hour appeal that the regulations were dangerous in that they would not restrict spending and might even induce more spending. The Comptroller's Office suggested that any mention of new or expanded services be eliminated from the regulations; that no purchase of service be allowed for vocational rehabilitation, mental health, and other major services that had their own appropriations; and going beyond maintenance of effort, that additional state dollars be required for any additional federal matching funds. SRS countered that the suggested restrictions were not only an unwise reversal of basic policy approaches already determined by the Administration, but that they would be politically, if not legally, untenable.

The Comptroller's staff, moreover, judged the accountability system as "such an elaborate

CHART 2.2

Six-Fold Cost Increase in Three Years

The HEW Department's burgeoning social services program will have grown six-fold between fiscal 1971 and fiscal 1973, according to the latest state estimates. States now estimate that the federal share of their service expenditures in fiscal 1973 will total $4.7 billion. Listed below for each state are the federal share of social service costs in 1971, the May 1972 estimates of fiscal 1973 federal expenditures for social services as submitted to HEW by the states, and July 1972 estimates as provided by states at a meeting of Governors' representatives and state social service administrators in Washington on July 17. The figures are in millions and are rounded.

State	Federal share of social service costs in 1971	May 1972 estimates of federal share of social service costs in 1973	July 1972 estimates of federal share of social service costs in 1973
Alabama	$ 6.8	$ 41.2	$ 144.5
Alaska	1.8	18.9	19.7
Arizona	2.8	6.3	6.7
Arkansas	2.0	4.7	18.4
California	210.8	273.0	273.0
Colorado	11.7	22.7	29.8
Connecticut	7.6	15.8	18.8
Delaware	2.8	35.0	46.7
District of Columbia	7.0	10.1	32.0
Florida	12.5	112.6	112.6
Georgia	12.1	58.0	222.6
Hawaii	.5	2.1	2.4
Idaho	1.2	2.3	3.9
Illinois	28.3	147.5	172.5
Indiana	2.5	6.7	15.0
Iowa	6.8	12.8	13.5
Kansas	5.9	7.4	8.4
Kentucky	6.4	19.4	30.0
Louisiana	9.3	16.3	34.9
Maine	3.6	7.2	20.0
Maryland	15.0	21.8	417.7
Massachusetts	8.4	19.7	60.0
Michigan	17.6	85.8	85.9
Minnesota	15.4	24.1	96.5
Mississippi	1.1	14.2	463.6
Missouri	11.9	16.3	16.3
Montana	2.1	3.3	1.0
Nebraska	5.8	12.6	12.6
Nevada	1.0	2.0	2.0
New Hampshire	2.0	3.0	6.0
New Jersey	20.0	38.3	58.3
New Mexico	3.8	6.4	47.0
New York	88.2	618.4	850.0
North Carolina	11.6	47.1	50.4
North Dakota	2.5	4.0	5.0
Ohio	11.1	22.5	60.0
Oklahoma	7.5	11.6	54.0
Oregon	25.6	24.9	30.7
Pennsylvania	36.3	100.6	265.0
Rhode Island	4.4	6.2	15.8
South Carolina	3.6	14.1	214.1
South Dakota	2.0	2.9	2.9
Tennessee	9.9	43.5	230.2
Texas	13.0	42.4	178.6
Utah	3.1	5.2	7.2
Vermont	1.6	2.6	2.6
Virginia	10.2	19.6	32.0
Washington	31.1	57.9	74.1
West Virginia	7.9	7.9	15.4
Wisconsin	18.0	58.5	113.5
Wyoming	.7	.6	.6
Total	$745.9	$2,158.3	$4,692.5

Source: "Nixon, Congress Hesitant to Limit Social Services," National Journal, Vol.4, No.33, August 12, 1972.

structure that the states could not possibly cope with it."* SRS accused the Comptroller's Office of suddenly pulling the rug on an effort that had been documented and discussed for months. But the rug was not that firmly laid. In spite of previous general support from governors, the National Governors' Conference adopted a resolution in June arguing for delay and more consultation. The resolution said:**

> Proposed regulations by the Department of Health, Education and Welfare, would result in major program and organizational changes involving the delivery of social services. While the Committee fully endorses the basic concepts of these regulations, we are concerned about the major impact these revisions will have on states and localities. We urge that HEW work in close cooperation with the states in the development of these regulations and that particular emphasis be given to assuring that states are given adequate time for planning and implementation. Also, that the maintenance of effort provision be reviewed so that it does not discriminate against any state in its efforts to provide a better system of social services, and not make the additional federal funds dependent on an expansion of state and local services or expenditures.

The decision on issuing the regulations became one for the President to make. A memo was prepared offering options of increasing stringency, beginning with the issuance of only the GOSS system in order to install means of accountability. Alternative cost limitation provisions, suggested by the DHEW Comptroller, were added as additional options.

In his decision, the President obviously wanted to avoid major confrontations with the governors just before an election. He decided to go for the minimum proposal: installation of the accountability system without additional expenditure limitations. Then came an exceptional action. The President was overruled by his own Office of Management and Budget. Apparently feeling that the issuance of any regulations in July would undercut the opportunity to go for more restrictive rules later on, OMB instructed the Department to defer implementation of what the Secretary understood to be the President's decision. Thus, the opportunity to have the administrative structure for Title XX in place in 1972 was lost. Whether or not it was a fortunate delay may be best judged in terms of how Title XX is implemented in the months ahead. In any event, the momentum for services reform was broken. Bax went to Idaho. SRS went back to the drawing board.

Harbingers of a New Approach

The next major opening came when the ceiling was established in the Revenue Sharing Act (P.L. 92-512) in October 1972. Instead of the $4.7 billion projected federal social service expenditure for 1973 (or $6 billion as some estimated), the maximum was established at $2.5 billion - a saving of at least $2.2 billion on paper. SRS hoped this limitation would satisfy the budget and finance managers and allow the original strategy to be implemented, albeit four months later.

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* Memorandum to Secretary Richardson from Office of Comptroller, May 1972.

** Letter to Secretary Richardson from Charles Byrley of the National Governors' Conference, June 13, 1972, reacting to draft copies of regulations.

Now, however, the problem was looked at by budget staff as how to avoid reaching the new ceiling. The difference between $2.5 billion and $1.7 billion, the 1972 level, was $800 million - worth trying to save when they considered alternative cuts in other programs necessary to meet the Department's assigned budget target. A renewed struggle began between SRS and the Office of Management and Budget, via the DHEW Comptroller's Office, over the nature of limitations which could be regulated to freeze services spending.

New regulations now had to be issued by mandate of Congress. The amendments and committee reports said as much. And besides, the Congress initiated some further amendments of its own in 92-512 and later in the Social Security Act Amendments of 1972 (P.L. 92-603) which federalized the management of the cash assistance program for the aged, blind and disabled (adult categories). A key provision of P.L. 92-512 stated that 90 percent of the social services expenditures had to be directed to people who had applied for, or who were receiving cash assistance. Exceptions to this rule were made for child care, family planning services, and services to the mentally retarded, drug addicts or alcoholics and to children in foster care. In these cases, no limit on provision to former or potential recipients would apply.

Under P.L. 92-603, the matching rate for family planning services was increased to 90 percent (to correspond with the special Medicaid rate), along with a 1 percent penalty on AFDC matching funds for failure to offer and provide family planning services. Also separation of services and statewideness requirements were waived with respect to the reformed adult categories.

The old CSA draft regulations were therefore reconstructed to implement these new conditions of law, and to further restrict expenditures as well. These new draft regulations touched off a controversy when copies were obtained by the National Governors' Conference and were circulated among the states. They elicited a detailed and negative response from governors and their welfare directors.

Even more controversial was the question of how to handle the massive state claims for fiscal year 1972. The Touche Ross survey of fiscal year 1971 expenditures, commissioned at the time of the June 17th memorandum (1971), had been published and provided the most authoritative accounting of the use of social service funds.

Chart 2.3 taken from that report is shown on the next page covering both state and federal expenditures for Title IV-B Child Welfare Services (for which the fixed federal allotment represented less than 8 percent of total IV-B expenditures) as well as for Title IV-A and the adult Titles (I, X, XIV, and XVI).

These figures are a fair representation of the social services program after a period of expanded services with little, if any, state fiscal relief in the form of reduction of previously expended state and local funds. Seventy-nine percent of Title IV-B services were purchased, but these were primarily state funds so there could be no fiscal relief.

CHART 2.3

ESTIMATED NATIONAL RESULTS
SOCIAL SERVICE EXPENDITURE DETAIL BY CATEGORY
Fiscal Year 1971
(thousands of dollars)

Social Service	Total Amount	Total % of Total	Expenditure Amounts Adult	IVA	IVB	Other	Percent of Total Adult	IVA	IVB	Other	Percentage Distribution Adult	IVA	IVB	Other
All Services	$1,642,049	100.0%	$229,157	$799,064	$596,812	$17,016	100.0%	100.0%	100.0%	100.0%	14.0%	48.7%	36.3%	1.0%
Information & Referral	65,975	4.0	24,458	36,403	4,220	894	10.7	4.6	0.7	5.3	37.1	55.1	6.4	1.4
Adoption	53,719	3.3	-	35,814	17,905	-	-	4.5	3.0	-	-	66.7	33.3	-
Child Foster Care	613,489	37.5	-	111,878	501,587	24	-	14.0	84.0	0.1	-	18.2	81.8	-
Unmarried Mothers	24,650	1.5	-	19,292	5,244	114	-	2.4	0.9	0.7	-	78.2	21.3	0.5
Child Protection	81,970	5.0	-	67,390	14,580	-	-	8.4	2.4	-	-	82.2	17.8	-
Child Care	269,619	16.4	-	233,410	35,800	409	-	29.2	6.0	2.4	-	86.5	13.3	0.2
Child Development	28,966	1.8	-	24,106	4,860	-	-	3.0	0.8	-	-	83.2	16.8	-
Adult&Family Functioning	32,256	2.0	8,953	16,538	3,068	3,697	3.9	2.1	0.5	21.7	27.7	51.3	9.5	11.5
Family Planning	6,819	0.4	582	6,206	-	31	0.3	0.8	-	0.2	8.5	91.0	-	0.5
Money Management	13,693	0.8	2,843	10,395	-	455	1.2	1.3	-	2.7	20.8	75.9	-	3.3
Housing	31,802	1.9	8,743	21,409	128	1,522	3.8	2.7	-	8.9	27.5	67.3	0.4	4.8
Homemaker & Chore	97,157	5.9	50,681	40,757	2,698	3,021	22.1	5.1	0.5	17.8	52.2	41.9	2.8	3.1
WIN Employment	80,017	4.9	-	80,017	-	-	-	10.0	-	-	-	100.0	-	-
Employment & Training	54,654	3.3	17,150	36,373	256	875	7.5	4.6	0.1	5.1	31.4	66.5	0.5	1.6
Health	41,796	2.5	19,970	20,366	512	948	8.7	2.5	0.1	5.6	47.8	48.7	1.2	2.3
Alco. & Drug Treatment	17,496	1.1	12,954	3,207	-	1,335	5.6	0.4	-	7.8	74.1	18.3	-	7.6
Adult Protection	21,311	1.3	19,680	-	-	1,631	8.6	-	-	9.6	92.3	-	-	7.7
Home & Comm. Living	16,697	1.0	16,448	-	-	249	7.2	-	-	1.5	98.5	-	-	1.5
Institutional Living	28,628	1.7	27,654	-	-	974	12.1	-	-	5.7	96.6	-	-	3.4
Special Needs	13,840	0.8	4,539	8,769	128	404	2.0	1.1	-	2.4	32.8	63.4	0.9	2.9
Other Services	47,495	2.9	14,502	26,734	5,826	433	6.3	3.3	1.0	2.5	30.5	56.3	12.3	0.9

Of Title IV-A expenditures, 30 percent were purchased, but the two largest purchases (foster care and child care) were primarily from private agencies not involved in the budget obligations of other state agencies.

In 1972, however, 62 percent of a $1.3 billion increase was attributable to purchasing from other state agencies, and most of these purchases were made on a retroactive basis. Also, most of the claims came from only ten states which by then absorbed 74 percent of the federal funds though they had only 55 percent of the nation's public assistance recipients.

To cope with these claims was the primary mission of the new SRS financial management staff. For their guidance in determining the difference between a valid and invalid claim, Twiname, now a lame duck administrator, issued a regional memorandum dated December 20, 1972. In an attempt to undercut what it felt was a windfall of retroactive claims, SRS said in the interpretive document that eligibility, individual service plans, and arrangements for services must have been documented at the time of service.

The states, with billions of dollars at stake, instituted suits to invalidate the interpretation of the December 20th memorandum. They claimed the above points and others were contrary to law and previous regulations, and to guidance they had been given by SRS regional personnel.

Thus, the argument over past regulations and proposed new regulations provided enough interesting issues to occupy federal and state administrators (and their lawyers) for the next two years...and beyond.

In closing this chapter however, it is only fair to note that a great deal of positive progress was made in spite of the stalemates. The expansion resulted in the availability of needed services that had formerly been very scarce. For example, the states had moved to fill the priority need for day care and other services to assist people to be self-supporting. As Chart 2.3 indicates, 14.6 percent of Title IV-A funds in 1971 were spent for WIN and other employment and training services, and 29.2 percent for child care, a service involving almost one half million children. In adult services, the emphasis on de-institutionalization was reflected in the large expansion of homemaker and chore services which accounted for 22.1 percent of the total adult services expenditures, and helped over 150,000 adults in that category.

In addition, separation had become an established fact. And even without the force of federal regulations states such as Florida, Iowa, Maine, Oklahoma, Utah and others had implemented significant new management and service delivery systems. By voluntarily adopting the goal structure and some of the planning and accountability approaches developed during this period, state and local agencies were providing the tangible groundwork for the emerging Title XX.

CHAPTER III

THE EMERGENCE OF TITLE XX

Introduction

As new federal administrators attempted to address the problems described in the last chapter, their actions led to increasingly concerted opposition by the states, social service associations, and private service providers. The $2.5 billion ceiling on the appropriation, the G O S S system, and the December 20 memorandum all drew resistance from various sectors of the polity. The arrival of new cadres of federal auditors in the states added to growing apprehension. But the event that probably led to the most hostile responses and did most to shift the initiative to the states and their allies in the social service sector was the issuance of the proposed regulations of February 16, 1973. That event was presaged by outgoing Undersecretary John G. Veneman in a speech before the State Legislators Conference on January 12, 1973. He told them to expect that the social service regulations would be rewritten to "remove costly loopholes and ensure strict accountability for the money spent." He went on to say in his written speech that:

> The present definition of former and potential welfare clients eligible for services will almost surely be tightened up. At present, the time frame for an eligible "former" client is within two years, and for a "potential" client, within five years. Look for that time frame to be narrowed down to months, instead of years.

The punch was telegraphed again by President Nixon in his budget message to Congress on January 1973. He said:

> The seeds of (social welfare) failures were sown in the 1960's when the 'do something, do anything' pressure for federal panaceas led to the establishment of scores of well-intentioned social programs too often poorly conceived and hastily put together... If spending is to be controlled, the Congress must establish a spending ceiling promptly...*

During the several months before this message, Nixon's staff had drafted new regulations for the social service program: regulations in which the states saw no good portents.

When the new, proposed regulations were published** on February 16, 1973, they confirmed the worst fears of state leaders. The only services that were eligible for federal financial participation were those aimed at the goal of self-support. This singular thrust was reemphasized in the very narrowly defined services. The proposed regulations listed 17 services and federal funds were to be available only for those services. But perhaps the greatest blow was the narrowing of the definitions of "former" and "potential" to 3 months and 6 months respectively. Clearly, the intention was to cut federal social service expenditures well below the $2.5 billion ceiling and to focus that program almost exclusively on the achievement of self-support.

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* 119 Congressional Record, pp. 2370-2375, January 29, 1973.

** Federal Register, Vol. 38, No. 32, Part II.

After the proposed regulations were announced and their impact assessed, state leaders quickly realized that, if implemented, they would greatly restrict the portions of their programs that could be matched by federal funds and that they would be subject to very exacting accountability requirements.

Loose and organizationally diverse coalitions were rapidly formed to counter the regulations. These coalitions captured the initiative and held it until they entered negotiations with DHEW to develop compromise legislation — the eventual Title XX.

This chapter recounts the events after the publication of the proposed February 16 regulations which lead to the emergence of Title XX.

New Allies

One of the major reasons that the balance of initiative shifted away from DHEW during this period was the growing opposition to the proposed regulations in Congress. On March 14 Senators Mondale and Javits announced that they would introduce legislation to preserve key elements of the existing regulations. Attesting to the viability of this reaction was the fact that 30 Senators had agreed to co-sponsor the legislation.

The day before the Javits-Mondale news release the Human Resources Committee Advisory Task Force of the National Governors' Conference issued its reaction to the new regulations.* In its statement it said that the regulations violated the President's concept of "New Federalism" and set programmatically unwise strictures on the definitions of "former" and "potential". Among its recommendations was one that was to reappear many times and finally be included in Title XX: the proposition that income eligibility standards be substituted for the former, current, and potential standards with free services going to those of lowest incomes and a graduated fee scale to be used for those whose income was above the standard. The Task Force also called for restoration of the existing regulations defining those services eligible for federal matching funds.

On the same day as it announced its evaluation of the proposed regulations, the members of the Task Force met with DHEW Undersecretary Frank Carlucci to discuss their position The meeting was not a very fruitful one for them because the Undersecretary was only able to assure them that the regulations would not be published before mid-April 1973 and would not go into effect until a later date. He did indicate his willingness to meet with the Task Force again.

The opportunities for a coalition of Congress, the states, and other organizations in the social service area were greatly enhanced by the strategies being pursued by the Administration. In this early period after the presidential election the Administration was implementing a carefully drawn agenda. It wanted to reduce the power of the federal bureaucracy vis-a-vis the states, restrict federal spending, but at the same time assure that the states would use federal funds responsibly. Its relationships with the Congress were poor and even hostile at this time. It sensed that it had a powerful electoral

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* "Social Service Regulations," Report of the Human Resources Committee Task Force, National Governors' Conference, March 13, 1973.

mandate to implement its agenda: a mandate that required few alliances in other sectors of the society. There appeared to be a calculated policy to disengage from the Establishment organizations in many fields, including the social service field. In the language of political science it was practicing mass politics rather than coalitional politics. By so doing, it left the field to the emerging coalitions which were to prove stronger than the Administration and its mass politics strategy.

But, in a Congress still reeling from the force of the Administration's offense, the growing opposition by the states and associations to the new regulations offered an issue around which Congress might be able to recapture some initiative.

During the ensuing months after the publication of the February 16 regulations a number of bills were introduced in both Houses. On the Senate side Senator Scott and 15 cosponsors introduced S-582 which would exempt the aged from the 90 percent limitation. Eighty-one members of the House co-sponsored H. J. Res. 432 which was similar to the eventual Mondale-Javits proposals, but which mandated specific services. The same sponsors also introduced H. R. 5626 which would remove the section of the Revenue Sharing Act that required that 90 percent of services money to be spent on current recipients. On March 21, the House Democratic Caucus unanimously agreed to develop and report legislation that would enable the states to continue their social service programs subject only to the limitations of the existing laws and regulations.

But despite the number of bills introduced and the seeming pervasiveness of the support for them, the Senate Finance Committee remained the major focus of legislative response to the February regulations. The composition of this Committee had changed considerably and in an ideological direction that was almost opposite to that of the Presidential election. Departed were Senators Jack Miller, Len Jordan, and Robert Griffin with Senators Mondale, Bentsen, Gravel, Packwood, Dole and Roth replacing them. The Committee had become more liberal.

In the rather freewheeling environment of the Finance Committee, Senator Mondale became a major focus for a legislative initiative with some help from the Chairman and the encouragement of many of his colleagues.

The vehicle chosen for legislative action to counter the February regulations was H. R. 3153 which was a collection of minor technical amendments to the Social Security Act. This bill was referred to the Finance Committee on April 3, 1973. Six months later to the day Senator Mondale and others added amendments to it which would have the effect of nullifying the proposed regulations.

On the House side Congressman Ullman introduced H. R. 7245 on April 19, 1973. This bill represented an attempt to ameliorate some of the more stringent features of the February regulations by leaving the determination of eligibility to the states and restoring a number of services that were disallowed or not included in the proposed regulations.

Neither of these bills was to become law. But before describing further the events in the Congress that led to their demise, it is useful to go back in time to recount some critical events that were occuring in the coalitions of states, associations, and service providers. It is useful because these interest groups were heavily involved in the development of both the Mondale and Ullman Bills.

The Coalition of the Governors

Action on the part of the governors and their staff at the National Governors' Conference in Washington, D.C. had begun when the Administration sought to have a ceiling put on social service expenditures. Concerted action increased in response to the proposed GOSS regulations and the December 20 memorandum. By the time the Administration had circulated its February 16 regulations the governors had become fairly used to mobilizing to cope with social services issues.

Another major response to the February 16 regulations was the formation of the Social Services Coalition. The National Association of Social Workers (NASW) called a meeting of other organizations in the social service area. Initially, about 20 organizations were included in the Coalition, ranging from labor unions, to associations of local and state government, to professional and advocate associations in the social service field.

The first meeting was chaired by Mitchell Ginsberg, Dean of the School of Social Work at Columbia University and an experienced administrator of social service programs. The key results of this first meeting were a commitment among the members to work together to analyze the DHEW regulations of February 16 and to develop new proposals. NASW agreed to provide the staff support for the Coalition and its Director of Public Affairs, Glenn Allison, agreed to serve as Chairman. The linkage with the National Governors' Conference was through Allen Jensen who was on the staff of the Conference and who became a very active member of the Coalition.

During its formative period, the Coalition devoted considerable time to the analysis of the February 16 proposed regulations. These analyses provided increasing evidence of the restrictive nature of the new proposals, particularly in the area of child care: an area in which many members of the Coalition shared great concern.

Armed with these analyses, members of the Coalition met with Members of Congress and with leaders in the social services field to brief them on the implications of the February 16 proposed regulations. Some of the members of the Coalition were invited to meet with the Democratic Study Group to brief them on the impact of these regulations.

The initial strategy of the Coalition was to inform as many people as possible of the implications of the regulations in order to mount sufficient pressure on DHEW to change them. But by late April it had become apparent to the members that the Department was intractable on these issues. Evidencing this unwillingness to negotiate was a meeting between members of the Coalition and James Dwight, the new SRS Administrator. The Coalition members came away feeling that the meeting was totally unproductive. Allison labelled it "a total disaster."*

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* Personal communication.

The perceived intractability of DHEW seemed confirmed on May 1, 1973* when the revised regulations were issued. The changes made were largely cosmetic, containing only a few concessions based on the huge volume of negative response that the proposed regulations had received. Self-support and self-sufficiency were still the only goals listed and the service definitions were still very narrow. Thirteen services were authorized for AFDC recipients, but only 3 were mandated compared with the 16 in the existing regulations. Perhaps the major concession was raising the income criteria for potential recipients to 150 percent of the payment standards of the states. It was hoped that this change would mollify somewhat the attitudes of people representing the day care industry and clients. These regulations were scheduled to go into effect on July 1, 1973.

More evidence was accumulated one week later when a committee of the American Public Welfare Association State Council met with Robert Carleson of Secretary Weinberger's staff to protest the December 20 memorandum. Mr. Carleson told the committee that the memorandum would remain in force and that it was not only in effect for the period from December 20, 1972 to July 1, 1973 but would also be in effect for all retroactive claims.

These events merely added greater impetus to the efforts of the Coalition and the National Governors' Conference. On the same day that the revised regulations were announced the governors announced that they were in considerable disagreement with much of the content of the revised regulations and recommended that:

- Legislation be enacted to require that the expenditure of the 2.5 billion should be subject only to the limitations included in the Revenue Sharing Act.
- The elderly should be exempted from the eligibility requirements concerning potential recipients.
- Legislation should be enacted that would give the states greater flexibility in providing day care services.

By May the tempo of activity had increased considerably. The members of the Coalition met on May 22nd and agreed to approach Michael Stern of the staff of the Senate Finance Committee to discuss the drafting of legislation to modify the effects of the revised regulations. A committee was appointed to draft some principles that might be included in the contemplated legislation. Meeting the same day, the committee developed a number of principles for consideration by the other members of the coalition:

- The four goals from the GOSS system should be included to provide the central focus for state programs.
- There should be a mandated set of services.
- There should be allowance for optional services at state discretion.
- The new money concept should be retained: the states should not be allowed to refinance existing programs using federal social service funds.
- Wherever possible services should be provided by existing facilities.

* Federal Register, Vol. 38, No. 83, Part II.

- The 90/10 rule should be revised to permit the states flexibility in handling the problem of potential recipients.*

These principles certainly did not represent a complete acceptance of the position of the governors who were most actively involved in the attack on the social service regulations. The principle of mandated services reflected the strong views of some Coalition members that, unless certain key services were mandated, it could not be assumed that the states would act responsibly and offer such services. The prospect that some states might not make child protective services available greatly concerned many Coalition members. The Coalition also wanted to prevent the states from using social service money to re-finance their existing programs.

These differences were sharply reflected when the governors issued their own recommendations two weeks later at their national meeting at Lake Tahoe. They recommended that:

- The determination of eligibility should be passed primarily on income.
- The goal structure should be sufficiently broad to permit the inclusion of former and potential recipients in the program.
- The definitions of services should be sufficiently expanded to include treatment and comprehensive services.
- There should be no nationally established assets test.
- Eligibility should only be determined every six months.
- There should be further alleviation of the 90/10 rule.**

Clearly, the states wanted greater flexibility to determine who would be served and what services they should receive. But the concepts of goal-oriented programs with accountability features built into them had not yet been fully embraced.

If there were important differences between the positions of these two groups, there was also common agreement that they should work together to prevent the revised regulations from going into effect. Jensen, Allison, Norman Lourie from the Public Welfare Department in Pennsylvania, and Judy Assmus from the Washington Research Project — all members of the Coalition — met with Bertram Carp of Senator Mondale's staff. Their intention was to elicit Carp's interest in drafting new legislation that would, in effect, override the regulations. He indicated his willingness to be helpful which gave the Coalition's efforts an immediate focus on the Senate Finance Committee where there was ample sympathy for the idea of holding hearings on the revised regulations.

In his remarks at the opening of those hearings in mid-May, Senator Long said: "In these hearings the Committee will want to be sure that the regulations are not penny wise and pound foolish. We don't want to cut off low-income persons from the day care, family planning, or other services they need to stay off welfare. We hope... to receive testimony on the impact of the new regulations so that we can decide whether legislative action is

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* Memorandum from Glenn Allison to the members of the Coalition.

** Social Services Policy Statement Adopted at the 1973 Annual Meeting of the National Governors' Conference.

desirable."*

Senator Long got what he was asking for as witness after witness testified that the impact of the regulations would be to restrict social service spending to approximately one-half of the 2.5 billion dollars available under the ceiling. Convinced that some action had to be taken. Senator Long announced that the Committee had agreed to amend the Debt Ceiling bill to prevent the regulations from going into effect until January 1974.

But in conference with the House conferees the extension was shortened to November 1, 1973. On July 9 the President signed the amended Debt Ceiling Act and some time had been bought to resolve the conflict.

While Senator Long was announcing that his Committee had approved an amendment that would delay the effective date of the revised regulations until January 1, 1974, the National Governors' Conference was meeting at Lake Tahoe. News of the proposed delay was announced by Conference Chairman, Governor Mandel, to a generally pleased audience which also happened to include DHEW Secretary Weinberger, who had been invited to talk about social services.

At this time, the governors, the Social Service Coalition, and interested members of Congress were considering two strategies regarding the social service regulations. The first was to write new legislation which would remove the most negative effects of the proposed regulations and the second was to resume negotiation with DHEW to obtain concessions on their regulations. Among the staff of the Governors' Conference and members of the social service coalition there was very little enthusiasm for the latter course. Governors were contacted by Jensen and urged to write to Senator Long and Governor Mandel in favor of developing new legislation. Both the Coalition and the Conference felt that the initiative was now theirs and that they were sufficiently powerful to get the kind of social service program they wanted.

Pursuing this strategy, Jensen called a meeting in August of representatives from eleven states to discuss the regulations and the outlines of new legislation. There was agreement that there should be subsequent regional meetings of state people convened to work on the specifications for legislation and, following those regional meetings, a national meeting would be convened in Washington to put together a consensus bill. This plan was implemented and letters were sent by Governors Rockefeller, Bumpers, and Anderson to their fellow governors in their regions inviting them to send representatives to the regional legislative planning meetings.

Jensen also was convening meetings in Washington to analyze legislative issues in preparation for drafting legislation. In addition to himself the group included Norman Lourie, Richard Verville, Mitchell Ginsberg, Glenn Allison, and some additional representatives from the states. The heavy overlap between the Coalition and the Conference is reflected again in the composition of this committee. A recurring issue in

* Social Services Regulations, Hearings before the Senate Finance Committee, 93rd Congress, 1st session (1973), pg. 1.

these discussions centered on the desirability of federally mandating some services in the states. Arguing on one side of that issue was Norman Lourie who felt that there were certain services that were indispensable for the well-being of people and that these services should be mandated in the legislation. Lourie saw no reason why the states should have any more legislative leeway in the social service area than they did in other areas. "They should be required to define clearly what they propose to do in this area just as they have to in their community mental health programs." * He also wanted to assure the availability of services needed by the poor that had no other legislative basis than Title IV-A or successor legislation; e.g. day care. Verville argued the other side of this issue taking the position that the mission of social service program was not service oriented but goal and eligibility oriented. He recommended that social service money should finance any service that a state determines is related to the goal set forth for the eligible class. In a memorandum addressed to the members of the Coalition Verville sought to sharpen this issue. **

Those in disagreement with his position based their disagreement on their concern that the states might not act responsibly enough and provide services that really are essential to human well-being. This basic argument is important because the position that Verville and other members of the Coalition were taking was essentially the one that was ultimately embodied in Title XX. For some people, selecting the state flexibility option was an act of faith in the states and their publics: an act that others will share only when the evidence in state plans and performance shows that they have provided these "essential" services and provided them well.

Some members of the Coalition and the National Governors' Conference staff had been influenced in their thinking on this issue by a monograph prepared by Melville B. Mogulof entitled: "Special Revenue Sharing in Support of the Public Social Services." *** In this publication the author applied the concepts of special revenue sharing to the social service programs. Mogulof"s thesis was that the federal government should confine its role to the specification of program goals and methods of measuring performance against those goals. In this context he advocated that it be left to the states to decide how best to develop and implement their social service programs within the framework of the federally legislated goals.

At this time there were three legislative drafting efforts in progress. A committee of the Coalition prepared some legislative specifications and, after review by the total membership, they were given to Bert Carp who used them in drafting the Mondale Bill. The second effort was the one just described above involving the small group that Jensen had convened at the National Governors' Conference. The third effort was also initiated by Jensen and involved state people in the regional meetings called by Governors Anderson, Rockefeller, and Bumpers. Obviously, Jensen was the linchpin for all of these activities moving back and forth among these groups and trading ideas from one group to another. Working closely with him was Bert Carp, who provided the necessary link to the Senate Finance Committee.

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* Personal communication

** Memorandum from Verville to Coalition members, July 23, 1973.

*** op. cit., pg. 61.

The regional meetings called by the governors were convened in September to develop legislative proposals. Following these meetings, representatives from the three regional groups met to draft consensus legislation. The proposals that emerged from the national meeting were circulated in the states for comment and given to Carp to provide a basis for a bill to be introduced by Senators Mondale and Javits.

On the day that the representatives from the regional groups met in Washington to work out the compromise legislation, DHEW initiated an effort to head off its development. On September 5th Undersecretary Carlucci wrote to Senator Mondale informing him that the proposed regulations had been revised again and that they would be published on the 10th or 11th of September. When these newly revised regulations became available, it was apparent that the Administration had dropped some of the more objectionable features of the earlier versions, but had not changed them fundamentally. The assets test was dropped for potential recipients and the goal of strengthening family life was added for current recipients. In addition, the new regulations allowed six months for eligibility determination rather than the three months called for in the previous proposal.

Senator Mondale responded to the newly revised regulations by saying that they did seem to resolve some problems, "but do not begin to deal with the overriding issues involved."* He said that he would continue working with the National Governors' Conference and other groups to develop new social service legislation.

Drafts of the Mondale Bill were circulating in September to governors, state welfare directors, and the Coalition. In the early drafts of the bill the four goals from the GOSS project — self-support, self-care or family care, community-based care, and institutional care — appeared as the goals toward which all service programs in the states should be aimed. The states would have maximum freedom to determine which services they would make available. State agencies would be allowed to delegate eligibility determination to the agencies from which the services were purchased, provided that that determination was monitored quarterly. The bill also reinstated the five year definition for potential recipients and two years for former recipients. In its early stages the bill listed nineteen optional services plus a twentieth category of "other" services that were not inconsistent with the purposes of the program. The services were listed, even though they were optional, to reassure the members of the Coalition and state welfare directors that DHEW would be prevented from disallowing these services. The list would grow longer and came to be known as the laundry list.

During September, the pace of events quickened considerably and centered primarily around the Mondale proposal. Jensen wrote to Governor Daniel J. Evans and suggested that Evans should talk to some other interested governors and that they should collectively request to testify before the Senate Finance Committee. During this month, the Mondale proposal was circulating among state and local leaders and the commentary coming back to the National Governors' Conference was generally favorable. The major state criticism of the draft legislation centered on the cut-off provisions for income eligibility. Senator

* News release from Senator Mondale's Office, September 6, 1973.

Mondale's staff believed that the proposed 150 percent of the Bureau of Labor's statistics poverty standard would not be accepted in the Senate, therefore, some lower figure should be agreed upon. Another disagreement centered on the 90/10 rule. The Mondale proposal retained the 90/10 provision but the state people preferred removal of that provision in order to give them greater flexibility in administering their programs and dealing with the serious problems of former and potential recipients.

On September 12th the pressure for new legislation mounted when the National Assembly for Social Policy and Development released an analysis of the newly revised DHEW regulations and urged its members to contact Senate Finance and House Ways and Means Committee members to request passage of social service legislation.*

On September 23rd Jensen urged a strategy emerging from the Southern Governors' Conference that would increase the pressure on Senate Finance to act on social service legislation. This strategy was implemented and the pressure for legislation correspondingly increased. On October 3, S.2528 was introduced by Senators Mondale, Packwood, Javits, Bentsen and numerous co-sponsors and referred to the Senate Finance Committee.

Ironically, just at the time that the Coalition and the National Governors' Conference appeared to be successful with their legislative strategy, the coalition of governors nearly fell apart. Senator Long was in part responsible for the near dissolution of the governors' coalition. He had become increasingly disturbed by the long list of optional services in the Mondale proposal and he wanted to remove them. He also wanted to take out the maintenance of effort provision. Accordingly, he contacted some state welfare directors and governors to develop support for a special revenue sharing approach to social service legislation. Obviously, this option would be very attractive to many of the governors because it would convert the bill more nearly to a special revenue sharing bill and the support of some of them for the Mondale proposal began to waiver. Paralleling Senator Long's efforts were those of Dr. James Bax, who now administered the social service programs in Idaho and actively worked with the governors on social service policy and legislation. He was now supporting Senator Long's revenue sharing strategy. He was almost successful; he came very close to persuading Governor Evans to adopt the revenue sharing approach, which was very important, because Governor Evans was the spokesman for the coalition of governors.

Evans contacted Jensen and indicated that he preferred revenue sharing, but Jensen countered saying that "special revenue sharing would never pass in the present climate in Washington, D.C." ** As the coalition of governors seemed to deterioriate the social service coalition became increasingly concerned that Allen Jensen might drop out of the effort because he was a member of the National Governors' Conference staff and would have to conform to the new revenue sharing thrust. However, Jensen was committed to the principles which had been developed earlier by the Coalition and those developed by the National Governors' Conference. He also had serious reservations about the acceptability of a revenue sharing approach to the Congress generally.

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* Interim Washington Notes #8, September 12, 1973.

** Personnal communication.

He called Governor Bumpers who in turn called several other governors to reinforce their original strategy. One of his calls was to Governor Carter of Georgia who in. turn called Senator Talmadge urging his support for S.2528. This effort was successful and support for the Mondale bill was accordingly strengthened in the Senate Finance Committee.

On November 1 in the absence of any legislation to the contrary the newly revised regulations from DHEW were published and became effective that day.* On that same day, having a very heavy schedule and having been told that his bill would encounter no obstacles in the Senate Finance Committee, Senator Mondale arrived late at the Committee meeting. But he arrived to find that his bill was essentially discarded and a substitute revenue sharing bill was being outlined. The next day Governor Evans reported these events to his fellow Governors and urged them to write letters to DHEW and to Senator Long concerning the DHEW regulations and proposed substitute bill.

The issue was joined on November 13, 1973 when Governor Evans came before the Senate Finance Committee to testify.** Allen Jensen had spent four hours the previous evening discussing with Governor Evans the merits and demerits of various proposals for inclusion in the bill. Jensen's objective was to firm up the Governor's support for the principles that had been developed earlier for social service legislation.

In the course of his testimony Governor Evans Indicated that he was quite amenable to removing the list of optional social services from the bill. He was asked if this approach would not result in abuses in the states where social services money could be used to refinance other state programs. Governor Evans indicated that there were two safeguards against misuse of the funds. First, the goals should be in the legislation and they should be the focus of all state services provided. Second, he told the Committee that as spokesman for the governors he felt that he was speaking for all of them when he said that they were willing to assume responsibility for assuring responsible service programs in their states.

Jensen felt that Evans' testimony was a turning point in the direction that the Senate Finance Committee was taking. The result was that the Senate Finance Committee did report out H.R. 3153 with the Mondale proposals included. The legislation that emerged from Senate Finance left to the states full discretion to set eligibility standards for former and potential recipients. It incorporated the four goals from the Mondale bill and contained a long list of services, but did not mandate them. It did require, however, that each state provide at least three types of services to be selected by the state for Supplemental Security Income recipients; a provision that was ultimately to appear also in Title XX. The bill also repealed the 90/10 limitation that had been added to Title IV-A. Finally, the bill put a 1.9 billion dollar ceiling on expenditures for fiscal 1974 but returning to 2.5 billion to fiscal 1975.

The bill also contained Senator Long's proposal for "enforcing the support obligations owed by absent parents to their children, locating absent parents, establishing paternity, and obtaining child support ..."*** Ostensibly, It was because of these provisions

* Federal Register, Vol. 33, No. 209, Part II.

** Social Services and Welfare Reform, Committee on Finance, U.S. Senate, 93rd Congress, 1st session, November 13, 1973.

*** H.R. 3153, pg. 110.

that the House refused to go to conference with the Senate on S-3153, guaranteeing its demise. Senator Long was to be more successful in the House - Senate conference on Title XX.

It was just at this time that an impasse had been reached on new legislation that DHEW published the guidelines to its social service regulations. They embodied the same restrictiveness contained in the regulations themselves and were made retroactive to October 31, 1973. Having failed to pass any legislation of its own, Congress responded by postponing until January 1, 1975 the DHEW social service regulations that had gone into effect on November 1. Another year had been bought in which to develop a legislative approach around which ample support could be mustered.

A Successful Coalition is Formed

The chain of events that culminated in the passage of Title XX began early in 1973 when representatives of DHEW, the National Governors' Conference, and the Social Services Coalition began negotiating with each other. When Congress extended the force of the existing regulations for one more year, key officials in the Department knew that their regulation strategy had failed and that it was time to devise a new strategy to achieve their goals. Similarly, the key members of the Governors' Conference and the Social Service Coalition were shaken by the defeat of their bill and were looking for a new approach. Congressman Ullman "suggested" to Allen Jensen that the Governors' Conference and the Coalition should enter into negotiations with DHEW for the development of a new bill. Clearly, Congress wanted to be on the sidelines forcing the drafting of consensus legislation by all of the parties involved.

Other events in DHEW nudged the former antagonists nearer to each other. At the top level of the Department there were significant but low key philosophical debates in progress. There was no substantive communication with outside groups, because the Administration had not developed a new position and, therefore, had nothing to say. A breakthrough was achieved when Assistant Secretary William Morrill proposed that responsibility should be lodged in the states rather than the federal government for determining how social service money should be spent. This approach was a considerable change from the one embodied in the February 16 regulations, but it was embraced by others in the DHEW, including newly-appointed Commissioner for the Community Services Administration, John Young.

Young had originally been brought into the Weinberger Administration to develop information systems for the various social service programs administered by the Social and Rehabilitation Service. His background was in engineering and systems rather than social services. Despite this lack of programmatic knowledge, Young combined freshness of approach and flexibility of mind with good interpersonal skills to spearhead the Department's efforts to negotiate with the governors and the Coalition. Discovering rather early that the initiative for the development of legislation lay with Allen Jensen and the Coalition, Young made an appointment to see Jensen to indicate the Administration's willingness to negotiate on the development of new legislation. He was not

aware until later of Congressman Ullman's suggestions that DHEW should be brought into discussions in order to develop concensus legislation. Having been in opposite camps for two years, the first meeting between Jensen, Young, and Michio Suzuki, Young's assistant, was marked by stiffness on the part of the participants. Mr. Young indicated that the Department was prepared to change its views on some fundamental issues that had separated it from the states and the Coalition and that it was interested in entering into negotiations to develop some new legislation.

Following this first meeting, Mr. Young reported back to his colleagues at DHEW that in his estimate SRS and the Department were likely to be "overtaken by events."* He described the situation, indicating that the coalitions formed by the governors and by social service representatives had the initiative and would move ahead once again to develop legislation. Undersecretary Carlucci accepted this assessment and asked that some kind of dialogue be maintained while the Department developed its own position.

A second meeting was arranged with Jensen: a meeting that was expanded to include Morrill's staff and other DHEW personnel. Although the meeting was still described as "stiff", Jensen said that his suspicion about DHEW's intentions was reduced during the course of the meeting.** He accepted the view that DHEW might, at last, be willing to abandon some of its older, unpopular positions and to cooperate in the development of a new law. He agreed to convene a meeting that would bring together representatives of the governors and DHEW.

In April 1974 the first meeting with state representatives was convened by Jensen in Chicago. In time, the group would be referred to as the Chicago 15, referring to the number of state agency representatives invited to the meeting. Uniformly, the state people had very negative attitudes about the intentions of DHEW: a negativism bred during the last two years beginning with the December 20 memorandum and the February 16 regulations. In addition, there was a new fear that DHEW might whipsaw them. They saw the possibility that DHEW might have a "promotional arm" that would draw the states out into a number of social service activities that its "fiscal arm" would disallow at a later time. Aware of these feelings, Young's agenda was very simple: to establish as best he could the good faith and intentions of the Department's representatives to the meeting. He and the other DHEW representatives devoted considerable time in the first session to giving them some view of the problems that DHEW was concerned about in the human services area. The meeting was recessed with an agreement to hold a second meeting in May.

Following this first meeting, Jensen met with the Coalition to brief them on what had occured there. The group's reaction was not positive. They had no evidence of their own that DHEW had changed its posture and they were also concerned that Jensen was pursuing a unilateral course. It was agreed that Glenn Allison would attend all future meetings of the Chicago 15.

The inclusion of Allison had subtle but important consequences for shaping Title XX.

* Personal communication
** Personal communication

Well before the social service conflict had begun NASW had asked Verville to help them to draft a social service bill. Prompted by the passage of the Supplemental Security Income Act, NASW saw the need for a companion social services law. Reversing its traditional position, NASW developed a proposal for a state focussed rather than a nationally focussed service program. The proposal contained income eligibility requirements, rather than using current, former, and potential; it included the GOSS goals and defined as services any service that the state determined necessary to achieve the goals. In other words, the NASW proposal contained many of the key elements of Title XX.

Allison had not promoted the NASW bill during the Coalition meetings because he felt bound by his role as chairman and the Coalition's desire to start afresh. But in the new situation posed by DHEW's entry into the negotiations, he made greater use of the NASW concepts. He introduced some of the concepts during meetings of the Chicago 15. But he also asked Verville to brief DHEW people on the bill. Verville reported back to Allison that many of the concepts had been very favorably received.

Within DHEW, a policy group was assembled that included Morrill, Dwight, Young, Suzuki, Dr. Suzanne Woolsey (of Morrill's staff), Patricia Gwaltney (of Dr. Woolsey's staff), and James Hinchman (from the General Counsel's Office). This group was charged with developing DHEW's positions on the legislative issues. In the event that they could not agree on the issues, Under-Secretary Carlucci served as final arbiter. Since views within the group were diverse, his decisions were sought frequently.

In May the DHEW group traveled to Chicago to meet again with the Chicago 15. They brought with them a draft social services bill as a point of departure for discussion and negotiation. The main features of the bill were:

(1) The Governors would individually be responsible for the development of social service plans in their states that contain the following ingredients:

   a. A list of services would be provided and definitions for them that would be linked to the goals of the legislation;

   b. Target groups and their needs would be identified;

   c. The geographic distribution of services;

   d. Descriptions of state planning, evaluation, and reporting processes;

   e. Sources of the resources; and

   f. Number and types of public and private agencies to be used in service delivery.

(2) The plan had to be published for public review and comment.

(3) Periodic reports to DHEW on expenditures and services had to be provided.

(4) Evaluations had to be done based on program objectives.

(5) Third party audits of state programs would be required and made available to the public.

However, there were only three goals in the draft bill: self-support, self-sufficiency, and the prevention of institutionalization. There were no mandated or allowable services listed. Also absent was the designation of a single state agency to administer the program or any requirement of a state plan to be submitted to DHEW. Many of these proposals were unacceptable to the Chicago 15.

Very early in their meetings the representatives of the states insisted that the program had to be goal-oriented and that those goals had to be incorporated into the new law. They argued for the inclusion of the goals from H.R. 3153 because they wanted to put a greater emphasis on prevention of dependency rather than solely on the assistance of people who had already become dependent. The DHEW proposal seemed to them to emphasize the latter approach and really was no improvement over the February regulations in this regard.

In addition to a greater emphasis on prevention, the state people had were of two views on an institutional goal. There was support for the prevention of institutionalization and de-institutionalization because many state welfare administrators wanted a greater investment in community-based programs that would supplant the use of social service money to finance large hospitals, prisons, and similar institutions. The de-institutionalization strategy seemed at once a better treatment of choice for many clients and less expensive. On the other hand, many people were aware of the horror stories that followed instances of too rapid and ill-conceived programs of de-institutionalization. They also recognized that for many people institutionalization was the preferred treatment. Some saw de-institutionalization as a threat to the employment of many institutional workers who were often effectively represented by unions.

Therefore, it was proposed that there should be two goals written into the law to reflect these competing points of view. After many months of negotiation involving other groups than the Chicago 15, the two goals took their final form. The first was concerned with both preventing or reducing inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care and a second that permitted institutional care when other forms of care are not appropriate. In addition, the states would be prevented from using federal social service funds to finance state institutions by forbidding the use of those funds for services provided by hospitals, skilled nursing facilities, prisons and foster homes. But, on the other hand, federal money could be used to pay for social services provided for large institutions by outside providers: services that were not normally in the province of the institution. Federal money could also be used for the "retraining" of service workers: a single, skillfully placed word designed to protect institutional workers who might need new jobs if de-institutionalization proved successful.

On the subject of eligibility the Department had made a considerable shift in its own position prior to the meetings with the Chicago 15. It had dropped the old notions of current, former, and potential and was developing an alternative strategy that would still put the main focus on current recipients, but would not prevent the states from giving services to former and potential recipients. Eventually, the basic position developed earlier by the Social Service Coalition and the National Governors' Conference was adopted. Eligibility would be based on income and each state would be required to use half of its federal money for the provision of services to people currently eligible for AFDC, SSI, and Medicaid. In its final form, following many more complex negotiations, the final bill provided that all persons whose family income was less than 80 percent of the state's median income would qualify for free social services. Above the 115 percent cut-off no federal matching funds could be used. Eventually, certain types of services were exempted from the 115 percent rule. Information and referral services were one such exception. This was a logical exception because it would be impractical to do an eligibility determination for every inquiry for service information. Also exempted, quite logically, were services to children and adults under the third goal — prevention of abuse and neglect. The priority had to be on protection rather than eligibility.

Another major issue had to do with mandating certain services in the bill. Prior to entering negotiations with the Chicago 15, DHEW had reversed its earlier position and decided that the states should be permitted to include any service in their plan that was intended to achieve the goals of the legislation and forbid certain services that DHEW felt represented efforts to refinance existing state programs or to continue the financing of large institutions. At first, the Chicago 15 was very suspicious of this position, fearing that unless precisely defined, mandated services appeared in the law, DHEW might subsequently disallow the services that the states included in their plans. The eventual outcome of the negotiations on this cluster of issues was largely in favor of the Department's position. The law was to list the goals and indicate that any service that the states wished to include in their plan to achieve those goals was acceptable and that the Department could not turn down a state plan on the grounds that a particular service did not achieve a goal. On the other hand, certain specific services would not be eligible for federal funds, particularly education and health services that were already generally available through other laws or by other means within the states. Thus, Title XX contains a series of sections that usually begin with the phrase, "No payment may be made under this section to any state with respect to any expenditure for the provision of any service to any individual . . ."

Another issue of importance to the negotiators had to do with day care standards. The Child Welfare League of America (CWLA) and the AFL-CIO representatives to the Coalition very early took a strong position, insisting on high standards for day care facilities. Symptomatic of this position was their insistence on having very few children per worker, particularly where infants were concerned. It was essential that day care centers should not be warehouses for children; rather they should be nurturant environments that foster the emotional and intellectual development of children. Others, equally concerned about the needs of children, were not so certain that the CWLA standards were necessary. It was pointed out that the American Academy of Pediatricians

favored one worker for every four children under three years of age while the League was insisting on a one to two ratio. Still others argued that high standards would make day care inordinately expensive, out of financial reach to any but the eligible poor and the well-to-do. Jack Young, for example, had strong reservations about proposing narrow worker/infant ratios because of the conflicting evidence about appropriate ratios and the significant increases in costs that narrow ratios would inevitably bring. Consequently, the legislation that ultimately emerged required DHEW to evaluate its existing Interagency Day Care Standards by 1977 and make recommendations to Congress about how they should be modified. These issues about staff ratios for infants remain unresolved and continue to concern many people during the implementation of Title XX.

Still another issue that was taken up by the group had to do with maintenance of existing service or program efforts in the states. DHEW had not taken a position on this issue except by omission: it had not written into any of the early draft Title XX legislation a requirement for maintenance of effort. It was the Social Service Coalition that was most concerned that there be a maintenance of effort provision and they were able to win many governors over to their position. They felt that without such a provision states might shift funds away from existing programs that were valued by one or another of the groups participating in the Coalition and they wanted the states to expand their programs by using "new" money rather than moving around "old" money. It was this last issue that nearly destroyed Title XX at the Seattle Governors' Conference.

Once again, in June 1974, it looked as if the governors would snatch defeat from the jaws of victory. The veteran DHEW group came to the Conference meeting in Seattle to assist Jensen in getting the governors' support for the proposed legislation. But Dr. Bax's support for a revenue sharing approach was unrelenting. He confronted Jensen, conjuring the prospect of a no-questions-asked revenue sharing strategy and its implicit opportunities to refinance state programs. He was very nearly successful. Even Governor Bumpers was wavering. Jensen had to settle for something less that the all-out endorsement that he hoped for: only a majority of governors voted to endorse the compromise legislation. Approval by three fourths was needed. Jensen gave a memorandum to Governor Bumpers warning that to back off on the maintenance of effort provisions would destroy the alliance with DHEW and result in another long period during which social service issues would not be resolved.

But when he returned to Washington, Jensen reported to the Coalition that "my hands are tied" by the vote of the Governors' Conference and that others would have to continue the effort, if it was to continue at all.

The baton was passed, but not to the Coalition. As in all good medley races, the new runners were already running at full speed even as the baton was passed to them. The National Council of State Public Welfare Administrators (NCSPWA) had long been involved in the conflicts over the social services programs. On June 6, 1974, just after the governors had met in Seattle, they passed a resolution supporting the negotiations between DHEW and the governors, but they wanted to base any new legislation on H.R. 3153. They also indicated their support for the concept of maintenance of effort which was a natural point of contention between themselves and the governors.

The locus of the NCSPWA effort was in its Committee on Social Services which was chaired by Abe Lavine, the Commissioner of Social Services for New York. Because of the significance of social service problems in the preceding years, the committee assumed considerable importance and attracted many of the most skilled members of the Council to its service.

The committee met on June 27 to review the DHEW/Governors' Conference draft bill. They indicated their preference to use H.R. 3153 as a basis for new legislation and developed a list of additional specifications that they thought should be included. Among them were a requirement for a single administering agency in each state, a greater prevention orientation in the goals, maintenance of effort, and a mandate for some services such as foster care and protective services.

Having developed its basic position, a delegation from the committee met with DHEW personnel to begin the negotiating process. It proved to be a long one, involving numerous sessions between the two parties throughout the summer. It was clear very early that DHEW was insistent upon using their draft bill as the basis for negotiation: a position that the committee eventually accepted. The committee assembled a long list of issues, analyzed them, and developed positions and legislative language for each of them. These papers were then introduced into the negotiations. Gradually, compromises were written into the draft legislation. The use of state median income as a benchmark for eligibility was agreed to and many of the details of the 80-115 specifications were worked out. Maintenance of effort was required. It was agreed that DHEW could not disallow a service expenditure on the gounds that it was not a service directed at one of the goals: a provision that relieved state concerns that federal auditors would interpret the law differently from its framers. A compromise was reached on the single state agency concept and it was written into the proposed legislation.

Having reached agreement, both parties turned to the task of winning congressional approval for their proposals. On September 11 NCSPWA passed a resolution supporting the proposals and twelve days later Wilbur Schmidt, the Council's Chairman, wrote to Senators Long and Mondale to indicate their endorsement. Two weeks later, Ed Weaver, the new Executive Director of APWA, wrote to Senator Mondale in support of the bill. These were but the visible signs of an extensive lobbying effort that was to continue until the bill was signed into law.

Final Action in Congress

On October 3, 1974 the House version of what was to become Title XX was introduced by Congressman Mills for himself and Mr. Ullman and Mr. Corman and referred to the Committee on Ways and Means. Seven weeks later the bill was reported from the Committee and on December 9 the rules were suspended and the bill passed the House of Representatives. The following day the House bill was referred to the Senate Committee on Finance which reported it out four days later with amendments. Three days later the bill was debated and, after amendment, was passed in the Senate.

The House disagreed with the Senate amendments but agreed to a conference on the bill and appointed its conferees the day after the Senate appointed its conferees. On the following day the conferees met to discuss the bill. The conference took place during a very busy period for both the Senate and the House. It was |ust a few days before Christmas holidays and both Houses were pressing hard to complete their business.

Deliberation and informedness were not the hallmarks of the conference. In addition to the conferees, Commissioner Young, Assistant Secretary Morrill, Michio Suzuki, and Steven Kurzman were present at the conference. A variety of issues were discussed in shaping the final version of Title XX. Among these was the issue of whether or not there should be a fee schedule for people between the 80 and 115 percent of the state's median income. Congresswoman Griffith was very vocal in her insistence that there should be such a fee schedule and, ultimately her views shaped the final determination of the conferees. It was left that the Secretary of DHEW should determine whether the state had the right to charge a fee to a welfare recipient as opposed to a non-recipient. This was the only remaining issue in this area.

When the DHEW representatives had been meeting with the Chicago 15 they had resolved one aspect of the issue of state accountability by proposing that there be a third party audit done on state program expenditures. The notion was that good, professional audits would be done and made public so that the citizens of the state could review the audits and comment on state programs. In the conference a number of the conferees said that they did not know what the idea of the audit was all about, and in the haste to complete their work they agreed to drop the provision. Later CSA attempted to restore the audit by a regulation, but the General Counsel said that it could not be done because it had been considered in the conference and rejected by the conferees.

On the subject of day-care the committee was concerned about one major issue: the ratio of the care providers to children when the children were under the age of three. The question was whether there should be a ratio of one care provider to every two children or one provider for four children. It will be remembered that it was the Child Welfare League of America and the AFL-CIO that argued most strongly for high standards. However, in the conference committee no one seemed to have a position on the preferable ratio. Therefore it was agreed that the Secretary would be allowed to make a decision and issue it by regulation.

When the regulations were prepared the ratio selected was a compromise of three to one, but then after the public comment period it was raised to four to one.

Senator Long argued strongly for the inclusion of his paternity identification and parent locator proposals. The Department was apparently surprised that Long had brought these up again and did not have a carefully thought through position about them. Nonetheless, DHEW indicated a willingness to go along with Senator Long's proposals in order to get the basic problems of social service legislation taken care of. Consequently, a new Title IV-D was added to the law.

On December 19th and 20th the House and Senate respectively agreed to the conference reports and Title XX was sent to the President. The President then signed it **into law on January 4, 1975.**

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CHAPTER IV
THE PHILOSOPHICAL BASES OF TITLE XX AND CONTINUING ISSUES

As Glenn Allison observed, "I think it's a miracle that Title XX passed at all. But the problem is that it still isn't over!"* On the anniversary of its signing many issues relating to Title XX are still unresolved.

A number of these issues were faced when proposed regulations were written in the Spring of 1975. Debate was reopened again resulting in some modifications in the final regulations published on June 27th. Protests from the states on rules regarding eligibility redetermination, establishment of client data, files, and written purchase agreements resulted in further modifications in the Federal Register of October 3rd as the states began their first program year.

Title XX Philosophy**

To understand the underlying causes for continuing policy debates it is helpful to review the philosophical bases for Title XX. The law rests on the premises that:

- Government has an obligation to assist society's most vulnerable people to attain the highest possible level of independent living of which they are capable; Further, that the reduction of dependency also represents a saving of public funds otherwise required for institutional and income maintenance support;

- Assistance in improving individual and family functioning involves a variety of services which can best be provided by a combination of public and private agencies, all determined at the state and local levels, and not prescribed federally.

- The priority for public social services funds should be on those people with low income and that as an individual's income status improves he or she should contribute more to the cost of the services received through the payment of fees;

- Social service funds should not be used to substitute for established state or federal support in other primary human service areas, such as, state institutions, public education, basic health care and cash assistance;

- Outside of these restricted areas, the choice and scope of services should be left to the states, with specific encouragement to design the method of provision so as to complement other service programs;

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* Personal communication

** The values and issues discussed in the remainder of this chapter were derived from the author's interviews with participants in the development of Title XX, the law and its supporting documents, and related commentaries. The interpretations of these sources are solely those of the author.

- Application for services should be voluntary (except for crisis intervention), and the identification of needs and selection of goals and appropriate services can and should be a joint effort of the consumer and service provider wherever possible;

- Accountability for the service program should be directed more to the public and their elected officials at the state and local level, and less to the federal government. To accomplish this:

  Annual Program Plans incorporating goals and objectives should be developed and made public in a process that includes citizen participation;

  Achievement against the goals and objectives should be the subject of published reports and special evaluations.

Federal and State Roles

On the spectrum of patterns of federal-state role relationships Title XX is located very much in the middle. On the one end are completely federalized programs such as the Indian Health Service and the National Park Service. At the other, short of totally local programs are the block grant programs, such as LEAA's, which place very few restrictions on state expenditure of funds.

By contrast Title XX gives the states great flexibility to design their programs to achieve the goals of the legislation but there are also some specific restrictions in terms of services and people to be served. In addition the accountability system is more prescribed than some other block grant programs.

But it is this very middle ground that invites the tension from both ends of the spectrum. Will the states be responsible? Are they willing to be accountable? Can DHEW afford to back away from its traditional regulatory posture? The states feel the flexibility they were promised in the law has been undercut by over-regulation. DHEW feels its current regulations are necessary to insure that Congressional intent is realized.

As Iris Slack of the American Public Welfare Association put it: "No one in the states wanted HEW to disappear; they expected continuing program leadership, guidance, and assistance from HEW."* But many people are concerned that DHEW will underemphasize this role and over-emphasize its regulatory role.

Such an ordering of priorities by DHEW would appear to be contrary to the intent of the law. Basically, Title XX creates a system of objective setting among the states, its citizens, and the federal government. The goals in the legislation provide the framework for state objectives and the reporting and evaluation requirements provide the federal government and the public with the tools needed to evaluate state performance. It

* Personal communication.

was contemplated that both DHEW and the public would operate as forces for effective, goal-oriented programs; DHEW through technical assistance and R and D programs and the public through the political processes.

Emphasizing the regulatory approach puts the federal government in the position of controlling states' activities rather than goal achievement: on the size of newspaper ads rather than on the reduction of dependency. This situation grows out of the fact that the regulatory role traditionally has been a key one for the federal government. It is almost habit to return to it.

It also grows out of a distrust on the part of some people that the states will live up to the spirit and letter of the law without federal monitoring. Seeing a state bury the announcement about the availability of the state Plan in the fine print of the Want Ad columns, does little to assure DHEW that the states will behave responsibly. This view is shared by a number of state program people who find it useful, before their governors or legislators, to point to federal requirements which help them get resources to improve their programs.

And, finally, federal regulation grows out of a penchant on the part of state people — who fear federal refusal to allow state claims for federal matching funds — to request federal rulings on even the minutiae of their programs. Gradually, through this process of state questions and federal answers a body of formal and informal norms are gradually constructed. Unless these sources of regulatory build-up are recognized and ameliorated, the relatively light regulatory touch intended under Title XX will not be achieved.

On the other side, there are numerous efforts on the part of the states and private service providers to reduce greatly or eliminate entirely the accountability requirements in the law. Sometimes the rhetoric seems to be about eligibility and confidentiality when it is really about accountability. The issue is an important one because if the accountability provisions are vitiated, Title XX will be little more than a special revenue sharing act.

Some Problems and Issues

These general tensions underlying the federal-state sharing of responsibility are natural in the transition to a new program philosophy. They also help to explain the specific problems and issues which are of continuing concern. Some of the major issues are briefly summarized below. Specific experiences related to these issues are reflected in the survey of states recorded in Appendix A.

Will the States Be Accountable for Goal Achievement?

If goal concept is followed, states would not place in a nursing home an elderly person who could be maintained in his or her own home through provision of homemaker services. They would not place in foster care those children who could, with supportive services, be maintained in their own home or placed in adoptive homes.

In practice it may be difficult to achieve these results because of the interaction of several problems:

- Most states will be at their ceiling for federal social services funds (see Appendix Chart A-5).
- It will be politically difficult to reallocate funds within a static budget.
- At the same time, with Medicaid for the same general population group offering open-ended matching for institutional care, there will even be pressures for reverse movement along the Title XX goal structure.
- The skills and attitudes of practitioners are not always appropriate to the goals of Title XX. Some practitioners have a tendency toward institutional placement or foster care because it is easier.

None of these problems is insurmountable in itself, but in combination, they can greatly reduce the potential dynamism of social service programs. Even if a state is at its ceiling, it could reallocate funds within the ceiling to assure better goal attainment. But the other factors make that very difficult to do. Proposing to remove funds from one set of programs or services will almost inevitably lead to strong reactions from the political advocates of the groups that would receive reduced funding.

To many states, these conditions are an invitation to maintain the status quo through inaction rather than tackling the difficult task of finding more effective ways to implement the goals of the law.

It is equally problemmatic whether DHEW will use its authority to encourage the states to implement these goals. During the first year, the Department's major emphases have been on the processes of planning and reporting rather than on the appropriateness of the plans for goal achievement. While such emphases may be essential during the initial year or two of Title XX, the question is whether or not they will shift increasingly to achieving the legislative goals.

The counterpart question to that concerning goal-orientation is: Are states and practitioners willing to be accountable? Many feel that the Title XX goals are still too vague and unmeasurable to provide a basis for program accountability. And where goal-oriented casework and sound information systems can lead to improved practice with individual practitioner accountability, will they be implemented? Without a state commitment in this area, the only alternative will be no funding support or a move to strict regulation of services, or both.

Service Definitions

Very much related to accountability is the problem of service definitions. Under the Title XX system, the states are left to define their own services in relation to the national goals.

This presents several problems:

- The lack of consistent definitions among states impairs the measurability which Is a key to accountability. Exactly what is being provided when a state says it is providing "services to assist clients in the utilization of community facilities"?

- The states are not motivated to make clear service definitions because the federal regulations provide for audit exceptions on activities not included in the service definitions. An issue is whether the law's prohibition of DHEW from defining services applies to the stipulation of criteria for what constitutes an acceptable definition for audit purposes.

- Some individual regulatory incursions into the service definition area have met with great resistance. The federal attempt to define where room, board and medical payments are subordinate to an inclusive social service have seemed unnecessarily arbitrary to many. The problem of how to avoid the use of "protective services" as a definition under which the income test can be avoided is another example and is discussed in Appendix A.

It appears the federal government will have to regulate somewhat to avoid abuses through the use of distorted or vague service definitions. Some argue that the first way to address these problems is through positive suggestions and examples before turning to regulatory sanctions. Others, especially at the federal level, feel it is easier to prevent an abuse than correct one.

Eligibility and Fees

Of grave concern on all sides is the question of insuring that those who were intended to be the eligible clients are, in fact, getting the service. Although SRS modified the requirement that eligibility be redetermined every 90 days, there is still a requirement for establishing a verified eligibility initially and every 6 months thereafter while a client is in service.

The concern is that too much time will be spent in this process, creating another welfare system full of intricate rules and investigations around the means test. It can be argued that this problem is overstated, however. Since at least half the service clients will be cash assistance or Medicaid recipients, the state can provide identification cards, backed up by computer fules to verify eligibility of those clients for services immediately. An additional percentage will involve protective services not requiring an initial income test. But even if for a minority of cases, eligibility is still a problem.

One of the approaches being called for is a return to group eligibility determination for certain services such as nutrition programs for the aged. This pressure could trigger further federal involvement in the definition of services, and again raises the problem of insuring federal funds are concentrated on those with the least income. But perhaps that very concentration on the poor leads to such severe segregation of community services that they

become less effective than if a broader mix of clients participated.

A parallel complication is the administration of fee schedules. Some feel the cost of administration outweighs the income received, and that it is embarrassing to have varying income identification and payments among clients in the same community facility. On the other hand, there has been much criticism over the perverse "notch effect" which offers a service free, or for a modest charge, until a person's income increases by one dollar past his eligibility point, making him or her worse off for having earned the additional income.

And without some graduated fee schedule it can be argued that Title XX services will maintain or develop the stigma of segregated services - for the poor only. Put positively, the issue is will states develop a social service program for all citizens in need regardless of their particular eligibility for federal subsidy?

Another sticky issue is the question of whether or not there may be too much flexibility in allowing states to provide the same service in adjoining geographic areas, but at different fee schedules and to individuals of different eligibility definitions (e.g. home-maker services to people at 80 percent of the state median income in one area and to those at 115 percent in another area). Although DHEW decided against insisting on "statewideness," there may well be some legal challenge to this kind of differentiation based on equal protection requirements. Is there a need for greater equity in service provision?

Confidentiality and Privacy

Confidentiality is a many faceted issue. If relates to methods of collecting eligibility information; to the type of information kept in a client's record, and who has access to it; and it relates to the sharing of service records between agencies serving the same client.

Not enough attention has been given to this subject. DHEW has developed standards for confidentiality generally, and could provide leadership in getting them adopted by states. But how far are states willing to go to protect individual privacy?

On the issue of transferring service records, there are concerns beyond confidentiality alone. If there is to be an accountability system based on goal attainment, there has been an assumption that a consumer would have one goal regardless of the number of providers who served him or her. The orchestration of these services, and the accounting for their results is assumed to require one point of control to avoid duplicated counts and counter-productive service provision. It raises a fundamental service system question — who is in control?

Who is in Control?

The Title XX regulations assume that casework is a core service since each client must have a service plan which, in effect, includes any services provided by other agencies

maintenance as a function means separation to a variety of other agencies by specialization. Does this mean an increasing emphasis on "hard" services as opposed to the "soft" services of counseling, advocacy, referral and protective service? Does the federal government under Title XX have a responsibility for training specialists in child development, geriatrics, or rehabilitation? Or should there be a concentration on social work education generally?

At present the federal matching funds to support state expenditures for training are available on an open-ended basis. There is concern that states will be increasingly aggressive in financing public higher education through this "loophole." How should this concern be addressed?

Citizen Participation

When DHEW abandoned the proposed February 16 regulations, it decided to make social service programs accountable to the citizens in each state. As a consequence, there are detailed provisions in the law (and the regulations) calling for public review of proposed state programs.

The effectiveness of these provisions remains to be proved. As is shown in Appendix A, some states made minimal efforts to enter into a dialogue with their publics about their plans; others made detailed and conscientious efforts.

In our pluralist society, the political race often goes to the best organized and most politically potent groups. Based on the first year's experience with Title XX, this maxim essentially has proven true. Advocates for the elderly, day care, and mental health groups have been particularly effective in the states. According to former CSA Commissioner John Young, it is programs for children (who do not vote) that have suffered the most in the first year plans.*

However, it is also a political maxim that organization leads to counterorganization. The advocates for children and other groups may become more effective in succeeding years. If they do, then Title XX will have made a major contribution to citizen participation in political processes.

More Regulation or Revenue Sharing?

Perhaps the greatest controversy in 1976 will be over the fundamental issue of whether or not the Title XX program should be further converted to a Special Revenue Sharing status with very few accountability requirements. As was noted at the outset of this chapter Title XX stands in the middle of the spectrum of federal-state relationships. An effort to resolve the issues raised above may tend to alter that position along the spectrum.

As previously described, resistance to implementation of a reasonable accountability system may well result in more detailed federal regulations focused on controlling services and eligibility standards. And this urge may go beyond DHEW to the Congress itself. If legislators feel pressure from interest groups who are being provided with services of low quality, or who are not being served at all, this is likely to be translated into new categorical legislation.

from whom services are "purchased." Some of these other agencies are now claiming, however, that they are perfectly capable of determining eligibility, providing the core service, and maintaining the service plan according to their own dicipline. They can send their aggregated report to the "Title XX Agency," but see no need to send individual records. Of course, confidentiality is used as a concern.

The regulations and Social Service Reporting Requirements do not say that the casework has to be done in the Title XX Agency, but they do give that agency responsibility for coordination of services to a client where more than one agency is providing services. They require a copy of the client record to be controlled by the Title XX Agency. Is this reasonable?

Some would argue that in a voluntary service system, the clients should be in control. If he or she wants to go to different agencies for different services, that's the way most people do their shopping and there is no reason for some professional to play a coordinating role. Whatever casework is necessary can be done at each providing agency with appropriate follow up on referrals on behalf of the client as necessary.

Others see this permissive arrangement as contrary to Title XX intent. It would mean that the Title XX Agency has little control over the Title XX services provided by other agencies. In effect, the state budget process would distribute money to various agencies and there would be no real "purchase" in this case at all. Moreover, the whole eligibility problem would be compounded and the drive for service integration through central service plan coordination would be set back.

So these issues remain: What is the role of casework under Title XX? What is the role of the Title XX agency vis-a-vis other agencies receiving Title XX funds? What is a desired system of integrated services like and how can it be achieved through Title XX?

The Role of Public vs. Private Agencies

The concerns touched on above lead to a serious issue regarding the partnership of public and private agencies. With the advent of purchase-of-service, using public funds, there were questions concerning the very definition of a "voluntary" private agency and how or whether its virtues as an independent advocate could be maintained. With the ceiling on Title XX funding, and the tendency in state governments to relieve the budget pressures on other public agencies through wider distribution to them of the federal allotment, there is the probability of a reversal of the trend toward public utilization of private agencies. This reversal can have a negative impact on the availability of services, on their diversity, and on the ability to achieve service integration through joint planning among public and private agencies. How should this issue be addressed by federal and state governments?

The Role and Training of Professionals in the Social Services

Most of the foregoing concerns involve the method of organizing service delivery and point to a central issue relating to practitioners. It appears that separation from income

Given the political climate at this writing, however, it may be more likely that legislation will move in the other direction. When an analysis is made of the difficulties in defining reimbursable service activities (i.e. were they covered sufficiently in the Services Plan?), in controlling eligibility, and in the difficulty of meshing these rules with other federal programs subsidizing the same services to essentially the same target groups. Special Revenue Sharing may appear as the only way out.

The resolution could come in the form of a revised Allied Services Act proposal, an actual consolidation of Title XX with several other social service programs, or a simple amendment to Title XX giving states more latitude. But even with any of these legislative alternatives, the real problem will continue: How to organize and deliver social services at the community level in a way that can measurably enhance the life status of vulnerable families and individuals, with accountability to both the consumer and the general public. It would be well for those most concerned with this objective to provide the leadership in pointing the way through the issues to the next stage of social services development.

APPENDIX A

IMPLEMENTING TITLE XX: THE FIRST YEAR

Introduction

The designers of Title XX have attempted to formulate a law which would revolutionize the methods of delivering social services. The actual revolution, however, will be carried out in the states as public and private service providers and interested citizens work jointly to implement the directives of the new law.

This Appendix will describe the states' first year experiences in fulfilling the planning directives of Title XX. The time frame for this first cycle of planning can be considered as beginning on January 4, 1975, the date that Title XX was signed into law, and ending on October 1, 1975, the deadline for the final Comprehensive Annual Services Program (CASP) Plan.*

The elements of planning required by Title XX encompass needs assessment, priority setting, preparing service definitions, budgeting, coordination with other agencies, designing evaluations, reporting and public review. States were required to document these activities in their Plans and in some instances to describe the procedures which were used for their implementation.

The first year experience -- a crash effort, in fact — deserves some detailed analysis. How did the states meet their planning objectives in the time allotted? What approaches did they use and what problems were encountered? What changes are contemplated in the next planning cycle? And, finally, will all these efforts make any difference to the person who applies for a service?

To address these questions data were collected from two sources: the final CASP Plan of each state and the District of Columbia, and telephone interviews with Title XX specialists in a random sample of 18 states. State agency personnel who were involved in the preparation and development of the Title XX plan were asked to elaborate on their states' experience in implementing particular components of the planning process and to discuss their perceptions of problems which were encountered and changes which will occur for the second planning cycle. The following interview outline was used:

Questions

1. As a result of the first year planning experience under Title XX do you plan to make any major revisions in the planning process for the second year?

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* Also referred to as state's Title XX Plan, its Services Plan, or its Social Services Plan.

2. Did you feel that the degree of public response was minimal, great or adequate? Will you do anything differently in your procedures to elicit public comment for the second year?

3. Were any services included in your Title XX plan which could not be funded under Titles IV or VI? Will there be anything different in the way services are provided under Title XX than if it had never been passed?

4. For states that had not reached their ceiling in the previous year but are budgeted at the ceiling level under Title *XX:* What are your real expectations as to whether or not spending will actually reach the ceiling? Is the increase going for new services or for services which were previously available but can now be funded under Title XX?

5. What kinds of political and/or organizational problems were encountered in the development of the plan?

6. What do you perceive to be the most difficult problem experienced as a result of Title XX? What do you feel is its most positive prospect for improving service delivery?

The Planning Process

Timing

During the telephone interviews state agency personnel discussed their perceptions of some general problems surrounding the planning period. Their most vigorous complaints concerned the limited time allotted for planning. Some persons felt that the states should have been given two or three years to prepare for planning, as has previously been done with other types of complex legislation. Many states did not have machinery set up to do the type of planning required by Title XX. State agency staff suggested that additional time would have allowed the states the opportunity to develop staff positions and the organizational capability needed to implement the comprehensive planning called for by Title XX.

The second common problem area mentioned was that final federal regulations were not available until the initial planning was almost over. The plans had to be developed primarily on proposed regulations. Knowing that the final regulations would cause some changes and corrections, state people felt some hesitancy about planning with only the proposed regulations as a guide. This cautiousness derived in significant measure from the experiences with DHEW during the previous three years.

Many states were constrained by their state budgeting cycles. In many cases the planning effort was after-the-fact because the state budget and the state allocation for services had already been approved before Title XX was passed. Therefore, results of the needs assessment

and other planning activities will not have an impact on the budgeting process until the second or third planning cycle.

Needs Assessment

The federal regulations defined a need as "any identifiable condition which limits a person as an individual or a family member in meeting his or her full potential." The states were required by Title XX to describe the process which they used to assess needs including: the data sources used, public and private organizations consulted, and the manner in which the results of the needs assessment was utilized in developing the state Services Plan. If no formal or informal needs assessment process existed in a state, this fact had to be mentioned in the Plan.

Only one state did not perform some type of needs assessment during the first planning cycle under Title XX. An effort was being made in that state to coordinate planning and budgeting among local social services districts for 1976. Although a needs assessment was planned, it was not scheduled to be implemented within the time frame of the first Title XX planning cycle.

Numerous sources were utilized by the states to collect information on needs, including existing statistical data from local social services districts and from private organizations, existing reports and surveys from local districts, census information, and data from state planning offices and other state agencies. Those states which have operational information systems used computer records to obtain past and current information on client population and services rendered.

Some states ventured to be more creative and designed a variety of special techniques to collect needs information. For example, a citizens planning conference in one state attracted over 400 persons. A questionnaire on services needs and priorities was distributed at the conference and workshops were held on various service topics. Another state distributed public input documents, "Suggested Services for Title XX," to staff of both public and provider agencies and consumers. These documents provided a list of needed services, the locality and the relation of the service to the five national goals. Respondents were required to rank order the services they felt were most needed in their area. Sending questionnaires and surveys to samples of citizens ranging in size from a few hundred to thirty thousand was another popular technique. One state even advertised the questionnaire on radio and television. Citizens in another state were surveyed by telephone. Approximately seventeen states held public meetings in the needs assessment period, prior to the publication of the proposed Plan. Those states have indicated that this method worked out particularly well. Chart A-I provides an indication of the states which utilized some type of special needs assessment techniques. Implementing a meaningful assessment of needs was a major problem for the states in the limited time available. Time posed difficulties not only for collecting information from the variety of sources mentioned, but also for integrating the results with priority setting and services design. Several states indicated that the enormous amount of data collected could not be analyzed in time to influence the first year planning process, but will have an impact on future planning cycles.

Most of the states have already begun efforts to improve their procedures for assessing needs. These efforts are reflected in the establishing of local and statewide advisory groups and task forces which will have an input into the needs assessment process in planning for computerized information systems, and in developing statewide resource files. Additionally, because of the public's desire as expressed during the citizen comment period, to be included in the needs assessment process, an increased number of states will hold public hearings prior to the publication of the proposed Services Plan during the next planning cycle.

Public Comment and Review

The law requires that a proposed Comprehensive Annual Services Program Plan be made available to the public for comment ninety days before the beginning of a state's program year. The intent of this provision is to encourage an informed citizenry to participate in the state's planning and decision-making processes. At least forty-five days after publication of the proposed Plan, the states must publish a final Plan, which includes an explanation of the differences between the two Plans.

Federal regulations stipulate that advertising of the proposed Plan must include news releases and full display advertisement in the newspaper of widest circulation, and in foreign language papers as appropriate, in each geographic area described in the Plan. At a minimum the advertisement should contain a description of the state's services program; categories of individuals to be served, and eligibility criteria; the federal allotment and estimated amount of federal, state and local funds to be utilized; the period for public comment; an address where written comments may be submitted; information concerning public hearings; a toll free or local telephone number from which copies of detailed summaries can be requested; and addresses of local public offices where the proposed Plan and detailed summaries are available.

Although advertising was most commonly promoted through newspapers, some states used radio and television stations for announcements concerning the proposed Plan and for discussion of Title XX issues. Public hearings were not required by either the law or the regulations, but the majority of states utilized this type of forum to encourage public participation.

A few states held workshops or seminars to explain Title XX to citizens prior to hearings. Some states that did not hold hearings sent staff members upon request to various organizations and community groups to discuss Title XX issues. The addresses of the state and local welfare agencies appeared in the proposed Plans and in display advertisement for those who wished to send their comments.

Although some states had previously incorporated citizens into some type of an advisory structure, few had ever involved the public to the degree required by Title XX. The first year experience was a learning process for both the public and the state agency staff. Both sectors have proposed ideas for improving public participation in succeeding planning cycles. The issues raised by the public will be discussed later in this section. The following perceptions of state agency personnel provide some insight into the general problems encountered during the public review process.

Time constraints again were cited by state agency staff as posing a significant problem. Limited time made it extremely difficult to implement a program of public education prior to the public comment period. While substantial publicity alerted citizens to the existence of the new law, little effort was made to explain what it actually meant. Misunderstandings ensued, particularly in relation to the amount of money available. In many instances citizens and providers were under the impression that being a new law. Title XX was making a new pot of gold available for social services. The states then had the task of explaining that this was not the case, which understandably engendered some feelings of disappointment and distrust of the state agency.

Some state personnel raised the point that most of the input was coming from providers rather than from clients or other interested citizens. This issue is also related to the difficulty of educating the general public sufficiently about Title XX so that people would understand its importance and would want to participate in planning for its implementation.

It was also pointed out that inviting the public to a meeting after the Services Plan has been developed is not really involving them in the planning process. It is rather asking them to legitimize what the state has already planned. Currently, the law does not mandate that the public actually assist in planning, but only that a period be provided for public comment on the proposed Plan, and that states follow certain procedures to assure a qualitatively useful process. There was some feeling among state agency staff that the public hearings were not very useful, did not have much impact on the Plan, and only encouraged groups to argue over who should get more money.

A common concern of state agency staff was that the highly organized interest groups were able to exert substantial political pressure on legislatures and governors by mobilizing their members to make phone calls, send letters and petitions, and hold demonstrations. Other needy groups which had no strong lobby could not mount this kind of effort.

As a result of their first year experience, many states have recognized a need to develop permanent citizen advisory groups at the local, regional and state levels. It is planned that these will be broad-based groups which may have several different kinds of responsibilities. Assessing needs, setting priorities, evaluating programs and proposals from providers, educating the general public and sponsoring public hearings will be well within the scope of their involvement.

States have indicated that they will implement more extensive public education for succeeding planning cycles through seminars, workshops, conferences and television and radio discussions. Also more intensive efforts will be made to involve the recipients of Title XX services in planning.

The procedures used by the states to publicize the proposed Plan and to elicit public comment on the Plan are summarized in Chart A-2. The information contained in the chart was obtained from the CASP Plans.

Issues Raised in the Public Comment Period

Each of the state Plans summarized the major issues raised during the public comment period. These are discussed below and summarized in Chart A-3, which shows the specific Issues raised in each state. It must be emphasized that a blank space on the chart does not necessarily mean that a particular issue was not addressed, but only that it was not mentioned in the published Plan.

- Services

  Definition of Services

  Some comments requested clarification of service definitions used in the proposed Plans. Others asked that a particular service definition be limited or further expanded to include additional components. For example, in one state suggestions were made to include the provision of medical contraceptive services in the definition of Family Planning.

  Range of Services

  The comments in this category suggested that the range of services appearing in the proposed Plan should either be reduced or broadened to include some specified new service. In many states, for example, citizens requested that legal services and nutritional services for the elderly be added to the Plan.

- Funding

  Level of Funding

  In many instances requests were made to raise or lower the level of funding for a particular service. In responding to these types of recommendations, some states shifted priorities because of public comments and accommodated the request. Other states indicated that further information was required before any action would be taken. It was more common, however, for states to acknowledge that a need for increased funding for a particular service existed but would not be met immediately because of budgetary limitations.

  Purchase of Service

  Comments on purchase of service included clarification of policy and procedures, recommendations for development of standard contracts, and requests that services which were previously limited to direct provision be purchased.

- Eligibility

Categories of Persons Eligible for Services

In some Plans a particular service was designated to be provided only to a particular category of persons. Public comments in many instances suggested that eligibility be extended to include additional categories of persons or in some cases to exclude certain groups. For example, according to one state's proposed Plan only AFDC recipients would be eligible for child day care services. The public's response was to recommend extending eligibility to low income families who were not on AFDC.

In another state public response was in opposition to providing child day care services to older teenagers because of limited funds, and because other funding sources could be used to meet this need.

Another type of recommendation concerned specific client groups who should have more liberalized eligibility requirements, such as the elderly, or migrants.

Eligibility Determination

In many states the public expressed strong concern over the income eligibility standards established for particular services. The states had the option to set different income requirements for each service, provided that they did not exceed the maximum income standards established by the law. Some states broadened their eligibility standards because of public response. Other states, however, pointed out that it was necessary to place limitations on eligibility due to the amount of funding that was currently available for services.

There was considerable opposition from the public regarding the imposition of a means test, particularly for the elderly. It was pointed out in one state that requiring proof of family income to receive family planning services would be a barrier to young people and others who required confidentiality as a condition of the service.

Some suggestions were made that net income rather than gross income be used in determining eligibility. This requirement however, is mandated by the law and could not be changed by the states. Recommendations were made in some states to allow providers of services to determine eligibility with periodic review by the public agency.

Eligibility Re-determination

Providers vigorously pointed out that quarterly recertification of eligibility was a grossly inefficient use of staff and time. On October 3, 1975 the final regulations were amended and the recertification period was changed from quarterly to semi-annually.

Fee schedules

Comments in this category usually suggested the establishment, reinstatement, elimination or adjustment of fee schedules for particular services.

- Needs Assessment

Quality of Data

Some states were criticized because of the methodology or limited resources used for collecting data. Other concerns were expressed over insufficient or unreliable data.

Participation in Needs Assessment Process

Many comments expressed dissatisfaction that there was little opportunity for citizen input into the needs assessment process. States were also urged to consult more extensively with local providers and community groups in succeeding planning cycles.

- Planning Process

Format of the Plan

Although a number of comments praised the plan and the effort that went into its development, others suggested that the format needed revision. The structure and content of the Plan was criticized as being too confusing to a reader and more oriented to government than to the public.

Citizens also suggested that the scope of the Plan be broadened. By including funding information on non-Title XX services the public would gain a more complete understanding of the way Title XX funds fit into the total social services context. Other recommended additions to the state Plan included a rationale for priority setting, a listing of contracts with private providers, analysis of staff costs, and a listing of services expenditures for the previous year to provide a basis for comparisons.

Participation in the Planning Process

Comments in this area stressed the importance of heavy local involvement in the planning process, a need for technical assistance from the state in the establishment of local service coalitions, and a need for the development of formalized mechanisms for broad based input from the county, regional and state levels.

Advertising

Some states were criticized for insufficient publicity of the Plan, short notice of public hearings, and narrow distribution of the Plan.

Time Constraints

Some comments expressed dissatisfaction with the limited time available for the public to have input into various phases of the planning process.

- Confidentiality

Concern was expressed that confidentiality of client information may be violated by the administrative procedures demanded by the federal regulations. Suggestions were made that information gathered should be kept to a minimum, that client files and identifiers remain at the local level, and that individuals be advised of their use. Clarification and information concerning the state policies and procedures on confidentiality of information were also requested.

Some additional areas of concern to the public included evaluation, training, and coordination and integration of services. Suggestions were made that the states should involve consumers, task forces, and local advisory groups in evaluating social services programs, and should train the interested public in evaluation techniques. Specific training programs in some instances were requested to be included in the Plan. Some misunderstanding of the purposes of training under Title XX was apparent in these recommendations. Often, more detailed information regarding a state's plan for training was requested. Public and private providers generally wanted more information on the procedures and criteria required by Title XX to set up training programs.

The need for better coordination and integration of services was cited in several states. Suggestions were made to place greater emphasis on coordination of planning efforts among the various state agencies.

Reporting and Evaluation

The means for accountability were provided for in Title XX not only by requiring a public planning document, but by authorizing the Secretary of DHEW to specify reporting requirements and by asking the states to specify their own evaluation plans.

Reporting

An SRS Information Memorandum in March 1975, and an "Action Transmittal" in July, were issued to the states defining the Social Services Reporting Requirements (SSRR) to be used under Title XX. The development of SSRR began in 1971 when greater emphasis was being placed on accountability and goal achievement. The major objectives of the system are to provide basic client services and cost information, and also to report on movement toward specific goals. When Title XX was passed, SSRR was modified to conform to the law, and, subsequently, to the regulations.

The regulations stipulate that the state agency must maintain a basic statistical data file on each individual service recipient. The file must include identifying information, the basis for eligibility, services provided, the goal to which each service is directed, and the provider agency for each service. The contents of this file can supply much of the data required by SSRR.

The reporting requirements of Title XX are perceived as something of a mixed blessing by the states. The value of collecting this information for purposes of needs assessment, evaluation, and budgeting is obvious. During the telephone interviews, state agency staff people candidly discussed the fact that the extensive reporting requirements are forcing the states to develop comprehensive information systems, which they should have been doing on their own initiative. Supporting these views was a survey conducted by the American Public Welfare Association in which the states were asked whether or not they would develop information systems including goals if it was not required by the federal government. Thirty-two states replied that they would.

Although some states may consider the federal impetus to improve their reporting capability as beneficial, several have expressed the view that the required reporting is more elaborate than what is really needed. Some states have had to redesign information systems which were already operational in order to generate the new reports. From a federal perspective, however, the information being required from the states is the minimum needed to provide for accountability to the Congress and other interested groups at the national level.

The state Plans show a great variance in reporting capability among the states. Some have had operational information systems for the past few years; others have not yet begun development efforts. The major problems being faced by the states is in getting the other public and private agencies from whom services are being purchased to adopt a new system for reporting. And even once adopted, the problems of processing the data from the other agencies is a formidable one in many states.

Evaluation

Title XX requires the states to describe their evaluation objectives and procedures. Again, the picture contained in the state Plans is one of a broad range of capabilities. Many of the states have some discrete evaluation components for individual services and for purchase of service contracts, but lack a comprehensive evaluation process.

The types of evaluations most frequently described in the Title XX Plans include impact, cost-effectiveness, and quality assurance evaluations. Some states are planning to refine their contract management capability to assure that payments for purchased services are reasonable.

Evaluations will also be conducted for pilot programs or special demonstration projects. For example, one state is planning an agency effectiveness study. This will include an evaluation of the effectiveness of training and management tools developed by the agency to improve work

performance. A number of the Services Plans, however, are very vague and simply indicate that certain divisions or departments will conduct evaluations.

Services

The designers of Title XX formulated a law which would change the categorical funding structure for social services to a form of Special Revenue Sharing with accountability features built into it. It is the intent of the law to allow states the freedom and flexibility to design services programs in accordance with the needs of the states' populations rather than to design programs which are responsive to federally mandated services.

Title XX therefore offers new opportunities for the states to be inventive in designing new approaches to solving human problems. As with most new opportunities, however, significant changes will occur only after the initial phases of preparation and the groundwork are firmly established. The first year state Services Plans provide a good indication that while the preparation stage is well underway, significant change in service delivery systems lies somewhere in the future.

Although the opportunity now exists, only a few states have planned for new services for the first year under Title XX. Three major factors limited the states' ability to plan new services. The first is the relationship between the Title XX planning cycle and the state budgeting cycle. As previously mentioned, there were many instances in which a state's budget had been approved previously and the state allocation for services had been established before Title XX was even passed. Therefore, it was not feasible to plan new services because no new state money would be available to meet the 25 percent state matching requirement.

The second factor which limited planning of new services was that several states had not completed collecting or analyzing needs data in time to determine new service priorities and include them in the final Plan.

These two problems occurring in the initial stages of preparation and development of Title XX will diminish in time. Within the next two years, the Title XX planning cycle and state budgeting cycle will be in phase and by that time needs assessment procedures will be refined.

The third factor which limited new services may not dissipate in time. Retaining as it does the $2.5 billion ceiling passed earlier, Title XX provides no new money to states that are already at their spending ceilings and it provides for less money to states that have experienced a decrease in population. Therefore, those states which had been using their full federal allotment prior to Title XX received no new funding after Title XX was passed. These states had no leeway to add new services without removing existing ones. Because reduction in expenditures for one service to expand another is not often politically feasible, this option did not look very attractive to the states. The states with the largest client populations such as New York and California experienced this problem most acutely.

Despite these limitations on new services, there is still room for new initiatives. Under Title XX existing services will be available to more people. Previously, eligibility to receive social services was restricted to former, current, and potential public assistance recipients. It has now been extended to a much broader range of people. In some instances, services which had been paid for exclusively with state money can now be federally reimbursed. This will allow state funds to be used for other service priorities. Under Title XX the states are permitted greater freedom in purchasing services from public and private providers, which will help to increase the range of services that can be offered.

Funding

Two charts are presented in this Appendix to reflect the status of expenditures expected under Title XX.

Chart A-4 indicates the planned expenditures for the first Title XX program year. Note that the first "year" may range from 9 to 21 months. States were not consistent in the way they defined Title XX expenditures. For example, Minnesota shows a total of social services expenditures beyond what can be matched by their federal allotment (the federal match therefore amounting to only 39.3 percent of total costs rather than 75 percent). New York, on the other hand, shows only the expenditures which can claim the 75 percent matching rate although it is known that their total program of social services surpasses that level.

Chart A-5 annualizes each state's expected federal funds in the first program year so that some comparison can be made with actual fiscal 1975 claims for federal matching. Also, since Title XX requires from each state a certification of need for federal funds in each federal fiscal year, this amount is also shown for fiscal 1976. The maximum federal allotments for fiscal 1976 are similar to 1975, but may vary slightly because of population changes.

While it appears that most states were not at their ceilings under the Titles IV-A and VI rules, all but five clearly expect to use their full matching entitlement under Title XX. Whether they will, in fact, reach that level is questionable in a number of cases. For example, Ohio has planned a 166.0 percent increase in their expenditure rate, surpassing the federal ceiling on an annualized basis. To the extent that the Plan involves new services, there may be problems of start up, and the Plan may be overstated to insure actually reaching the federal entitlement by the second year.

In South Carolina where it will take an 88 percent increase just to come up to the federal ceiling, and where most of the increase projected involves funding of other public agencies, there may be some difficulty in fulfilling maintenance of effort requirements in the budgets of the other agencies. To provide a hedge, apparently, this state has also "planned" an expenditure rate above its ceiling while indicating it will "need" only the ceiling amount.

A number of interviewees expressed doubt as to whether increases could be implemented sufficiently to meet the planned figures. On the other hand, some states obviously wanted to make a public statement of the fact that their "need" exceeds their entitlement within the

$2.5 billion ceiling which has been frozen for three years. Minnesota and New York are examples. In contrast, California, which is exceeding in eligible services expenditures what it can claim under its allotment (Chart A-4), did not certify a "need" for more than its maximum allotment (Chart A-5).

In the future it may be desirable from the states' perspective, to express expenditures in Plans and SSRR reports, in such a way that the relation of need to the ceiling can be clearly seen.

Within each state the question of distribution of funding, and control over this process, is clearly the issue presenting the greatest political tension. In some cases the traditional social service agency has had to yield to pressure from the governor's office (and state budget staff) to cut back on its direct service expansion so Title XX funds could be used to relieve budget needs of other state agencies providing services. In other cases, private groups such as legal aid groups have lobbied the legislature to win a share of Title XX funds that neither the governor nor the Title XX agency wanted in the Plan. When such "purchase arrangements" have been determined in this way, the Title XX agencies have experienced initial difficulty in establishing management control over the other agencies' use of the funds.

Summary of First Year Experience

Some of the major problems encountered by the states during the first year planning cycle have been previously identified in this Appendix, but other problems discussed by state agency personnel during telephone interviews also merit consideration.

Serious morale problems have developed at the caseworker level because of the increased amount of time caseworkers must spend on paperwork engendered by Title XX. Workers perceive the new procedures and resulting forms for eligibility determination, income vertification, goal setting, and purchase of service as being cumbersome as well as time-consuming. The required means test for eligibility determination has caused considerable opposition from workers. On the other hand, some procedures such as goal setting, are expected by many to lead to more effective casework practices. To put these views in perspective, however, it should be noted that New York's random moment survey of how caseworkers spend their time gives evidence that the actual time involved in completing Title XX types of forms is actually very small.

Unless additional money is allotted to the states, some state agency staff believe that Title XX may result in services being cut back. A problem arises for states which have been utilizing their full federal allotment. These states point out that they must meet the increased costs imposed by Title XX in the areas of internal management, publications, planning, and accountability with the same amount of money which they were allotted prior to Title XX. The states recognize, however, that more effective service delivery can and should result from these investments.

The federal regulations governing Title XX were perceived by many of the state people interviewed as placing restrictions on the states which were not intended by the law.

Title XX allows federal reimbursement for emergency shelter provided to a child as a protective service for not in excess of 30 days. The federal regulations limit the provision of emergency shelter to 30 days in any twelve-month period. State personnel feel that this restriction is not intended by the law. They would interpret the 30 day limitation in the law to mean 30 consecutive days with no restriction on the number of 30 day periods of emergency shelter a child can receive.

A second example concerns the federal standards for day care centers established in the regulations. A number of the state personnel interviewed believe the staff-child ratios mandated in the regulations to be excessively stringent. They point out that many day care centers already have difficulty in meeting the matching requirements, and that the increased costs resulting from greater staff-child ratios will force those centers either to serve fewer children or close down. To prevent this from happening states will then have to spend more of their social services dollars on day care at the expense of other programs. An amendment to P.L. 94-120, formerly known as the Graphite Bill, suspended the day care standards until February 1, 1976.

The federal regulations on protective services were also cited as an example of limitations being imposed on the states which are not intended by the law. Title XX allows a service which is directed at the goal of protection to be provided without regard to income. The law does not limit the type or number of services which can be offered regardless of income in a protective service situation. The regulations, however, stipulate eight specific services as those which can be offered in a protective case, without regard to income. Any other protective service may also be provided, but only if the federal eligibility criteria are met, or the state absorbs the cost.

Some of the state personnel interviewed see these regulatory provisions as a federal attempt to define and limit protective services. From a federal perspective this is only a half truth. The states can establish their own definition of protective services and offer them to anyone who meets the eligibility standards, as is done with every other type of service. There are no federal restrictions on which services the states can include in their definition of protection.

"Without regard to income" is the key phrase which is causing some misunderstanding of the federal intent. The regulations have only limited those services which can be provided without regard to income in a protective case. Federal staff believe that in the absence of such a limitation all services could be termed "protective" and could be provided to people without charge regardless of their financial means. From a federal viewpoint the regulations safeguard the intent of the law, which is to assist persons of low income to obtain the services they require.

In order to present a balanced perspective of Title XX in this Appendix, a question was posed to state agency staff during the telephone interviews as to the positive prospects of Title XX for improving service delivery. Some of the responses were as follows:

- Because of all the publicity on Title XX people are learning what services are all about. People will have a better understanding as to how and why the money is being spent.

- With the removal of the welfare stigma from services, there will be less opposition to services programs.

  - Title XX has forced the states to put a greater emphasis on planning. This is something that states should have been doing all along.

  - Because of the citizen participation requirements Title XX will make services more responsive to actual needs rather than to perceived needs. Citizens will know that the decisions are being made at the local level rather than somewhere in Washington.

  - Greater flexibility under Title XX to define and to purchase services will improve service systems.

  - Title XX will promote universality by opening up services to the working poor and to middle income persons.

  - Title XX has generated enthusiasm among local advisory groups who, for the first time, will really influence decision-making.

  - Under Title XX the states had to look at themselves for the first time and determine who they were serving, how many, how much it cost, and what gaps exist.

  - Title XX offers great opportunities for involving other state agencies in the development of an integrated services system.

  - Title XX will be more service-effective to clients and cost-effective to taxpayers.

Title XX has provoked a mixture of excitement, frustration, enthusiasm, and skepticism among agency personnel from caseworker to director. As illustrated in this Appendix, Title XX has produced some very positive changes in agency operations, but has also raised a number of problems. A good start has been made. If the problems can be resolved and the initiative maintained, Title XX may prove to be a very important social invention.

SPECIAL NEEDS ASSESSMENT
ACTIVITIES REPORTED IN
STATE TITLE XX PLANS

Chart A-1

	SPECIAL NEEDS ASSESSMENT ACTIVITIES		
	Number of Public Meetings	Number of People Attending	Special Assessment Effort (Questionnaires, Surveys, etc)
Alabama			x
Alaska			x
Arizona			
Arkansas			
California	6	1000	x
Colorado			
Connecticut	x		
Delaware			
District of Columbia			
Florida	x	▽ 70	
Georgia	500	2-300/mtg	x
Hawaii	x		x
Idaho	7		
Illinois			x
Indiana			x
Iowa	43	2500	
Kansas			
Kentucky			
Louisiana			
Maine			

Note: An "x" means that an activity took place but no specific number of occurances was indicated in the Plan.
A blank space indicates that no information concerning that activity was specifically mentioned in the Plan.
▽ This symbol indicates average per meeting.

SPECIAL NEEDS ASSESSMENT ACTIVITIES REPORTED IN STATE TITLE XX PLANS

Chart A-1

	SPECIAL NEEDS ASSESSMENT ACTIVITIES		
	Number of Public Meetings	Number of People Attending	Special Assessment Effort (Questionnaires, Surveys, etc)
Maryland			x
Massachusetts			
Michigan			
Minnesota			
Mississippi			x
Missouri	10	1332	x
Montana	5		
Nebraska			x
Nevada			x
New Hampshire			
New Jersey			
New Mexico	61	▽ 30	
New York	x		
North Carolina			
North Dakota			x
Ohio	9	1000	x
Oklahoma	6	400	
Oregon			
Pennsylvania			
Rhode Island	2		x

Chart A-3 MAJOR ISSUES RAISED IN PUBLIC COMMENTS ON PROPOSED TITLE XX PLANS

	SERVICES		FUNDING		ELIGIBILITY				NEEDS ASSMNT.		PLANNING				CONFI-DENTI-ALITY
	Definition	Range	Level/serv.	Purchase serv.	Client categ.	Elig. Determ.	Redetm.	Fee Sched.	Quality of data	Extent of Participation	Format	Extent of Participation	Adv.	Time	
Alabama	x	x		x		x		x				x			
Alaska	x	x	x	x		x		x		x	x		x		
Arizona	x	x		x											
Arkansas	x	x	x		x	x				x		x		x	
California	x	x				x	x	x		x	x	x			
Colorado	x	x	x	x	x	x		x	x			x	x		
Connecticut	x	x	x	x	x	x			x	x		x		x	
Delaware			x	x	x				x	x		x		x	
District of Columbia								x		x					
Florida	x	x			x	x				x	x	x	x		
Georgia	x	x	x	x											x
Hawaii		x				x	x	x	x	x	x	x	x	x	
Idaho		x	x						x	x					
Illinois		x	x	x	x	x		x				x		x	
Indiana	x	x	x	x		x						x		x	
Iowa	x	x	x	x		x		x		x		x			
Kansas	x	x	x	x	x	x		x				x			
Kentucky	x	x	x	x	x	x	x	x	x		x	x			
Louisiana	x	x	x	x	x	x	x	x				x		x	
Maine	x	x	x	x	x	x		x	x	x	x	x			
Maryland		x	x			x		x	x	x					
Massachusetts	x	x	x		x	x		x		x	x	x		x	x

Chart A-3

MAJOR ISSUES RAISED IN PUBLIC COMMENTS ON PROPOSED TITLE XX PLANS

	SERVICES		FUNDING		ELIGIBILITY				NEEDS ASSMNT.		PLANNING				CONFI-DENTI-ALITY
	Definition	Range	Level/serv.	Purchase serv.	Client categ.	Elig. Determ.	Redetm.	Fee Sched.	Quality of data	Extent of Participation	Format	Extent of Participation	Adv.	Time	ALITY
Michigan	x	x	x	x	x	x				x	x		x		
Minnesota	x	x			x	x	x	x				x			
Mississippi	x	x	x	x				x			x	x			
Missouri	x	x		x		x				x	x	x			
Montana		x	x		x	x			x						
Nebraska	x	x	x			x		x				x			
Nevada	x	x	x	x	x	x		x	x	x		x			
New Hampshire	x	x	x	x		x	x	x		x		x			x
New Jersey	x	x	x			x	x	x	x	x	x	x	x		
New Mexico	x	x	x		x				x	x		x	x		
New York	x	x		x	x	x	x	x	x	x	x	x			x
North Carolina		x				x		x							
North Dakota	x	x				x		x	x						
Ohio	x	x	x	x		x		x		x	x	x			
Oklahoma		x	x	x		x					x				
Oregon	x	x	x					x		x					
Pennsylvania	x	x	x		x	x	x	x		x		x		x	
Rhode Island	x	x			x	x			x			x			
South Carolina		x	x		x					x		x			
South Dakota	x	x		x				x		x		x			
Tennessee	x	x	x		x	x				x		x			
Texas	x	x	x	x	x	x		x		x		x	x		

Chart A-2

PROCEDURES FOR PUBLIC COMMENTARY ON PROPOSED TITLE PLANS

	No. of Newspapers	No. of Sp. Interest Non Engl. Newspapers	No. of Newspapers Carrying Corrections/ Addendum	Public Hearings	No. People Attending	No. People Testifying	No. Written Comments	No. Phone Comments	No. Plans Distributed
Illinois	3	x		10					
Indiana	60	x		5	752		*106		
Iowa	#24			x					
Kansas	20			37					
Kentucky	x			4	300+	^225	*78		400
Louisiana	14			1	400				
Maine	4		4						
Maryland	x		x	6			*455		
Massachusetts	6		6	3	80		350		5,000
Michigan	43			26	2172	599	502		7,280
Minnesota				x	575		66		
Mississippi	8			18					
Missouri	16		16						1,900
Montana	6		6	11			several hundred		
Nebraska				32					
Nevada	* 2						56		
New Hampshire				7					
New Jersey	9		9	6	600		100		
New Mexico	34	x					40 written & phone		
New York	58	8	x	7		270	*2197	1073	14,850
North Carolina							* 86		
North Dakota	8			8					

Chart A-2

PROCEDURES FOR PUBLIC COMMENTARY ON PROPOSED TITLE PLANS

	No. of Newspapers	No. of Sp. Interest Non Engl. Newspapers	No. of Newspapers Carrying Corrections/ Addendum	Public Hearings	No. People Attending	No. People Testifying	No. Written Comments	No. Phone Comments	No. Plans Distributed
Ohio	97		97	x			5409		
Oklahoma	2			3	215		25	= 550	
Oregon									
Pennsylvania	x			7		560			
Rhode Island	6			4		15	86	13	
South Carolina	#12			x			1000		
South Dakota	x								
Tennessee	7		7	x			*443		
Texas	36	8					*461		
Utah	5		x	22					
Vermont	2		1	4			47		
Virginia	8	1	x	7	2500	300	*400		
Washington				12	780	181	250		
West Virginia	9		9	5	40-100/mtg	49	41		
Wisconsin	8			x					3,000
Wyoming	*3		3	3			30		

SPECIAL NEEDS ASSESSMENT ACTIVITIES REPORTED IN STATE TITLE XX PLANS

Chart A-1

	SPECIAL NEEDS ASSESSMENT ACTIVITIES		
	Number of Public Meetings	Number of People Attending	Special Assessment Effort (Questionnaires, Surveys, etc)
South Carolina			x
South Dakota	x		x
Tennessee	x	1000	
Texas			
Utah	x		
Vermont			
Virginia			x
Washington			
West Virginia			
Wisconsin			
Wyoming			x

Chart A-2

PROCEDURES FOR PUBLIC COMMENTARY ON PROPOSED TITLE PLANS

	No. of Newspapers	No. of Sp. Interest & Non Engl. Newspapers	No. of Newspapers Carrying Corrections/ Addendum	No. Public Hearings	No. People Attending	No. People Testifying	No. Written Comments	No. Phone Comments	No. Plans Distributed
Alabama	67		67	10	2000		• 55		
Alaska				24	133				
Arizona	22			17					
Arkansas	2		2	4					
California	25	4		6		297	•1363		
Colorado	8		8	2			222		
Connecticut	# *12	1	12	2			• 71		1,500
Delaware	4	1	5	2			14		
District of Columbia	2			x					
Florida	19	1					430		
Georgia	34		19	100+	3000		•461		20,850
Hawaii	2		2	x	6 median		27		
Idaho	8			0			20		

Please note: An "x" means that an activity took place, but no specific number of occurances was indicated in the plan.
A blank space indicates that no information concerning that activity was specifically mentioned in the plan.
* This symbol represents the number of papers which carried full advertisements of the plan. Additional no. of papers carried news releases or public notices.
# This symbol indicates those states which used T.V. and radio.
° This symbol represents number of comments; no. of persons testifying was not indicated.
• This symbol represents number of letters. One letter may include any number of written comments.
◻ This symbol represents both written and telephone comments protesting federal standards for staff child ratios in day care centers.

Chart A-3 MAJOR ISSUES RAISED IN PUBLIC COMMENTS ON PROPOSED TITLE XX PLANS

	SERVICES		FUNDING		ELIGIBILITY				NEEDS ASSMNT.		PLANNING				CONFI-DENTI-ALITY
	Definition	Range	Level/serv.	Purchase serv.	Client categ.	Elig. Determ.	Redetm.	Fee Sched.	Quality of data	Extent of Participation	Format	Extent of Participation	Adv.	Time	ALITY
Utah	x		x					x		x		x	x		x
Vermont	x	x	x		x						x	x	x		
Virginia	x	x	x		x	x		x		x		x			
Washington	x	x	x	x		x		x	x	x	x	x	x	x	
West Virginia	x	x	x		x	x	x				x	x	x	x	
Wisconsin	x	x	x			x		x							
Wyoming	x	x			x	x				x		x			
TOTALS	41	48	37	25	27	39	10	32	16	31	16	38	12	11	4

Chart A-4

PLANNED TITLE XX EXPENDITURES
FOR FIRST PROGRAM YEAR
(All figures to nearest $1,000)

STATES	Mos. in Program Year	TOTAL	FEDERAL - Title XX		STATE		LOCAL		OTHER*	
			AMOUNT	%	AMOUNT	%	AMOUNT	%	AMOUNT	%
Alabama	12	56,138	42,250	75.3	9,172	16.3	945	1.7	3,770	6.7
Alaska	9	4,077	2,927	71.8	1,149	28.2	-	-	-	-
Arizona	9	9,548	7,161	75.0	2,387	25.0	-	-	-	-
Arkansas	9	20,556	14,875	72.4	3,484	16.9	2,197#	10.7	-	-
California	9	256,300	184,100	71.8	41,300	16.1	30,900	12.1	-	-
Colorado	9	28,784	21,750	75.6	1,350	4.7	5,398	18.7	286	1.0
Connecticut	9	44,187	33,247	75.2	9,577	21.7	1,012	2.3	351	.8
Delaware	9	7,012	5,063	72.2	1,428	20.4	-	-	521	7.4
District of Columbia	12	13,619	9,000	66.1	-	-	4,619	33.9	-	-
Florida	9	160,837	73,458	45.7	69,054	42.9	13,911	8.7	4,414	2.7
Georgia	12	77,059	57,000	74.0	16,354	21.2	3,704	4.8	-	-
Hawaii	21	23,727	17,440	73.5	5,712	24.1	-	-	575	2.4
Idaho	9	9,380	6,938	74.0	2,313	24.6	-	-	130	1.4
Illinois	21	316,423	234,063	74.0	69,979	22.1	11,796	3.7	587	.2
Indiana	21	71,394	53,546	75.0	15,879	22.2	1,619	2.3	350	.5
Iowa	9	34,789	26,200	75.3	6,460	18.6	1,858	5.3	272	.8
Kansas	9	27,173	20,438	75.2	4,698	17.3	1,333	4.9	705	2.6
Kentucky	9	39,643	29,813	75.2	9,830	24.8	-	-	-	-
Louisiana	21	103,085	78,313	76.0	18,748	18.2	6,024	5.8	-	-
Maine	21	28,386	21,438	75.5	2,149	7.6	3,936	13.9	864	3.0
Maryland	9	58,613	38,213	65.2	10,095	17.2	2,014	3.4	8,292	14.2
Massachusetts	9	95,893	51,938	54.2	42,334	44.1	1,621	1.7	-	-
Michigan	12	143,553	107,750	75.1	35,803	24.9	-	-	-	-
Minnesota	12	118,334	46,500	39.3	19,940	16.9	44,866	37.9	7,028	5.9
Mississippi	9	12,605	9,454	75.0	2,101	16.7	1,050	8.3	-	-

Footnotes: See page following chart.

Chart A-4

PLANNED TITLE XX EXPENDITURES
FOR FIRST PROGRAM YEAR
(All figures to nearest $1,000)

STATES	Mos. in Program Year	TOTAL	FEDERAL - Title XX		STATE		LOCAL		OTHER*	
			AMOUNT	%	AMOUNT	%	AMOUNT	%	AMOUNT	%
Missouri	9	53,988	40,544	75.1	6,616	12.3	6,828	12.6	-	-
Montana	21	19,728	14,875	75.4	3,503	17.8	1,351	6.8	-	-
Nebraska	9	18,225	13,669	75.0	4,556	25.0	-	-	-	-
Nevada	21	14,628	11,036	75.4	2,741	18.7	509	3.6	343	2.3
New Hampshire	9	9,136	6,915	75.7	1,110	12.1	1,111	12.2	-	-
New Jersey	9	87,066	65,812	75.6	9,523	10.9	8,495	9.8	3,236	3.7
New Mexico	12	17,358	13,250	76.3	1,180	6.8	-	-	2,928	16.9
New York	12	290,000	217,500	75.0	36,710	12.7	35,790	12.3	-	-
North Carolina	9	73,000	54,750	75.0	5,000	6.8	13,250 #	18.2	-	-
North Dakota	21	17,500	13,125	75.0	1,213	6.9	1,950	11.2	1,212	6.9
Ohio	9	142,797	107,098	75.0	21,419	15.0	14,280	10.0	-	-
Oklahoma	21	74,060	55,560	75.0	18,500	25.0	-	-	-	-
Oregon	21	116,852	47,005	40.2	51,121	43.8	4,798 #	4.1	13,928	11.9
Pennsylvania	12	189,000	141,750	75.0	37,135	19.6	10,115	5.4	-	-
Rhode Island	9	11,854	8,891	75.0	2,939	24.8	-	-	24	.2
South Carolina	9	32,500	24,375	75.0	6,630	20.4	1,495	4.6	-	-
South Dakota	12	10,238	7,685	75.1	2,245	21.9	176	1.7	133	1.3
Tennessee	9	49,233	37,323	75.8	5,272	10.7	6,638	13.5	-	-
Texas	12	185,604	140,500	75.7	31,840	17.2	-	-	13,264	7.1
Utah	9	14,667	11,000	75.0	2,332	15.9	1,175	8.0	160	1.1
Vermont	12	7,293	5,500	75.4	1,760	24.1	32	.5	-	-
Virginia	9	65,374	49,464	75.6	4,376	6.7	8,746	13.4	2,788	4.3
Washington	9	40,422	30,288	74.9	10,135	25.1	-	-	-	-
West Virginia	9	22,270	17,000	76.3	3,483	15.7	133	.6	1,654	7.4
Wisconsin	21	136,026	95,375	70.1	40,651	29.9	-	-	-	-
Wyoming	9	3,738	2,804	75.0	648	17.3	135	3.6	151	4.1
TOTAL		3,463,672	2,425,969	70.0	713,934	20.6	255,810	7.4	67,966	2.0

Footnotes: See page following chart.

FOOTNOTES FOR CHART A-4
PLANNED TITLE XX EXPENDITURES

Individual dollar amounts may not add to totals due to rounding.

* "Other" includes donations, certified public expenditures, fees, other federal funds (such as Titie IV-B funds), etc.

Donations are included in the "Local" amount.

SOURCES: The Interim Characteristics Report of State Social Service Programs for Individuals and Families under Title XX of the Social Security Act, (prepared by the Community Services Administration, Social and Rehabilitation Services, DHEW, November 1975) was used to compile the information in the table with the following exceptions;

Delaware - amounts were taken directly from the state plan.

Kansas - amounts were calculated from the annualized figures in the state plan.

Maine - total was calculated using individual entries in state plan.

Michigan - amounts were taken directly from the state plan.

New Jersey - State's annualized amounts were pro-rated to nine month program year.

Ohio - amounts were taken from State Plan.

South Carolina - amounts do not reconcile within State Plan. State's "annualized expenditures" were pro-rated to nine month program year.

Note: Some figures may include expenditures not eligible for Title XX matching. Some states, such as Alabama and New Mexico, specifically noted ineligible expenditures and if may be expected that some of the states not specifically stating them may have included these amounts in their totals.

NOTES ON CHART A-5
FEDERAL FUNDS FOR SOCIAL SERVICES

The following chart provides information oh federal funds for social services; the figures do not include amounts from state, local and other sources. The columns contain the following:

Fiscal Year '75 Actual Expenditures - Consists of reported expenditures under Titles IV-A and VI for the period July 1974 through June 1975.

SOURCE: DHEW, SRS, Division of Social Services, State Grants Administration (preliminary financial data).

* For states for which actual Fiscal Year '75 expenditure figures were unavailable, figures used consist of actual Fiscal Year '75 expenditures and adjustments from previous years. These figures, then, may be either greater or less than actual expenditures for fiscal year '75.

SOURCE: DHEW, SRS (preliminary financial data).

Fiscal Year '76 Certified Need - Consists of the amount the state has certified it needs to provide social services under Titles IV-A and VI during July through September 1975, and under Title XX during October 1975 through June 1976. Note: Some states (e.g. Connecticut and New York) used this reporting requirement to demonstrate the extent of funding above their ceiling that could be matched by state funds for social services.

SOURCE: DHEW, SRS, Division of Social Services, State Grants Administration (preliminary financial data).

v For states for which certified need figures were unavailable, figures used are annualized federal shares of Title XX planned expenditures (i.e. same as fifth column).

SOURCE: State Comprehensive Annual Services Plans.

Fiscal Year '76 Maximum Allotments - Consists of the federal ceiling for each state for the period July 1975 through June 1976.

SOURCE: DHEW, SRS, Information Memo AA/M-OFM-IM-75-2, March 5, 1975.

Title XX First Program Year Planned Expenditures — Annualized - Annualized figures were calculated from planned federal expenditures for Title XX program periods ranging from 9 to 21 months.

SOURCE: State Comprehensive Annual Services Plans.

Chart A-5

FEDERAL FUNDS FOR SOCIAL SERVICES
(All dollar amounts to nearest $1,000)

		FY '75 Actual Expenditures	FY'76 Certified Need	% Increase '76 "Need" over '75 Actual	FY '76 Maximum Allotments	Title XX 1st Program year Planned Exp. -Annualized-	% Increase Title XX Plan over '75 Actual
1	Alabama	26,043	42,250	62.2%	42,250	42,250	62.2%
2	Alaska	3,830	4,900	27.9	4,000	3,903	1.9
3	Arizona	3,645	24,500	572.2	24,500	9,548	162.0
4	Arkansas	8,708*	21,114	142.5	24,250	19,833	127.8
5	California	245,776*	245,467▼	(.1)	245,500	245,467	(.1)
6	Colorado	28,298	31,424	11.1	29,000	29,000	2.5
7	Connecticut	37,002*	72,232	95.2	36,750	44,329	19.8
8	Delaware	5,700	6,750	18.4	6,750	6,750	18.4
9	District of Columbia	8,980	10,500	16.9	9,000	9,000	.2
10	Florida	87,075	99,831	14.7	91,500	97,944	12.5
11	Georgia	45,627*	71,800	57.4	57,000	57,000	24.9
12	Hawaii	8,267	10,000	21.0	10,000	9,966	20.1
13	Idaho	9,076	10,297	13.5	9,250	9,250	1.9
14	Illinois	81,758*	133,750▼	63.6	133,750	133,750	63.6
15	Indiana	5,438	21,000	286.2	63,250	30,598	462.7
16	Iowa	25,218	34,500	36.8	34,500	34,933	38.5
17	Kansas	12,571	27,250	116.8	27,250	27,584	119.4
18	Kentucky	39,607	39,750	.4	39,750	39,750	.4
19	Louisiana	23,244*	44,750	92.5	44,750	44,750	92.5
20	Maine	9,358	12,250	30.9	12,250	12,250	30.9
21	Maryland	37,729	48,500	28.5	48,500	50,951	35.0
22	Massachusetts	51,219	69,250	35.2	69,250	69,250	35.2
23	Michigan	97,376	107,750▼	10.7	107,750	107,750	10.7
24	Minnesota	54,135*	61,951	14.4	46,500	46,500	(14.1)
25	Mississippi	6,121	26,813	338.0	27,250	12,605	105.9
26	Missouri	20,789	46,999	126.1	56,750	54,059	160.0
27	Montana	5,141	8,500	65.3	8,500	8,500	65.3
28	Nebraska	17,766	18,225▼	2.6	18,250	18,225	2.6
29	Nevada	3,019	6,500	115.3	6,500	6,306	108.9
30	New Hampshire	6,685	9,500	42.1	9,500	9,220	37.9
31	New Jersey	72,855*	87,750	20.4	87,750	87,750	20.4
32	New Mexico	7,940*	13,250	66.9	13,250	13,250	66.9
33	New York	221,997*	288,655	30.0	217,500	217,500	(2.0)
34	North Carolina	29,924*	62,750	109.7	62,750	73,000	144.0
35	North Dakota	4,074*	7,500	84.1	7,500	7,500	84.1
36	Ohio	53,678	127,750	138.0	127,750	142,797	166.0
37	Oklahoma	20,815*	31,750	52.5	31,750	31,749	52.5
38	Oregon	26,195	26,500	1.2	26,500	26,860	2.5
39	Pennsylvania	122,623	155,400	26.7	141,750	141,750	15.6
40	Rhode Island	10,567*	11,800	11.7	11,500	11,854	12.2
41	South Carolina	17,237	32,500	88.5	32,500	32,500	88.5
42	South Dakota	3,515*	7,685▼	118.6	8,250	7,685	118.6
43	Tennessee	17,904	37,323	108.5	49,250	49,765	178.0
44	Texas	139,855	150,000	7.3	140,500	140,500	.5
45	Utah	7,703*	13,750	78.5	13,750	14,667	90.4
46	Vermont	4,888	5,800	18.7	5,500	5,500	12.5
47	Virginia	29,171	58,968	102.1	57,250	65,952	126.1
48	Washington	41,336	42,870	3.7	40,750	40,383	(2.3)
49	West Virginia	14,541	21,500	47.9	21,500	22,667	55.9
50	Wisconsin	50,192	62,500	24.5	54,500	54,500	8.6
51	Wyoming	1,686*	4,250	152.1	4,250	3,738	121.7
	TOTAL	1,913,897	2,618,554	36.8	2,500,000	2,483,088	29.7

SUMMARY OF TITLE XX

OF THE SOCIAL SECURITY ACT

Title XX - Grants to States for Services (the Social Services Amendments of 1974) is a federal law which revises previous services provisions to establish a consolidated program of federal financial assistance to encourage the provision of services by the states. Signed into law on January 4, 1975, it became effective on October 1, 1975. It replaces most of the services provisions of Title IV-A - Grants to States for Aid and Services to Needy Families with Children... Aid to Families with Dependent Children, and of Title VI - Grants to States for Services to the Aged, Blind, or Disabled (Supplemental Security Income recipients).

- Services Provided Under Title XX

Rather than having federal requirements for specific services for specific categories of eligible people, states may choose which services they want to offer, and where, how, and to whom they want to provide the services, with the following limitations:

- The services must be directed toward the following five goals.
  - (1) Achieving or maintaining economic self-support to prevent, reduce, or eliminate dependency;
  - (2) Achieving or maintaining self-sufficiency, including reduction or prevention of dependency;
  - (3) Preventing or remedying neglect, abuse, or exploitation of children and adults unable to protect their own interests, or preserving, rehabilitating, or reuniting families;
  - (4) Preventing or reducing inappropriate institutional care by providing for community-based care, home-based care, or other forms of less intensive care; or
  - (5) Securing referral or admission for institutional care when other forms of care are not appropriate, or providing services to individuals in institutions.
- At least one service must be directed to each of the five goals.
- At least three services must be provided for Supplemental Security Income (SSI) recipients.
- At least 50 percent of the federal funds must be spent for services to recipients of Aid to Families with Dependent Children (AFDC), SSI or Medicaid.

- Federal Funding Limitations

Under Title X X, some services and activities are eligible for federal government financial participation. Within a monetary limit determined by state population (referred to as a "ceiling"), the federal government will fund 75 percent of what each state spends on:

- Services directed at the five goals (The federal government will, however, pay for 90 percent of what each state spends on Family Planning Services.)

- Administration

- Training (The amount which may be funded is not limited by the "ceiling".)

There are also services and activities which are not eligible for federal funding under Title X X. Some of the more important of these are:

- Medical or other remedial care, unless it is an integral but subordinate part of a reimbursable service.

- Room and board, unless provided for not more than six consecutive months as an integral but subordinate part of a reimbursable service.

- Child day care which does not meet federal day care standards.

- Generally available educational services.

- Cash payments as a service.

- Capitol expenditures.

- Eligibility for Title XX Services

Persons eligible to receive Title XX services are:

- Those who receive cash payments under A F D C or S S I.

- Those who do not receive cash payments and have an income that does not exceed 115 percent of their state's median income adjusted for family size. (A state may choose a lower percent.)

Two types of services may be provided without regard to income criteria:

- Information and Referral Services.

- Protective Services, for children and adults, under the third goal.

Fees may be charged for services to recipients. Fees must be charged for services to recipients whose income levels exceed 80% of the median income.

• State Comprehensive Annual Services Program (CASP) Plans

Each state must prepare a services plan containing:

- The name of the state agency designated to administer the program.
- The program year, which must be established to conform to either the federal or state fiscal year.
- The geographic areas of the state (service delivery may vary among areas).
- The services to be offered.
- The estimated persons to be served and estimated expenditures.
- A description of human needs assessment and planning processes used by the state.
- Evaluation specifications and schedules.
- A description of information and reporting systems/procedures and schedules.

The preparation of the services plan must follow specific procedures and schedules.

- A proposed plan must be published, advertised and made generally available to the public at least 90 days before the beginning of the program.
- Comments from the public (individual citizens, public and private groups and organizations, etc.) concerning the proposed plan must be accepted by the state for at least 45 days.
- The final plan must then be prepared containing an explanation of the differences between the proposed and final plan.
- The final plan must be published, advertised and made available to the public at the beginning of the program.
- Amendments may be made to the final plan during the program year, with time allowed for public comments before the amendment is finalized.

Appendix C

TITLE XX BIBLIOGRAPHY

This bibliography contains materials related to the development, passage and implementation of Title XX of the Social Security Act. To promote clarity, the materials have been separated into two sections. Legislative Materials includes the Act establishing Title XX, the bills which developed into the Act, Congressional reports and hearings, regulations, and related documents. This section is catalogued chronologically in order to highlight the sequential development of the Act.

Background and Commentary Materials includes historical narratives, summary and analytic reports on state plans, governmental instructional materials, guidelines to assist interested parties in effectively utilizing Title XX, etc. This section contains pamphlets, manuals, unpublished reports, newspaper articles, and other types of documents chosen to provide an illustrative, although not necessarily representative, selection of Title XX information. This section is alphabetically arranged.

A library has been assembled to provide the bibliographical materials to members of the NCSW Task Forces. Included in the library are a number of state final Comprehensive Annual Service Plans.

While reading the bibliography, it may be helpful to keep in mind that Title XX, H.R. 17045 and Public Law 93-647 all refer to the same amendment to the Social Security Act.

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