

1 **COMMITTEE: HEALTH AND HUMAN SERVICES**

2 **POLICY: GENERAL GUIDING PRINCIPLES: STATE-FEDERAL**
3 **RELATIONS IN HUMAN SERVICES PROGRAMS**

4 **TYPE:**

5 The National Conference of State Legislatures (NCSL) supports a continued partnership
6 between the states and the federal government to provide human services assistance to
7 children, families and individuals who need it. State flexibility, in addition to being an
8 effective tool for curbing costs, provides an opportunity for state legislators to shape the
9 way programs are run and to integrate federal, state, and local programs into a
10 coordinated system. This flexibility is not intended to provide the opportunity for states
11 and the federal government to absolve themselves of the responsibility to meet those
12 human service needs and is an integral component of the state-federal partnership.

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14 State discretion to establish and administer human services should not be replaced by
15 inflexible federal mandates and restrictions. Unless a clear and compelling case for
16 national uniformity exists, every effort should be made to permit state and local
17 governments to respond to local conditions. Since many legislatures meet part-time or
18 biennially, NCSL urges Congress and the Administration to provide adequate time for
19 state legislatures to make necessary changes to state law to implement federal
20 initiatives.

21 **COST SHIFTING**

22 NCSL opposes federal initiatives that would shift costs to states by: (1) imposing
23 unfunded mandates on states; (2) requiring states to adhere to existing requirements
24 while reducing the level of federal assistance; (3) reducing the level of federal financial
25 participation for services or administration in state administered programs; or (4) placing
26 an arbitrary spending ceiling on entitlement programs.

27 **PROGRAM CONSOLIDATION**

28 Congressional or Administration proposals to consolidate categorical social service
29 programs into block grants to states, should:

- 30 ▪ provide maximum flexibility to states with respect to program implementation and
31 administration;
- 32 ▪ include legislative language stating that block grant funding should be expended
33 "according to state law";
- 34 ▪ authorize states to determine the branch of state government responsible for
35 carrying out public participation requirements;
- 36 ▪ make explicit that the kinds of activities funded in the past under categorical
37 programs need not function as limits or requirements on the kinds of activities
38 funded under the corresponding block grant;
- 39 ▪ direct federal agencies to continue to provide technical assistance to states and to
40 facilitate information exchange among the states;
- 41 ▪ eliminate requirements which have the effect of creating categorical programs within
42 block grants;
- 43 ▪ insist that federal reporting requirements not be burdensome or require the use of
44 funds that would otherwise be used for service delivery; and
- 45 ▪ provide adequate federal funding to assure the continuation of service.

46 **CAPPING ENTITLEMENT PROGRAMS**

47 NCSL opposes the imposition of arbitrary spending caps on funding provided to states
48 for services, provider reimbursement, or state administration of entitlement programs. If
49 federal funds to state and local governments for means-tested entitlement programs are
50 capped, included in a program consolidation of categorical programs, or if growth in
51 federal funds is substantially reduced, states must be authorized to reduce or limit
52 services, eligibility and/or payments to beneficiaries and service providers. If statutory
53 and regulatory changes are not made, state and local governments must be absolved
54 from the legal obligation to provide services to entitled individuals.