
Supporting Cross-Program Integration: Some Recommendations for Federal Policy and Practice

By Mark Greenberg and Jennifer L. Noyes

The 1996 welfare law afforded new opportunities for states to deliver coordinated services through greater cross-program integration. The experience heightened the interest of many states and localities in initiating new efforts to integrate programs designed to assist low-income individuals and families.

There are, however, many challenges to service integration. Narrow and restrictive federal funding and regulatory structures are frequently identified as key challenges. Yet, there is no common understanding of the extent to which federal funding silos, different eligibility and reporting requirements, and conflicting regulations actually impede serving families in a comprehensive, integrated manner.

The lack of common understanding became evident during consideration of the expanded waiver authority—which came to be known as the superwaiver—included in the Bush Administration's 2002 proposal to reauthorize the Temporary Assistance for Needy Families (TANF) block grant. As the superwaiver was debated, it became apparent that it was difficult to carry out a conversation about federal barriers without reviewing the extent to which federal requirements impaired states' ability to implement integration initiatives. It also became apparent that a broader discussion of how federal law and agencies might support program integration efforts ran the risk of getting sidetracked by disputes about the superwaiver.

The National Governors Association Center for Best Practices, the Hudson Institute, and the Center for Law and Social Policy (CLASP) initiated a project to identify several key areas in which states wanted to promote service integration and to analyze potential legal barriers to such integration. As part of the project, Mark Greenberg from CLASP and Jennifer Noyes, formerly

from Hudson and now with the University of Wisconsin-Madison Institute for Research on Poverty, (who share a belief in the importance of supporting service integration but differ in their views of the superwaiver) sought to develop joint recommendations for federal action to support state and local service integration efforts.

The project began by identifying three different areas of service integration:

- ▼ Integrating TANF-funded employment efforts with programs under the Workforce Investment Act (WIA) to create a workforce system in which service strategies are based on individualized determinations of needs rather than narrow categorical eligibility rules.
- ▼ Aligning policies and procedures in public benefits programs—Medicaid, the State Children's Health Insurance Program (SCHIP), TANF cash assistance, and state child care programs under the Child Care and Development Fund (CCDF)—to provide for a single application and harmonized verification, reporting, and recertification requirements.
- ▼ Providing comprehensive services to children and families, with family-based case management and the capacity to link family members with needed services.

Staff from CLASP and the Center on Budget and Policy Priorities (CBPP) then analyzed and prepared papers about the legal issues arising in integration efforts in each of the identified areas. The resulting papers, available at http://www.nga.org/center/topics/1,1188,D_6518,00.html, were:

- ▼ *Integrating TANF and WIA Into a Single Workforce System: An Analysis of Legal Issues* by Mark H. Greenberg, Emil Parker, and Abbey Frank of CLASP.

- ▼ *Aligning Policies and Procedures in Benefit Programs: An Overview of the Opportunities and Challenges Under Current Federal Laws and Regulations* by Sharon Parrott, David Super, and Stacy Dean of CBPP.
- ▼ *Providing Comprehensive, Integrated Social Services to Vulnerable Children and Families: Are there Legal Barriers at the Federal Level to Moving Forward?* by Rutledge Q. Hutson of CLASP.

While each paper provides detailed analysis, key conclusions were:

- ▼ For TANF-WIA integration, the authors conclude that states can take significant steps under current law but face barriers to full integration, largely flowing from Congressional decisions in the TANF and WIA legislation.
- ▼ For public benefits simplification and integration, the authors conclude that while there are some limits, current law enables states to develop a single application form and harmonize reporting, verification, and recertification requirements.
- ▼ For comprehensive family services, the author concludes that the greatest barriers relate to non-legal issues that arise in efforts to bring multiple programs, funding streams, and organizations together in a coordinated or integrated effort.

Taken together, we (Greenberg and Noyes) believe the analyses suggest that:

- ▼ In some instances, the principal barriers to service integration are not legal. Thus, while addressing legal barriers should be one component of an effort to assist states, it is also important to address such issues as management, resources, leadership, and vision.
- ▼ Perceptions of legal barriers can create stumbling blocks, and addressing those perceptions can make it easier to address other important issues.
- ▼ Often, states are not fully exercising available options under federal law. This may be due to policy or resource considerations or because options are relatively new, but it also occurs because options are not straightforward or require technical expertise just to understand. Federal agencies often do not offer technical assistance in areas cutting across multiple programs, agencies, or departments.

- ▼ Differing federal requirements do make some integration efforts more difficult. Some differences arise because agencies write regulations without striving to foster consistency across programs. Often, differences arise because Congress enacts inconsistent requirements affecting closely related programs. The differences may reflect underlying Congressional policy decisions or may simply reflect that different committees or Congresses were responsible for particular pieces of legislation.

Federal Agencies and Congress Could Do More to Help

After drawing from the papers' findings, consulting with a range of state and federal policymakers, and benefiting from a discussion session coordinated by the National Governors Association, we developed recommendations for federal action. While each author may have additional recommendations, we agree that the following steps would help support state and local service integration efforts.

The federal government should play a significantly greater role in sharing information about options under current law, including ways to address technical barriers to service integration. Currently, both central and regional federal offices often lack cross-program expertise, and clarifying whether an approach is permissible in two or more programs can be lengthy and difficult. A federal information-sharing effort could help states learn about the extent to which legal barriers can be addressed as well as effective approaches to non-legal issues. The federal role should not be to impose particular models but to be responsive to questions from states and localities.

Federal agencies should provide active technical assistance to state and local efforts. Active technical assistance could help stakeholders take advantage of the existing opportunities for integration. For example, cross-agency teams could help resolve uncertainties about whether an approach acceptable to one agency would also be acceptable to others. Again, the federal government should not prescribe specific models or intrude into areas of state discretion.

Federal agencies could reduce unnecessary cross-program regulatory inconsistencies. Differences across programs sometimes result from inconsistent reg-

ulatory requirements not required by statute. There may be a strong policy justification for the inconsistency, but it may simply result from lack of coordination. While it would not be practical to review and revise all current regulations of affected agencies, federal agencies could review regulations in priority areas recommended by states and localities. Such reviews could identify inconsistencies in definitions, data reporting, and administrative and substantive requirements and also could address inconsistencies not required by statute and lacking strong policy justification.

For new regulations, agencies could implement procedures to reduce unnecessary conflicts. For example, the process of promulgating any new TANF or WIA regulation might include expressly considering how the regulation impacts TANF-WIA coordination. Agencies responsible for key public benefits programs could develop a protocol ensuring that during the development of a proposed regulation affecting any of the programs, there is consideration of how the regulation would affect coordination with other public benefits programs. While this approach could be implemented by any agency now, it could be more formalized through the use of designated agency employees, ombudspersons, or a reviewing and commenting role by an advisory committee.

Cost allocation requirements should be simplified.

While the intent of cost allocation requirements is appropriate, they make it more difficult to integrate programs. The Office of Management and Budget and fiscal staff in a variety of executive agencies would need to be involved in the simplification of cost allocation requirements. These modifications would also necessitate changing specific requirements in the authorizing legislation of particular programs. However, the frequency with which this issue arises in service integration discussions underscores the need to develop simpler ways of implementing cost allocation principles.

The key federal agencies most involved with service integration efforts should designate staff with responsibilities for such efforts and should work together through an ongoing “Interagency Project on Service Integration.” While service integration issues could, in theory, involve any federal department, those most likely to be involved are the Departments of Health and Human Services, Labor, Agriculture, and

Housing and Urban Development. To facilitate cross-agency inquiries, each department could designate specialized staff with responsibilities for service integration initiatives and designate a specific “ombudsperson” with responsibilities for generating prompt responses to inquiries from other agencies relating to service integration questions.

In addition, the designated staff could jointly participate in an ongoing federal “Interagency Project on Service Integration” that would be responsible for:

- ▼ Ensuring proposed regulations relating to low-income assistance programs are accompanied by a statement of impact on closely related programs.
- ▼ Reviewing proposed regulations to determine the extent to which they impede or promote service integration and reporting these findings to the relevant departments.
- ▼ Developing “model” definitions for commonly used terms in closely related programs. In promulgating regulations, agencies should use the model definitions unless there is a clear legal or policy reason for using another definition.
- ▼ Working with the Office of Management and Budget to review, modify, and streamline cost allocation requirements.

Federal efforts should be guided by an “Advisory Committee on Service Integration.” An advisory committee could help ensure that the federal role is responsive to the issues that arise in day-to-day state and local efforts. The committee should have representatives from state and local governments, researchers, and policy organizations. Its functions would include:

- ▼ Advising federal agencies of key questions for which federal information-generating and -sharing would assist state and local efforts.
- ▼ Reviewing proposed regulations to determine the extent to which they impede or promote service integration and submitting comments to the Interagency Project on Service Integration.
- ▼ Developing recommendations for addressing existing regulatory inconsistencies and cost allocation requirements.

Congress could use the Congressional Research Service and improved communication between Congressional committees to reduce needless inconsistencies across programs. Congress sometimes enacts legislation without fully considering how it relates to existing programs. As a result, new or amended laws may add to the complexity faced by state and local officials attempting to make programs work together. The process could be improved if, before enacting a bill, Congress had a clearer picture of a bill's potential interactions with closely related programs.

One way of improving Congressional awareness could be through an expanded role for the Congressional Research Service (CRS). Before Congress enacts new legislation in relevant areas, CRS could provide appropriate committees with a report identifying possible implications that the legislation might have on closely related programs. Another option would be to develop a list of key programs for which coordination and integration issues frequently arise. Using the list, Congressional committees could voluntarily inform other committees responsible for closely related programs of pending legislation, providing an opportunity for review and comment before a bill was reported out.

In either case, Congress would still be free to legislate as it chose, but the information could help ensure that any newly created inconsistency was enacted with awareness and because the policy justification for the provision outweighed the resulting inconsistency.

Model definitions could reduce needless inconsistencies. Definitions of similar terms often vary across programs without clear policy justification. For example, programs have different definitions of "administrative costs." The 2002 Farm Act suggests one approach to multiple definitions: allow Food Stamp administrators to apply income and asset definitions from TANF or Medicaid for Food Stamp purposes. A similar approach could be applied more broadly. Another option is for Congress to draw from model rules and definitions developed by the recommended Interagency Project on Service Integration. Congress could depart from the model definitions, but based on a decision that the policy rationale for doing so outweighed the virtues of following the model.

Conclusion

There are many challenges to service integration beyond legal barriers. At the same time, legal complexity can impede service integration efforts. Over the last several years, the discussion of the federal role in promoting service integration has too often been reduced to arguments about the pros and cons of the superwaiver. There will likely be continued disputes about the superwaiver, and the authors of this paper still disagree about its advisability. At the same time, we agree there is far more that could be done at the federal level to promote integration.

Even without legislation, federal agencies can generate and share information, provide technical assistance, and reduce needless conflicts among regulations and other requirements faced by states and localities. Congress could do more to address the underlying structural reasons why the enactment of federal legislation often results in new complexities for state and localities. Governments and families would benefit if the federal government did more to support state and local integration efforts.

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