



VERMONT LEGISLATIVE Joint Fiscal Office

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Fiscal Note

4/14/2022

Nolan Langweil

H.265 – An act relating to the Office of the Child, Youth, and Family Advocate

Senate Health and Welfare Proposal of Amendment

As passed by the House

<https://legislature.vermont.gov/Documents/2022/Docs/BILLS/H-0265/H-0265%20As%20Passed%20by%20the%20House%20Unofficial.pdf>

Senate Health and Welfare Proposal of Amendment

<https://legislature.vermont.gov/Documents/2022/WorkGroups/Senate%20Health%20and%20Welfare/Bills/H.265/Drafts,%20Amendments,%20and%20Legal%20Documents/H.265~Katie%20McLinn~As%20Recommended%20by%20the%20Senate%20Committee%20on%20Health%20and%20Welfare~4-14-2022.pdf>

Bill Summary

The bill would establish the Office of Child, Youth, and Family Advocate for the purpose of advancing the interests and welfare of Vermont’s children and youths receiving services from the Department for Children and Families (DCF). The office would act independently of any State agency in the performance of its duties.

The bill passed the House on April 28, 2021. While the bill had an appropriation, it passed after cross-over and was not acted on by the Senate during the 2021 Legislative Session. As such, this appropriation was not accounted for in the FY 2022 budget, nor is it accounted for in the FY 2023 budget as passed the House.

Office of the Child, Youth, and Family Advocate

Sec. 1 of the bill would create the Office of the Child, Youth, and Family Advocate. The office would be directed by the Child, Youth, and Family Advocate, which would be a full-time exempt position within Vermont state government. The Advocate would be appointed by the Governor (from among applicants recommended by the Oversight Commission, also created in Sec. 1) and be subject to confirmation by the Senate. The Office would also have a Deputy Advocate. The estimated ranges for salaries and benefits are as following:

Job	Salary Est.	Benefits & FICA Est. ¹	Other	Total Gross Est.
Child, Youth, and Family Advocate	\$75,000 - \$100,000	\$15,000 - \$33,000	N/A	\$90,000 - \$133,000
Deputy Advocate	\$60,000 - \$80,000	\$15,000 - \$31,000	N/A	\$75,000 - \$111,000

There would also be administrative expenses associated with the office which include costs for equipment, travel, information technology and telecom, purchased services and other expenses which could cost as much as \$10,000. Additionally, costs for space can range from \$10,000 to \$20,000 annually depending on the size and location of the space. To the extent the office would need further administrative resources or personnel, the Advocate would propose this in future budget requests to the Legislature.

Child, Youth, and Family Advisory Council

Sec. 1 of the bill would also create the Child, Youth and Advisory Council, to provide advice and guidance to the office regarding administration and operations of the office. The Advocate would appoint nine stakeholders who have been impacted by child welfare services provided by DCF and would be eligible to receive per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for up to 8 meetings annually.¹ It is estimated per diems and reimbursements would cost approximately \$9,000 annually.

Oversight Commission on Children, Youth, and Families

Sec. 1 of the bill would also create the Oversight Commission on Children, Youth, and Families to provide guidance and recommendations to the office. The Commission would have the administrative, technical, and legal assistance of the Agency of Administration. In addition to the Executive Director of Racial Equity, the Commission would have 2 legislators and 6 other members, all of whom would be eligible to receive per diem compensation and reimbursement of expenses as permitted under 32 V.S.A. § 1010 for up to 4 meetings per year.² It is estimated that per diems and reimbursements for the non-legislative members would cost approximately \$3,000 annually. Per diems and reimbursements for legislative members would be nominal and could be absorbed within the existing legislative budget.

Appropriation

Sec. 7 would appropriate \$120,000 to the Office of the Child, Youth, and Family Advocate from the General Fund in FY 2023 for carrying out the purposes as proposed in the bill. The appropriation would take effect January 1, 2023.

Fiscal Summary

Assuming a January 1, 2023 start date for the office, it is estimated that the costs in the first year could range between \$99,000 and \$140,000. The bill appropriates of \$120,000 which was based on a mid-range estimate. Fully annualized costs for the office as envisioned in the bill could cost between \$195,000 and \$288,000.

Office of the Child, Youth and Family Advocate		
Estimated Budget (Range)	Low	High
Advocate - wages and benefits	\$90,000	\$133,000
Deputy Advocate - wages and benefits	\$75,000	\$111,000
Rented property / space	\$10,000	\$20,000
Other (equipment, travel, IT/telecom, purchased services, other)	\$10,000	\$10,000
Per Diems for Advisory Council Members	\$7,000	\$9,000
Per Diems for Commission Members	\$3,000	\$5,000
<i>Annualized</i>	<i>\$195,000</i>	<i>\$288,000</i>
Jan.1, 2023 effective date for Appropriation	\$91,000	\$133,000

¹ 32 V.S.A. § 1010 - <https://legislature.vermont.gov/statutes/section/32/015/01010>

² 32 V.S.A. § 1010 - <https://legislature.vermont.gov/statutes/section/32/015/01010>