

Innovation Out Of Crisis II

Solutions to the Human Services Workforce Crisis

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*This is the second of two reports summarizing and expanding upon remarks made at **Innovation Out Of Crisis: Overcoming the Human Services Workforce Crisis**, a conference held April 25, 2002, and sponsored by the Institute for the Study of Economic Culture at Boston University, the Massachusetts Council of Human Service Providers, and Pioneer Institute.*

The Problem

A widening gap between demand for skilled workers and the available supply is presenting significant challenges to all sectors of the national economy.¹ Much of the gap is attributable to the aging of the nation's workforce. Baby boomers, who make up nearly half the current workforce, are leaving the workforce in droves. According to Floyd Alwon, Child Welfare League of America, 82 percent of public and 50 percent of private agency executives plan to retire within the next 10 years.² The situation is particularly precarious in the human services sector, where the quality of care is intimately tied to the capabilities of direct care workers.

The Bureau of Labor Statistics (BLS) reported that in 2000 five human service occupational categories—social services counselors, miscellaneous specialists, social workers, childcare personnel, and home care aides—accounted for 2.7 million workers across the United States. By 2010, the number will reach almost 3.5 million, an increase of more

than 30 percent.³ Relatively low wages in the sector make it difficult to attract qualified people to the field at every level. Even relatively low-level human services positions require basic skills in reading, writing, and math. Yet wages are insufficient to attract or retain individuals with the requisite skill set. The BLS ranks the earnings of human service assistants in the third quartile (\$18,500 to \$25,760) and personal/home care aides and child care personnel in the fourth, or lowest, quartile (up to \$18,490).⁴

The situation in Massachusetts is, if anything, worse than the national picture. The Commonwealth is plagued by a “workforce skills mismatch.” According to Blenda Wilson of the Nellie Mae Education Foundation, fully one-fifth of the state's 3.2 million workers are without basic skills in reading, writing and math.⁵ To make matters worse,

³ Daniel E. Hecker, U.S. Bureau of Labor Statistics, *Employment Outlook: 2000-2010*. Occupational employment projections to 2006, *Monthly Labor Review*, November 2001, 57-84.

⁴ *Ibid.*, 79. The reference to the fourth quartile earnings of child care personnel is included in George T. Silvestri, U.S. Bureau of Labor Statistics, *Employment Outlook: 1996-2006. Occupational employment projections to 2006*, 78 (<http://www.bls.gov/opub/mlr/1997/11/art5full.pdf>).

⁵ From summary of remarks by Blenda Wilson, Nellie Mae Education Foundation, from summary of remarks at *A Statewide Skills Summit*, conference held at the Federal Reserve Bank of Boston, and sponsored by the Massachusetts Institute for a New Commonwealth, March 1, 2002 (http://www.massinc.org/events_forums/events/forum_skillssummit2.html).

¹ *U.S. Competitiveness 2001: Strengths, Vulnerabilities and Long-Term Priorities*, published by the Council on Competitiveness (<http://www.compete.org/pdf/competitiveness2001.pdf>); see also *The Skills Gap 2001*, published by the National Association of Manufacturers (<http://www.nam.org/secondary.asp?TrackID=&CategoryID=958>).

² Floyd Alwon is Director, Walker Trieschman Center for Professional Development, Child Welfare League of America.

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says Marianne Taylor, Human Services Research Institute, “the growth in Massachusetts’ labor pool is about 5 percent less than the nation as a whole. These trends will place additional pressure on wages and on employers” to find new sources of labor.⁶

Again, the human services sector is among the hardest hit. Reliant on inadequate state reimbursement rates and subject to unfunded mandates, private human service providers lack the resources to match compensation to the expectations of skilled workers. Turnover rates in human services occupations have risen substantially in recent years. Up until 1998, the industry had a standard turnover rate of 25 to 30 percent. “While not good, [turnover] had been at a relatively manageable level even for clients sensitive to frequent staff changes,” explained Betsy Loughran, Executive Director of the Center for Human Development, in Springfield. Then, “three years ago, direct care turnover jumped to 36, then to 39, and now 41 percent. In my residential treatment programs it is at 46 percent and still rising even though we are in the middle of a recession—a time when people usually hang onto their jobs.”⁷ A January 2001 Operational Services Division report suggested that the average staff turnover in contracted human service provider organizations was 40 percent.⁸

For clients, the revolving door of minimally trained workers translates into low-quality care, marked by redundant case management and inconsistent, ineffective oversight and treatment. The instability of the workforce contraindicates treatment success in all areas of the human services.

(<http://www.providers.org/Families.doc>)

This and subsequent web pages cited provide additional excerpts of speakers’ remarks or further information.

Securing a Skilled Workforce in Massachusetts

Developing a workforce with the necessary skill set is crucial to the human services sector, the economy, and the state’s well-being. According to several conference participants, until the early 1990s leadership in provider agencies did not have to address workforce development issues so specifically, as much of the workforce came to the sector already possessing bachelor’s degrees. Today, providers are scrambling to attract and retain workers with even basic reading, writing, math, and analytic skills. With funding and collaboration from the Institute for the Study of Economic Culture at Boston University, the Massachusetts Council of Human Service Providers (MCHSP) and Pioneer Institute organized *Innovation Out Of Crisis* to identify strategies to address the workforce crisis in the human services. The solutions will require leadership from human service providers that focuses on recruitment, retention, and regulations.

⁶ Marianne Taylor is Senior Project Director, Human Services Research Institute, Cambridge, Massachusetts (<http://www.hsri.org>).

⁷ Betsy Loughran is Executive Director, Center for Human Development, Springfield, Massachusetts.

⁸ Outside Section 455, Study of the Impact of Salary Reserve, FY 1997 to FY 2000.

Recruitment Strategies

There are obstacles to developing an effective recruitment strategy in human services, but also much that organizations can do by themselves to remove them.

► Focus on the positive aspects of working in the industry.

Human service providers need to *improve the image of the industry*. Providers and agencies should focus on the positive aspects of working in the industry, such as the opportunities to stay and grow within the organization, the value of the work and the organizational mission, and the benefits of working with caring, supportive people who help each other personally and professionally. The first step in improving recruitment in the human services is to realize that human service providers have an attractive product to sell to potential workers:

- Provider agencies are stable, well-managed, and accountable community organizations.
- Providers work as teams and are looking for creative, enthusiastic, well-informed, and highly skilled individuals for staff and volunteer opportunities.
- Providers work according to a clearly stated mission that is articulated in productive policies and governed by a community volunteer board.
- The sector works to improve the quality of life for those in local communities.
- Providers are important employers and purchasers who usually spend revenue in the local economies.
- Leadership positions are available, as is professional development.
- Those in the industry care about people, as professionals and as human beings.⁹

► Learn from human resource strategies in comparable sectors.

Recruiters should actively seek applicable lessons from human resource strategies in other sectors. Human service providers and state agencies that provide direct care have a variety of recruitment tools at their disposal, including the use of head hunters, recruitment by word of mouth, and web-based recruiting sites.¹⁰ By coordinating more effectively with vocational high schools and state community and private colleges and universities, providers can pinpoint high-potential populations. Developing relationships with colleges and schools in the area can provide access to fertile ground from which to draw new talent. Currently, providers are working with Whittier Vocational Tech in Haverhill to provide training to prepare students for careers in the human services.

⁹ Based on remarks of Susan Wayne, President, Justice Resource Institute in Boston.

¹⁰ The Massachusetts Department of Mental Retardation in 1999 ran a successful recruitment campaign that, together with direct mail, radio, posters, newspaper ads, and a toll-free number, made extensive use of a web site (<http://www.RewardingWork.org>). The agency received 2,000 inquiries.

► **Concentrate on high-potential candidates.**

Precious time and resources can be saved by improving the screening process. Freda Bernotavicz, University of Southern Maine, described the State of Maine’s experience utilizing competency-based hiring (<http://www.providers.org/Competency.doc>). This targeted approach to screening and selection focuses on the underlying competencies needed for effective job performance, thus reducing the probability of turnover by improving the person/job match.¹¹ David Wilcox also discussed the *Career Path Maker*, a tool created through funding from the National Skill Standards Board that helps young people and others who have never been in human services to explore their interests and preferences.¹² These tools help determine whether candidates are a good match for the job at hand.

► **Consider and beware of the complexities of international recruiting.**

Marianne Taylor remarked that, across all sectors of the state economy, employers are increasingly recruiting workers from other countries.¹³ The human services sector is no different in this regard (<http://www.providers.org/International.doc>). A variety of providers have recruited foreign direct care workers, attracted by their elevated skill sets, training, and level of cultural sophistication. Richard Walker discussed how Road to Responsibility (R2R) in Marshfield has systematized its recruitment and integration of foreign workers, mainly from the Czech Republic. Experience has taught R2R that international recruiting is not a cost-saving measure. It is just as expensive as (if not more than) other strategies because of the many challenges of hosting foreign direct care workers, including housing, travel costs, the logistics of international interviewing and recruitment,

Can Volunteerism Play a Role?

Volunteerism could play a role in addressing recruitment challenges by redistributing resources in a manner that makes advancement within the industry more attractive. John Isaacson, of the executive recruiting firm Isaacson and Miller, suggested the creation of a non-profit Human Service Corps (http://www.providers.org/HS_Corps.doc) modeled after the Peace Corps or AmeriCorps. Such an organization, Isaacson submitted, could engage the idealism of people in their late teens and early twenties and expand the entry-level direct service labor pool. From the provider perspective, these young individuals could do certain types of work for lower wages, and the savings could be used to create a promotional or career ladder for outstanding workers. From the individual volunteer’s vantage point, the work would provide a rewarding experience and could trigger a modest scholarship.

¹¹ Freda Bernotavicz is Director, Institute for Public Sector Innovation, University of Southern Maine.

¹² David Wilcox is Executive Director of the National Skill Standards Board (<http://www.nssb.org>).

¹³ Paul Connolly, Chairman of the Federal Reserve Board, noted at A *Statewide Skills Summit*, “In the past year, employers used more than 3,000 H1 visas to hire workers from other countries.”

paperwork, cultural issues, and meeting visa and training requirements. R2R continues to make extensive use of Czech workers because it enables the organization to employ a highly motivated, positive and stable workforce, and it gives local workers a heightened sense of the value of their work, an enhanced awareness of the world, and ultimately significantly lowers the turnover rate of local staff. Many organizations are recruiting in Nigeria, England, Ireland, South Africa, and other nations.¹⁴

► **Don’t be afraid to recruit leadership from other sectors.**

The industry can partially address its need for leaders by increasing efforts to *borrow leadership*—attract executives and leaders—from other sectors. Given the high value placed on “calling” or the value of the work done by human service providers, Susan Wayne, Justice Resource Institute, suggested that many people who have not acted on these urges (and may now be able to afford to work in the sector) “can learn and contribute a lot. They can run projects and provide expertise in specific areas. They can broaden the sector’s perspective and excite current employees. It can be for a short stint or they may want to stay permanently. Either way, it helps to get the word out to others who may stay permanently and could lead to exchanges with other industries.”

Retention Strategies

Once adequately educated workers have been recruited to fill key human services positions, the industry will need strategies for retaining them. As in other industries, retention strategies must focus on the *motivations* of the target labor pool. In addition to a decent wage and benefits package, human services workers want to care for the vulnerable and to “make a difference.”

► **Create a leadership model that focused on a health work environment.**

A healthy human services work environment will take seriously issues of financial security, of effectiveness (of treatment and personnel), access to clear paths for advancement, safety, and emotional and cultural support. At the most basic level, only by evincing a culture of respect and dignity for both clients and caregivers can human services organizations retain workers and achieve successful clinical outcomes.

Roger Brown, CEO/founder, Bright Horizons, noted that retention in the human services sector is often dependent on how well the ethos reflects the mission and how motivated colleagues are by the ethos. Leadership is paramount in establishing effective policies and creating an ethos around which the entire organization can thrive. A conference panel on leadership suggested that a good leader will use a number of strategies to set the climate for his or her organization and shape its culture:

- **Clarify the organization’s mission and priorities.** The organizational leader has to distinguish himself/herself from a manager by demonstrating the organization’s commitment to achieving the mission and embodying its ethos.

¹⁴ Richard Walker is CEO, Road to Responsibility, Inc., Marshfield, MA.

- **Manage with a focus on teamwork.** Creating a community where there is collaboration at all levels to ensure effective work plans takes patience, but is crucial to the organization's effectiveness.

- **Emphasize communication.** The leader must cultivate speaking *and* listening within the organization—including listening to clients.

- **Create a learning organization** that will offer new staff learning opportunities and ways to grow. It will also promote flexibility, delegate tasks, support independent thinking, not create unnecessary obstacles, and allow alternative methods of accomplishing the work. The key point here is not to be afraid of failure and to establish ways of determining what is failure and how to learn from it.¹⁵

▶ **Make training and mentoring integral to the mission.**

Opportunities for training, mentoring and advancement

Not surprisingly, provider organizations are finding it increasingly difficult to hold onto people who will grow into the next generation of organizational leaders. Providing opportunities for employees to advance within the organization requires clear definitions of the skill sets required for promotion. Employees need access to information about training possibilities, tuition remission, and how further specialization can impact promotion. Those wanting to assume greater responsibilities should at the very least understand clearly what promotional opportunities—from direct care to management or professional status—are available and what each rung of the ladder requires. Holding meetings with new employees and interns to offer clear plans and options is advisable, as is making clear which specific certifications and documentation of skills are necessary. Interns are often highly motivated individuals with a yearning for responsibility and, given the dearth of leadership in the sector, such individuals can be invaluable.

Speakers throughout the conference insisted that a viable retention strategy must make opportunities for training, mentoring, and advancement based on skill acquisition integral to the mission of service organizations. Specifically, speakers suggested that as part of training and mentoring programs providers

- cover the organization's mission and the employee's role in it, together with the fundamental outlook behind the mission
- teach how the organization's view of its clientele is reflected in client outcomes and how outcomes are evaluated by the organization (clearly defining success and underscoring the role of reporting to attaining success)
- clarify how the organization listens to and expresses views
- focus on basic skills but include in an overarching basic training plan the gradual development of quantitative skills, budgeting, evaluation, and study by case method
- offer incentives for life-long learning

¹⁵ Summary of remarks by Floyd Alwon, Barry Krisberg (President, National Council on Crime and Delinquency), and Roger Brown.

- ensure that curricula are relevant and flexible enough to changing client profiles and needs

- periodically review how to read, write, compile, and analyze reports with employees, taking time to discuss how to better align reporting with the organization's mission.

Occasions should be provided for workers to assume responsibility for tasks like budgeting and case management, as these constitute intermediate steps on a path of career advancement and helping to test workers' ability to take on managerial responsibilities. In addition, speakers noted that crucial to any training policy is establishing mentoring partners and a mechanism to chart the organization's progress.

Continuous Quality Improvement

Susan Wayne described Continuous Quality Improvement (CQI) as an effective tool for stimulating workers to become more involved in the organization and even in sector learning. "CQI calls for putting colleagues from every level of the organization into 'quality circles' and having them consider problems and opportunities, letting them develop the policies and procedures," Wayne explained. "Doing so, they begin to feel they own the agency and its mission, and this promotes collegiality and professionalism. Along with training opportunities and career ladders, CQI helps convey their personal opportunity in the mission."

▶ **Work with institutions of learning at all levels to refine curricula and course offerings aimed at specialization.**

Private Higher Education

Institutions of higher education have a role to play in skills development, from basic training to specialization. They can best prepare the future human services workforce by making sure relevant programs provide the real-life skills needed for direct care and beyond. Private universities including Boston University, Simmons College, and Suffolk University have been leaders in fine-tuning course offerings to suit the needs of providers and the aspirations of workers already in the field.

Among efforts by the School of Social Work at Boston University (BU SSW) to reach out to providers and keep abreast of community-based provider needs are involving full-time faculty in the provider network and employing providers as adjunct faculty. The school has also sought out and won "grants with training components and stipends," BU SSW Dean Wilma Peebles-Wilkins explained. "For example, working with DSS [state Department of Social Services], BU SSW has been using child welfare training grants (federal Title 4B) to fund stipends for the MSW students and provide opportunities to develop outreach workers. DSS outreach workers in the MSW program do on-site group work training. DSS youth work on the project, too. BU offers traditional postgraduate certificate programs and also non-traditional ongoing continuing education workshops for master's level people and training for paraprofessional workers" and other direct care workers, including immigrant workers. BU holds on-site "group work seminars for the workers at the Pine Street Inn. We provide skills building, consultation, and problem solving," she added. (<http://www.providers.org/bussw.doc>)

Simmons College's School of Social Work has developed a program to prepare clinical social workers for leadership roles in urban communities. The Urban Leadership program, directed at individuals with demonstrated leadership skills and a commitment to working in urban areas, is an enhanced Master's program that allows for a flexible course schedule. It emphasizes a mastery of Spanish to prepare graduates to serve communities more effectively. Students completing the program graduate with a Certificate in Urban Leadership in addition to their MSW degrees. (http://www.simmons.edu/gssw/academics/urban_leadership/home.html)

"We expect full-time faculty to be out in the community" in order to be more current, explained Sandi Matava, Professor and Administrator of the Public Management Department of Suffolk University. "We also use adjunct faculty from the provider network." In addition to partnering with providers to offer specialized training, Suffolk University has created a certificate program with the MCHSP to address providers' need to develop the next generation of organizational leaders. Suffolk's Public Management program selects a handful of students with some undergraduate and work experience to join its Health and Human Services Management Certificate Program. With graduate specialization, these individuals can go on to attain leadership positions in community-based organizations. Suffolk has also developed some dual degree programs to reduce the cost of cross-specialization. (<http://www.providers.org/Suffolk.doc>)

Public Higher Education

Students in the state college system are especially significant to the state's workforce development strategy because they tend to remain in state after graduation. This is especially true of students in the community college system, which "enroll 200,000 individuals each year, 110,000 in credit programs."¹⁶ Accordingly, the state college system must refine programs and redirect system resources within community and four-year institutions to address local workforce needs.

Providers and the EOHHS can exploit the potential in public educational institutions for meeting human services workforce needs, and some work is already underway in this area. The EOHHS recruits students from colleges, community colleges and high schools to join the state government workforce in the area of early childcare. Robert Gittens, Secretary of the Executive Office of Health and Human Services, noted "[EOHHS] has also established a college-level partnership with the University of Massachusetts called *The University Without Walls*, where we identify people interested in the human services, bring them into state agencies, and give them the opportunity to gain experience in the sector."

Another promising way to leverage public institutions of higher education is the tuition remission program (TRP) for employees of state-contracted human service organizations,

¹⁶ Carole Cowan, President, Middlesex Community College, from summary of remarks at *A Statewide Skills Summit*: "We are preparing the workers of Massachusetts. Graduates of the public system stay on in Massachusetts. It translates into the health of the economy. A lot of our programs are built on models of partnerships with private business."

developed by the State Board of Higher Education and the MCHSP. TRP allows eligible employees in the human services industry to attend relevant courses in the state college system free of charge. (<http://www.providers.org/tuitionremission.html>)

► Work with institutions of learning at all levels to create career ladders.

Increasingly states are looking to provide more structure to training efforts. Speakers at various panels discussed certification and career ladders as tools for motivated workers to become more involved in their jobs and, more generally, the sector. A career ladder (or path), at least traditionally, has been a conduit to advancement within an industry that makes explicit the conditions and rewards for attainment. To facilitate understanding of the requirements for advancement, generally career ladders are accompanied by certification programs, which can be tiered, integrated, or both. While one-time incentives or awards are often used to stimulate participation in such programs, skills credentialing and the development of career ladders seek to motivate workers to enhance their skills in return for increased compensation in the future.

There are many examples of career ladder programs in other states. City University of New York (CUNY) has created the *Ideals Mentoring Program* to provide current workers with tuition aid and stipends for on-the-job and after-work training and mentoring. Marianne Taylor singled out the State of Ohio for its efforts to emphasize local needs and flexibility, while creating a simple statewide career ladder. The credentialing system is employer-driven and applicable across several sectors.

State officials in Massachusetts recognize the need to expand certification opportunities and to give the provider community a strong say in their formulation. Locally, providers can take advantage of already available career ladder programs to make more efficient use of their training and mentoring resources:

- The Tuition Remission Program administered by the MCHSP and offered through the Board of Higher Education provides training opportunities in the state college system at minimal cost to providers.
- The Department of Mental Retardation funds training in a 21-credit curriculum designed for direct care workers studying in the community college system. Workers who complete the program receive an upgrade in salary and bonuses.
- The Governor's Workforce Development Task Force, in partnership with government agencies and stakeholders, has created Building Essential Skills Through Training (BEST), a program that seeks to complement and supplement the significant amount of private sector training available, by providing funding and agency cooperation for training in and around the workplace.¹⁷ In addition to resources and regulatory flexibility, agencies participating in BEST collaborate on the design and implementation of training programs originally proposed by employers.

¹⁷ The partnership includes the Governor's office, Commonwealth Corporation, Department of Labor and Workforce Development, Department of Education, Division of Employment and Training, and Department of Transitional Assistance.

► **Ensure that career ladders and credentials do not become barriers to recruitment. The point is to build up those within, not block those outside.**

Excessive credentialing can create barriers to qualified but uncertified employees and end up bureaucratizing human resource practices. James Peyser, a state government official, also observed that the “danger” associated with role definition is that it can be used to create inefficiencies or impediments to sharing functions.¹⁸ Credentialing, if not done right, can raise guardrails around pathways and exclude people with potential, experience, and skills from other sectors. BEST and the School Readiness Commission outlined by the Governor’s Workforce Development Task Force break down barriers rather than erect new ones. The Commission, for example, facilitates agreements

“There is a danger that we fall into a trap of excessive credentialing, that the only people who can do work are people who have credentials, regardless of their actual skills and abilities.”



—James Peyser,
Gov. Swift’s education advisor

among state agencies and institutions so that uncredentialed people trying to enter sectors like childcare and early childhood education will have access to training and education linked to a career path and, ultimately, advancement.

Excessive credentialing, according to Peyser, is more likely when institutions of higher learning take too much of a leadership role

in defining curricula and credentials. Then “there can be a tendency for the exercise to become divorced from the needs of employers and providers on the ground. It becomes more of an academic exercise and less oriented toward workforce development and practical ways to meet the needs of clients. The academy presents interesting but challenging cultural aspects, not all of which are desirable when trying to maintain a highly skilled workforce responsive to the changing needs of clients and providers.”

One way to guard against excessive credentialing is to establish a broad cross-industry matrix of credentials. In 1994 the Department of Labor gave the National Skill Standards Board (<http://www.nssb.org>) the charge to build a voluntary national system of skill standards across the economy. David Wilcox explained that the focus shouldn’t be on trying to certify the job but to certify skills attached to the position. “If we can modularize skills and be able to define and assess those skills effectively, then there would be much more portability of work—even across sectors of the economy—than seems possible now.” In a sense, such a system would attempt to catch up with the mobility of the workforce. “Defining, assessing, and understanding the relevance of skills related to service provision could allow for more efficient training. You might start at the 60 percent point and then add some refined,

¹⁸ James Peyser, Senior Advisor to the Governor on Education and Worker Training, from summary of remarks at *A Statewide Skills Summit*.

technical skills.” Management would be able to depend on a more mobile, flexible workforce, and workers would be able to handle more than one task or function. “People moving in and out of your industry would then be of benefit, as people with great experiences and contributions in other enterprises could more readily bring that new experience and freshness... To facilitate this efficiently, we need to have a sharper focus on the packages of skills, the modular skills that can be organized and packaged in such a way that can lead to very specific credentials. We need to reward and motivate people to attain new skills. The key word here is *flexibility*.”

Political Leadership Strategies

► **Stand behind leadership efforts to overhaul the state bureaucracy and free up moneys for increased provider reimbursement rates.**

An indispensable part of developing a skilled human services workforce is to ensure that the state’s relatively generous financial commitment to the human services reaches direct care workers. Low wages have become a significant part of the industry’s image. To make working in the human services more attractive to newcomers (and those already in the field), a more reasonable level of compensation and benefits is needed. Increased funding in the current budgetary straits is not possible, so political leaders must push for increased efficiency in the state’s bureaucracy as a way to squeeze reimbursement rate increases out of the state.

► **Stand behind the reform of regulations that impact efficiency and the work environment.**

The work environment is impacted directly by the regulatory universe within which providers operate. Unfortunately, our current regulatory regime is compliance-oriented and discourages creativity. Yitzhak Bakal, North American Family Institute, commented, “Most of the regulations aim to protect the [state] agencies and have very little to do with the safety of clients.” The focus on compliance is because the rules “seem to be developed by those who know little about the field and are not connected to the day-to-day work.” Often they “are created in response to a particular crisis and then generalized in ways that often do not make sense.”¹⁹

“Private organizations can provide that creativity and flexibility of treatment that the state cannot,” Bakal continued. But the current regulatory regime robs providers of flexibility. “The state agencies’ contracting system turns the non-profit providers into timid organizations afraid to take risks, when risk-taking is one of the most important principals in dealing with—and treating—people.”

Instead of turning providers into an arm of the bureaucracy, the government should preserve providers’ ability to be effective and innovative, for that is in the best interests of the state’s clients and what motivates workers in the sector. These goals can be achieved by requiring the attainment of broad performance

¹⁹ Yitzhak Bakal is President of the North American Family Institute, Danvers, Massachusetts.

measures—where appropriate, based on client outcomes—in exchange for greater flexibility. Such a trade-off, however, is only possible if the state does the hard work of determining what outcomes it seeks from the community-based system. Rewarding performance with bonus reimbursements determined by experts from within and outside the state would further encourage clinical innovation and high-quality service.

The same flexibility would also make interacting with the state’s oversight offices less of a hassle for case managers. “Too often,” Secretary Gittens explained, “we have providers act in a caretaker role. We apply a strict set of rules and regulations that leaves them only the risk of something going wrong. Everybody expects to be held accountable when things go wrong, but we also have to create an environment in which people can take reasonable risks and exercise their professional judgment.”

Gittens suggested that there are two ways of allowing providers to take certain risks without jeopardizing outcomes. The first is to increase collaboration, “redesigning the way we do business in government and outside, partnering with people and communities, partnering across agencies.” The second is to shift the government’s focus from compliance to outcomes.

► Stand behind efforts to reduce regulatory barriers to hiring.

State agencies have a legitimate interest in the health and safety of clients in their care. Assessment and oversight are crucial functions when contracting out services to private providers. But as *Purchase of Service Reform: Final Report*, released by the Executive Office for Administration and Finance, argued 12 years ago, standards have not necessarily “developed with an eye to effectiveness. For instance, staff credentials may be required which bear no relation to actual job responsibility or to client need (and may lead to unnecessary cost).”²⁰ As Joe Loconte underscored in *Seducing the Samaritan*, published by Pioneer Institute in 1997, state regulations often require providers to hire staff with qualifications and experience levels that are hard to find and harder to get on the payroll given the reimbursement levels provided by the state.²¹ There are also regulatory barriers to the recruitment of effective staff, such as the Criminal Offender Record Information (CORI) statute (see sidebar, next column).

²⁰ Executive Office for Administration and Finance, *Purchase of Service Reform: Final Report* (January 31, 1990), Appendix B, 24.

²¹ Joseph Loconte, *Seducing the Samaritan: How Government Contracts Are Reshaping Social Services* (Boston: Pioneer Institute, 1997), 61-63.

“If you’re expecting me to defend the bureaucracy and the way government works, I’m going to disappoint you. The model no longer works—or meets the needs of the people we serve or the people in our organizations. It is time to rethink the model.... It is time for serious change in state government agencies.”

—EOHHS Secretary
Robert Gittens



Focus on CORI

The CORI (Criminal Offender Record Information) evaluation requires that providers request a CORI report on any individual with unsupervised access to a client. The provider must then scrutinize the CORI for crimes on three state-defined “presumptive disqualification” lists. Individuals on the lifetime list are not eligible for any health and human services jobs. Others are not eligible for five or ten years, depending on the crime committed. Providers seeking to hire individuals in the five- and ten-year categories must (at the expense of the provider) find a criminal justice official or a qualified mental health professional and get him/her to send a statement noting that the applicant does not pose risk of harm. Otherwise a provider must get an exemption from an EOHHS agency official. At the end of the CORI process, the provider must decide whether the applicant poses a danger to clients.²²

Yitzhak Bakal, of the North American Family Institute, noted that CORI regulations can be counterproductive to organizations like his own that provides residential care to “young people with substance abuse problems and young people who have broken the law.” CORI “forbids us from hiring people who, because they have had similar problems, can be very effective with our young clients. As a sector, we are restricted from hiring individuals who have been some of the biggest successes in self-help groups because of their experience and knowledge of how people can succeed and how people can fail.” Clearly, any change in CORI must not come at the expense of client safety. It should be possible, for example, to restrict the range of job possibilities for ex-criminals, allowing them greater latitude in counseling programs, but not in programs involving home visitation. While the CORI issue is controversial and has a negative effect on a very limited number of program types, there are other regulatory issues that are not.

Conclusion

Non- and for-profit providers have begun undertaking some of this work, as have private and public colleges. But, clearly, the biggest pieces of the puzzle lie in the hands of state policymakers. With the current fiscal crisis, Beacon Hill is scrambling to find efficiencies, and the state’s regulatory offices have begun to grasp the desperation of providers and may finally be ready to join forces for real reform. The time for this work is now. Even if the fate of thousands of human service recipients is not enough to get the attention of policymakers, the upcoming open gubernatorial election may be. The electorate should measure each candidate up against his or her ability to tackle what is probably the most significant issue to the vulnerable among us.

²² Ernest Winsor, *The CORI Reader* (Boston: Massachusetts Law Reform Institute, June 15, 2002), 13-14.