

***hard choices
in hard times***

***guidelines
for decision
makers in
health and
human services***

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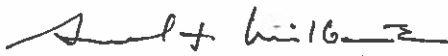
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Why this Report?

Early in 1991 officials in several states described to staff of the Milbank Memorial Fund, an endowed operating foundation, the problems of making decisions about spending and taxing during the current recession. The Fund then invited a diverse group of legislators, senior executives, and experts on state government from across the country to discuss principles for assessing and evaluating health and human services budgets in hard times.

The officials who contributed to this report address it to their colleagues in public life and to their constituents. These colleagues include elected and appointed officials; civil servants; leaders of business, industry, and unions; spokespersons for professional organizations and advocacy groups; and people who study and advise state and local government.

The report is in two parts. The first part summarizes the group's recommendations about how to make hard choices that are in the public interest. The second part, a proceedings of the discussion that produced the recommendations, describes and justifies them in more detail.


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HARD CHOICES IN HARD TIMES:

Guidelines for Decision Makers in Health and Human Services

The states have major financial problems. The governor of California says, "We could close all our universities...empty all our prisons...and still not balance the budget." The *Wall Street Journal* concludes that "increasingly there is no place left to hide" from deciding whether to reduce state spending or raise taxes "to new heights."

This report by a group of legislators, executive-branch officials, and experts on state government offers both principles and a process for making hard decisions in these hard times. Principles and processes do not make headlines or the evening news as often as prescriptions do. But they may eventually contribute to more responsible and responsive government.

Officials of state and local government are coping with the worst budget problems, and thus the most painful choices, since the fiscal crisis of 1983. Almost two-thirds of the states do not have enough revenue from taxes to fund their current programs. Even states without shortfalls are predicting slow revenue growth. Most experts expect the financial condition of the states to get worse.

The major causes of state budget problems are the national economy and the cumulative effect of federal fiscal and budgetary policy over more than a decade. The federal government, according to a recent article in the *Economist* of London, has "denationalized" many areas of policy.

Most of the states have already used their conventional strategies for avoiding deficits. They have borrowed for short

periods, frozen hiring, and reduced contributions to pension funds. Most are encouraging agencies to neglect problems that lack potent constituencies. Now they are choosing who will receive fewer services, which programs will close, and who will lose their jobs. Most difficult of all politically, state officials are deciding who, if anybody, will pay more taxes.

In many states, officials are making inappropriate decisions because they are not being systematic about the principles and processes they use to decide where to spend and where to cut. In some states, legislators and executive-branch officials are debating possible cuts program by program rather than examining the range of programs aimed at a particular group of people or set of needs. In others, they are ignoring programs that are "off budget" – those that are funded, for example, by earmarked taxes. Many states are making cuts across the board, rather than selectively, which simultaneously reduces both effective and ineffective public programs. Yielding to interest-group pressures, some states are making cuts that reduce federal funds for effective programs.

State officials are being pressed to save money today in ways that will add costs tomorrow. In some states they are being urged to reduce assistance to pregnant women, thus ensuring higher costs because more children will be born with disabilities. Other states are considering cuts in home-based care for the elderly, which will increase pressures to pay for care in nursing homes.

An alternative to making indiscriminate or unwise cuts is establishing criteria for making budget cuts that are fair and equitable and then assessing precisely who would gain and who would lose as a result of each public decision.

This report recommends a process for officials of state and local government to use when making their decisions. Central to the process is the belief that public decision making should proceed in three steps:

- *First*, establish fundamental principles about the role of government that are broadly acceptable to most people in a state or local jurisdiction.
- *Second*, assess as objectively as possible the problems that particular public programs now address, and what will happen to whom if each program is cut.
- *Third*, make choices using guidelines that weigh benefits and costs and that take account of the claims of both equity and of people's need for access to basic programs.

Principles. The principles of *fairness* and *liberty* should guide the choices that state and local officials make. Fairness and liberty have several meanings. Fairness includes taking care of the least advantaged, removing impediments to opportunity, and accommodating competing interests. Liberty connotes decisions about social needs that will have priority over individual decisions to dispose of income. Both fairness and liberty require that government be involved in assuring well-being. At times government is the agent of first resort: sometimes it is the final guarantor of health and safety.

Assessing problems. Putting these principles into action requires reasoned assessment and the placing of value. Reasoned assessment means describing the scope of social problems that public programs address or could address. To conduct a reasoned assessment, decision makers should:

1. Characterize the scope of each major social problem as measured by:

- the number of people affected by the problem and trends over time
 - the social, economic, demographic, and geographic characteristics of those affected
 - the origins and underlying causes of the problems to which programs or proposed programs are addressed
2. Assess the results, short- and long-term, of reducing or eliminating each program on the people to be served.
 3. Analyze the short- and long-term budgetary impact of proposed changes in any program.
 4. Assess the importance of each social problem and the programs that address them to both key decision makers and the general population.

Making choices. Decision makers must balance the need to provide the greatest good for the greatest number of people against obligations to individuals with special needs. First they must weigh benefits and costs. Then they must maximize equity and assure access to services that meet fundamental needs. Finally, they must set priorities.

Guidelines for weighing benefits. Decision makers should give priority to programs and policies that fulfill the following requirements:

- promote the well-being of those in need, preserve and enhance independence, enhance productivity and social integration, or foster individual responsibility in the present and in the future

- provide or contribute to long-term or systemic solutions to social problems

Moreover, programs and policies should receive priority if they improve the quality of life by

- enhancing well-being for more than a few months
- alleviating disabling pain
- reducing the prevalence and consequences of disability
- preventing illness, disability, and premature death

In addition, programs should be evaluated on the basis of their efficiency as measured by, for instance:

- the ratio of long-term benefits to costs in comparison with other programs that address the same need
- the absence of wasteful duplication
- the extent to which there is evidence of effective coordination among agencies, public and private

Finally, programs should be evaluated on the basis of their effectiveness as measured by both research and the informed views of service providers, program beneficiaries, and the citizens of a state or local jurisdiction. Many social-service programs are being evaluated. Policy makers should inquire about program outcomes and evaluation studies to determine cost-effectiveness. Such studies have, for example, demonstrated that prenatal care for high-risk women reduces expenditures on care for low-birthweight babies and that early childhood education can save about five dollars for every dollar spent.

Guidelines for maximizing equity and access.

Decision makers should give priority to programs that protect and enhance equity and access as measured, for example, by:

- the absence of an alternative effective method for meeting the needs of the affected population
- their impact on those who are most disadvantaged
- their contribution to advancing equal opportunity
- the extent to which they empower individuals and communities to gain independence and address their own needs

Hard times as opportunities. A financial crisis can also be a time to make positive changes in state government. One promising area for change is government administration. Many state and local programs and facilities are inefficient. Many are ineffective. The politics of retrenchment can become easier in hard times because the values of the general public can override the pleas of special interests.

Tax policy should also be reexamined. Taxes and expenditures that are made through tax deductions, exclusions, and credits should be evaluated using the principles and processes described in this report.

Hard times can also be an opportunity to make basic changes in how important state services are organized and financed. Some of these opportunities, especially in medical care and social services, will require freedom from federal constraints and spending mandates and changes in the private sector.

Next steps. These recommendations about principle and

process will only affect political action if decision makers and citizens use them. Such uses include asking state agencies to assess and assign priority to their programs and those of other agencies, asking leaders of business and industry to join in analyzing the efficiency of state operations, and inviting leaders of interest and advocacy groups to apply the guidelines in this report when they testify at public hearings.

These hard times will pass. Better times will bring different problems. In any economic situation, however, it is useful to assert principles, to reason more precisely from evidence, and to assert our values systematically.

HARD CHOICES IN HARD TIMES

Proceedings of a Meeting at Rensselaerville, New York

February 28 - March 1, 1991

Hard times mean hard choices for state and local government. The purpose of this report is to stimulate discussion about spending and taxing when budgets are tight. The authors of this report are public officials, former officials now in the private sector, and experts on government programs. We represent considerable diversity in our politics and geography. The report addresses mainly health and human services, but it is applicable to other areas as well.

We offer this report to the people with whom we work every day. These people include legislators, governors, and senior officials of the executive branch; officials of local government; executives in the private sector; officials of nonprofit organizations; leaders and members of unions, professional organizations, and advocacy groups; and people who study and provide advice to state and local government.

The authors share an adherence to principles that we use as the basis of guidelines for setting priorities among competing public choices. The guidelines suggest ways to (1) assess the importance of problems for which public funds are spent or sought in the areas of health and human services, and (2) make decisions about the benefits that public programs provide and the extent to which these programs protect equity and access to necessary services.

WHY MUST WE CHOOSE?

Decision makers in state and local government are faced with painful choices. These decision makers are coping with the worst budgetary problems since the fiscal crisis of 1983. State budgetary problems are both immediate and long term. Immediate problems include:

- Almost two-thirds of the states do not have enough revenue from taxes to fund their current programs.

- In 14 states the revenue shortfall in 1991 will most likely exceed 5 percent of last year's budget.
- Even states without shortfalls are predicting slow revenue growth.
- Most experts on state finance believe that the deterioration in revenues, combined with pressure to increase spending on services, will continue into and after 1992.
- The deterioration in state revenues will affect local governments, because they rely heavily on state appropriations.

As the budget problems deepen, state officials are required to make more difficult choices. Many states have already used most of the available short-term strategies to achieve budgets that meet a narrow legal definition of being balanced. They have, for instance, reduced contributions to pension funds, frozen hiring, rolled expenditures from one fiscal year to the next, and borrowed money for short periods at the end of the fiscal year. Now they are choosing who will receive fewer or less intensive services. They are deciding whether to close public hospitals and nursing homes, developmental centers, and college programs. They are selecting which state employees will lose pay, benefits, or their jobs. They are considering shifting some of the burden of local services to local governments and taxpayers.

State officials face an electorate that is increasingly reluctant to pay higher taxes and concerned about the purposes for which state revenues are spent. During the recession of 1983, many states made significant increases in personal income or sales taxes. Half the states increased taxes in 1989. But seven states accounted for 87 percent of the increase. In 1990, early in the current economic downturn, states enacted the largest tax increases since 1983. It now appears that there will be numerous tax increases in 1991. Without budget cuts, even such increases will not balance budgets for fiscal year 1992.

WHY HARD TIMES?

The major causes of the current economic crisis of state and local government are problems in the national economy and federal fiscal and

budgetary policy. An economic downturn has become a recession. The effects of the recession are increasingly visible, even if there is debate about its causes.

The federal government has been demanding more from the states for a decade while providing them with less assistance. It has reduced its share of state spending. At the same time, the federal government has placed additional mandates on the states, especially for expenditures on Medicaid.

The demands on state and local governments have been increasing as their revenues fall. The most pressing demands have been to spend more on health care (especially for Medicaid, and for insurance for state and local employees and retirees), corrections, education and out-of-home placement for children, and for the increasing number of other citizens who need the basics of food and shelter.

While demands for more public spending have increased, the economic base of many states has been shifting in ways that reduce their revenues from taxes. A service economy has, so far, provided lower wages and fewer benefits than a manufacturing economy did. Tax incentives to the private sector may eventually create economic growth and new jobs, but they also reduce revenues for states and local government, especially in the short run.

PRINCIPLES AND BUDGETARY DECISIONS

Two principles have been central to the American political process: fairness and liberty. No choices made by the executive branch or the legislature can avoid incorporating such principles and weighing each of them, implicitly and explicitly.

Fairness

The authors of this report define the principle of fairness (or justice) in different ways. For some it means giving preference to the least advantaged in society. They measure the fairness of a policy or a program by looking at who gets what. Others prefer to define fairness as guaranteeing equal opportunity and removing impediments to the pursuit of the full range of life's goals. They measure fairness by looking at what individuals can do because of a program

or a policy. Still others define fairness as political negotiation to accommodate competing interests. They describe a fair political process as one in which every group has an opportunity to compete for consideration and resources.

Liberty

The protection of individual liberty is also a central principle in American political life. Decisions about raising and spending revenue always reflect competing notions of liberty. Every public expenditure is the result of a decision that social needs, defined in a political process, should take priority over each individual's decision about how to dispose of income. On the other hand, decisions to reduce or eliminate public programs can deprive individuals of their liberty to pursue important personal goals, which will lead to achieving important societal goals. For instance:

- A poorly educated child will have few employment opportunities.
- A person with mental illness or a developmental disability deprived of care and support may not be able to assume responsibility and function in the community.
- A single mother without child care may not be able to work.
- An individual without adequate health care may become increasingly disabled.

THE FUNDAMENTAL ROLE OF GOVERNMENT

Acting on the principles of fairness and liberty requires that government take a strong role in assuring well-being. We created government because without it virtually everyone would be worse off. This is the basis of the familiar phrase, the "safety net." Government guarantees that the weak will receive care. Government offers basic economic security to the poor, the frail, and the underprivileged. Government will sometimes be the agency of first resort, because its powers and resources are necessary to protect the interests of vulnerable people; for example, by providing education and maintaining public order for everyone. Government will also facilitate the collaboration of private-sector groups in meeting social needs and assisting individuals to assume responsibilities.

GUIDELINES

Decisions about public spending and taxation for health and human services should be made after an assessment of their impact: what each decision will mean for whom. Making such assessments is a responsibility of accountable public officials. They should supervise the collection, analysis, and public discussion of information about health and social problems, programs, and policies. Most state legislatures now require a fiscal analysis of all proposed legislation. An analysis of social impact extends this useful practice.

An assessment of the social impact of a decision about spending or revenue has two broad aspects: description and evaluation. Description means assessing problems and programs as objectively as possible. Evaluation means assigning priority to programs and policies through an informed political process. The first section of the guidelines that follow suggests standards for description. The next two sections provide a guide to evaluation.

I. Describing the Problem

To be useful, an assessment of social impact should first describe the people served by an existing program or one that is proposed, its results, past or projected, and its costs in comparison with other programs that might meet the same need for the same population. A useful description should include, at a minimum, four steps:

1. Characterize the scope of the health and social problems addressed by a public program, existing or proposed.

Decisions about public spending require that policy makers have a clear understanding of the scope of the problem that public programs are designed to meet. Among the factors that must be considered are:

- the number of people affected by the problem and trends over time
- the social, economic, demographic, and geographic characteristics of those affected
- the origins and underlying causes of the problem to which the programs or proposed programs are addressed

State health and human services programs provide benefits that differ in their importance to well-being. Some programs are critical to protecting and saving lives: they meet what most people in a state or other jurisdiction define as “needs.” Others provide early intervention services to prevent more severe and costly public expenditures in the future: some people, but not as many, will also describe these programs as meeting needs. Still other programs meet “wants”: that is, they reflect the legitimate desires of some individuals or groups to have more of some benefit than they have at present. The distinction between needs and wants is difficult to make, but it is part of what politics is about. Decision makers must have a clear understanding of the nature and relative importance of a problem and of how a problem can be described in terms of a politically acceptable definition of wants and needs.

2. Assess the results, short- and long-term, of reducing or eliminating each program on the people currently or potentially served by it.

Closely linked to the distinction between “needs” and “wants” is the question of the nature of the hardships elicited by a decision to eliminate or reduce spending for a program. Hardships that follow from retrenchment may be the result of higher eligibility standards or of reducing benefits or of eliminating them entirely. The fundamental questions about retrenchment are who suffers to what extent, with what short- and long-term results, compared with who else’s suffering or disadvantage?

3. Analyze the short- and long-term budgetary impact of proposed changes in any program.

Decisions to cut some programs or to eliminate others often have unexpected results. They may shift cost to other state agencies, local government, private institutions, and individuals. They may deprive the state of federal funds. There are many examples of these problems in the recent history of the Medicaid program.

Assessment should not be limited to the question of whether to retain or eliminate entire programs. For example, the cost impact of selective entitlements could be examined: that is, the possibility of reallocating expenditure to serve persons at the greatest risk of long-term dependency; or conversely, to provide additional services to those who could most readily become independent.

Moreover, some budgetary decisions are more easily made than others. For instance, state constitutions and legislatures often dedicate revenues to particular expenditures (e.g., to transportation). These protected programs do not have to compete for funds against health and human-services programs.

4. Assess the importance of each social problem and the programs that address them to both key decision makers and the general population.

Every assessment of the impact of a budgetary decision should estimate how significant the problem is to both members of communities and key decision makers. The importance accorded to a problem will establish the range of realistic decisions about programs to address it. An important question is, How prepared are people not to have a program? Assessing the importance of a problem to voters and decision makers requires considerable political skill. It is rarely done openly. When it is, the discussion contributes to public education about what is and is not possible.

II. Evaluating Programs and Making Choices

We divide criteria for evaluation – that is, criteria for assigning priorities – into two groups: standards for weighing *benefits* and *costs*; and standards for maintaining or enhancing *equity* and *access*. This division highlights an enormous problem that decision makers have: balancing the need to provide the greatest good for the greatest number of people against the equally important claims of individuals and minorities.

Guidelines for Weighing Benefits

1. Decision makers should give priority to those programs and policies that
 - promote the well-being of those in need, preserve and enhance independence, enhance productivity and social integration, or foster individual responsibility in the present and in the future
 - provide or contribute to long-term or systemic solutions to social problems

These criteria make plain the importance of assessing the impact of problems and the programs designed to solve them before setting priorities. The criteria also underline the centrality of the principles of fairness and liberty in setting priorities.

2. Programs and policies should receive priority if they improve the quality of life by

- enhancing well-being for a reasonable period of time
- alleviating disabling pain
- reducing the prevalence and consequences of disability
- preventing illness, disability, and premature death

To the extent that retrenchment is necessary, executive and legislative decision makers will have to choose among programs all of which could provide valuable benefits to those who depend on them. In extreme situations, not only “wants” but also basic “needs” may not be met.

Thus decision makers may be placed in the difficult position of weighing who would be the most hurt, and who would be the least hurt by a proposed budget cut. Even more difficult is to face situations where spending to help some people will deprive others of assistance and worsen their condition. These choices will never be easy and may in fact create profound personal pain for some people. But even under circumstances of severe retrenchment it will be necessary to protect programs that are most likely to reduce preventable human misery, especially programs that save lives and prevent long-term disability.

3. Programs and policies should be evaluated on the basis of their efficiency as measured, for instance, by

- the ratio of long-term benefits to costs in comparison with other programs that address the same need
- the absence of wasteful duplication
- the extent to which there is evidence of effective coordination among agencies, public and private

In times of tight budgets it is especially important to confront the issue of administrative efficiency. Such efforts can limit the extent to which services must be sacrificed. It is not unusual for a single social problem to be

addressed by more than one state program and by local government. Such overlap may not necessarily represent bureaucratic “fat.” But such situations should be evaluated in order to assure that efforts are coordinated efficiently to avoid costly duplicative programming.

4. Programs should be evaluated on the basis of their effectiveness as measured by both research and the informed views of service providers, program beneficiaries, and the citizens of a state or local jurisdiction.

The methods of evaluation research may permit decision makers to make better informed choices among some competing programs. Unfortunately, most of the larger and more expensive programs have not been evaluated using the best available methods of the social sciences. Moreover, it is usually impossible to conduct formal evaluations as part of an official spending review, and especially not when a legislature is debating a budget. Therefore, decisions will almost always be made in the face of considerable uncertainty and often in the context of passionate advocacy on behalf of particular groups of vulnerable people. We should also, however, argue strongly for support of evaluation research that can improve the quality of information used in making decisions about programs.

Decisions to retrench or eliminate programs will have important effects on a variety of individuals and groups. A full understanding of these effects can be obtained only through a review process that considers a broad range of opinions. It is especially crucial to assure both program beneficiaries and their service providers an opportunity to speak in public hearings about their programs’ effectiveness and the potential burdens resulting from cutbacks as well as proposals for restructuring the programs.

Guidelines for Assessing Equity and Access

Decision makers should give priority to programs that protect and enhance equity and access as measured, for example, by

- the absence of an effective alternative method for meeting the needs of the affected population
- their impact on those who are most disadvantaged

- their contribution to advancing equal opportunity
- the extent to which they empower individuals and communities to gain independence and address their own needs

The most disadvantaged people are typically dependent upon public programs for essential services. Eligibility for these programs is often based on conditions such as poverty, mental illness, and developmental disabilities. Sometimes eligibility for public programs is the result of discrimination on the basis of, for instance, age, race, gender, or disability. Reduction in these programs can worsen the impact of the disadvantage on these individuals.

OPPORTUNITIES

Budgetary stringency also offers opportunities for state and local governments. Administrative reform is a major area of opportunity. This opportunity can include making basic changes in the organization and financing of state-supported services. In addition, the stringencies of hard times require reevaluation of what and whom states tax.

Administrative Reform

Many state and local programs and facilities are either ineffective, inefficient, or both. There is considerable redundancy in state government and often between the service programs of state and local jurisdictions. Every state official knows of programs and facilities that could be consolidated. Such retrenchment should be gradual in order to minimize economic distress for state employees and the communities that surround public facilities. Administrative reform should be preceded by evaluation. However, decision makers can ensure that public programs are evaluated properly if they require agencies and subsidized providers to report routinely data about results using the best available measures of outcome.

Administrative reform can include major changes in how a state provides and regulates health care. We have different prescriptions for providing adequate health services and different lists of priorities. We agree, however, that the states have responsibility for addressing systematically issues of health-care access and costs, including describing basic health services. Some freedom from federal constraints and spending mandates on the states and

local government will be necessary to carry out this responsibility. A major area of concern is the institutional bias of federal eligibility standards for many health and human services programs.

Any reform of health care requires changes in the private sector, as well as in federal and state law and regulation. The insurance industry must change what it covers and how it underwrites risk. Providers of health care need to make changes in both clinical and billing practices.

Taxes

Hard times also require the restructuring of state taxes. We recommend reevaluation of who is and is not taxed by what method and at what rates: our guidelines for assessing and evaluating programs should be applied to revenues as well as to expenditures. States must also choose which expenditures they want to make through tax policy: that is, by permitting deductions, exclusions, and credits. Some tax expenditures may not generate economic activity that compensates for lost revenue (e.g., local tax abatements). Other tax expenditures may provide a subsidy that could be reduced in a time of tight budgets (e.g., exempting all food purchases from sales tax). Some of us advocate reconfiguring taxes to reduce burdens on the middle and lower classes. Most are concerned that, if increases in state and local taxes are necessary, they should not be regressive. Others propose changes in the provisions of federal tax and pension laws, especially laws that limit the range of state and local policy decisions.

CONCLUSION

We believe that reasoned discussion can produce wiser decisions and provide new opportunities to assess and evaluate *all* the policies and programs of state and local government. We offer guidelines for these discussions in the hope that hard times become better times, and that hard times can be faced in a way that does not do violence to our deepest commitment to fairness and liberty.

For additional copies of this report or more information
about carrying out its recommendations, write or call:

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