

**MINUTES OF THE
CHILD WELFARE LEGISLATIVE OVERSIGHT PANEL**

Tuesday, June 24, 2014 – 1:00 p.m. – 2655 S. Lake Erie Drive, West Valley City, Utah

Members Present:

Sen. Allen M. Christensen, Senate Chair
Rep. Johnny Anderson, House Chair
Rep. Tim M. Cosgrove
Rep. Ronda Rudd Menlove

Members Absent:

Sen. Gene Davis

Staff Present:

Mr. Mark Andrews, Policy Analyst
Ms. Lee Killian, Associate General Counsel
Ms. Lori Rammell, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Christensen called the meeting to order at 1:06 p.m. Sen. Davis was excused from the meeting.

MOTION: Rep. Anderson moved to approve the minutes of the November 12, 2013, and May 22, 2014, meetings. The motion passed unanimously.

2. Processes for Reviewing Individual Child Welfare Cases

Mr. Brent Platt, Director, Division of Child and Family Services, Department of Human Services, welcomed the panel to the division's West Valley offices. He described the process for training caseworkers and said the division has also recently implemented supervisor training. He discussed the support team model, designed to help caseworkers manage stress and expectations and to aid in transparency within the division. He acknowledged that the division is subject to intense scrutiny, so caseworkers are taught how to respond to issues and complaints. He said there are some formal processes in place to address complaints the division receives. One of those processes, he said, is to refer complaints to the Office of Child Protection Ombudsman (OCPO) within the Department of Human Services. He described the process for ensuring that action is taken in a timely manner on reports the division receives from the OCPO.

Mr. Platt explained the circumstances under which a caseworker would not go alone to investigate an allegation of abuse or neglect. He said that in the majority of cases, caseworkers do go alone. However, to avoid accusations of inappropriate questioning of a child, caseworkers record each interview and keep those recordings on file. Mr. Platt indicated he would take a look at the impact of requiring more than one caseworker to go out on an investigation.

Mr. Brad McGarry, Director, Office of Services Review, Department of Human Services, discussed the handling of complaints filed with the OCPO.

Mr. Paul Schaaf, Office of Child Protection Ombudsman, Department of Human Services, explained the process his office follows to investigate a complaint and to ensure the resolution of each complaint.

Ms. Ashley Sumner, Constituent Services and Communications, Division of Child and Family Services, described the measures taken to ensure complainants' confidentiality. She stated that a child and family team meeting can effectively resolve many complaints. She indicated that DCFS is working to link its system for tracking complaints with its SAFE computer system.

Ms. Kate Hansen, Parental Defense Alliance, asked DCFS to explain which complaints should be handled by Constituent Services and which should be handled by the OCPO. Ms. Sumner said that ideally Constituent Services would like to be able to handle all complaints so that it can take ownership of the problems and learn from them. Mr. Platt noted that allegations of abuse or neglect by a DCFS employee or DCFS contractor are handled by the OCPO. He recommended that if a parental defense attorney is concerned about a caseworker's performance, that the attorney contact the OCPO.

When asked what the Legislature can do to support DCFS, Mr. Platt indicated that at some future time he can discuss a DCFS "wish list" for the 2015 General Session of the Legislature.

Mr. McGarry explained how the case process review is conducted, using a sampling of cases, and how the results of the review are used to help regions improve their performance. He distributed three charts, each titled "Compliance to Policy: In Home Draft Preliminary," which illustrate how a region's performance compares with the performance of other regions and the state standard for a particular measure.

Mr. Platt said that funding prevention, early intervention, and in-home services is always something the Legislature can do to help DCFS.

Mr. Platt indicated that he feels comfortable with the 85% performance standards used in the case process review. Rep. Menlove suggested that universities could be used to provide an independent review of the performance standards used in the case process review.

Ms. Mary Wilder, Associate Regional Director, Salt Lake Valley Region, Division of Child and Family Services, said that exit interviews conducted with individuals leaving DCFS employment have identified three themes explaining why individuals leave DCFS employment: pay, the stress due to caseload sizes and expectations, and the absence of a pathway for career advancement.

Mr. Platt said that DCFS has been working in partnership with the Department of Workforce Services (DWS). He said that DCFS would be meeting with DWS the following week to discuss a pilot program to be initiated in August that will streamline service planning for 50 families receiving services from both DWS and DCFS and will include attendance by DWS workers at DCFS child and family team meetings.

Ms. Kristin Lambert, Services Review Manager, Office of Services Review, Department of Human Services, explained the office's qualitative case review, which she said measures how the child welfare system engages families. This is done, she said, by sending reviewers to interview caseworkers, foster parents, biological parents, teachers, etc. She said the feedback includes areas for improvement and areas in which a region excels, and that the information is used to determine why some cases were more successful than others and how those results can be replicated. She stated that the comments collected during regional reports are not included in the report, but are available online for those who wish to read them. She said that any region that falls below standard is required to write an improvement plan, and, in her experience, those plans work to motivate improvement in that region. She cited Western Region as an example: It had a poor qualitative case review last year but, as a result of its improvement plan, its scores went up this year across the board. She indicated that as a result of Western Region, her office has learned that it should pay attention to even minor declines in performance.

3. On the Ground: The Caseworker's and Supervisor's Viewpoints

Ms. Marnie Maxwell, Intake Supervisor, Division of Child and Family Services, described DCFS's centralized intake operation, which answers calls 24 hours a day and takes more than 5,000 calls a month. She said its goal is to answer incoming calls as quickly as possible so that the caller does not have time to

change his or her mind and hang up. She described how emotionally draining intake work can be and said that it can be difficult to decide whether or not to open a case file in response to a call.

Ms. Lauren Judd, Lead Caseworker, Child Protective Services, Salt Lake Valley Region, Division of Child and Family Services, described the process she follows for responding to an allegation of abuse or neglect. She said that her job is to assess the child's safety and determine exactly what is going on in each case. She indicated that the ability to de-escalate situations is a valuable skill for caseworkers.

Ms. Jamie Luna, Kinship Caseworker and former Permanency Caseworker, Division of Child and Family Services, described the role of DCFS permanency caseworkers. She also described the role of DCFS kinship caseworkers, noting that kinship caseworkers are on call to investigate potential kin placements and expedite the placement process. She noted that kin caseworkers act as mediators between DCFS and two other agencies, the Office of Recovery Services within the Department of Human Services and DWS.

Ms. Anna Whisler, Family Preservation Worker, Logan Office of Northern Region, Division of Child and Family Services, described her role as a family preservation worker. She said that she tends to work with high-risk families and that her goal is to reduce the level of risk to a child within 30 to 90 days so that the case can either be diverted to lower intensity services or closed altogether. She said the most difficult part of her job is the lack of resources for families who need them.

Mr. Warren Malupo, Permanency Caseworker, Salt Lake Valley Region, Division of Child and Family Services, described his work with the Transition to Adult Living program, which includes youth between 16 and 21 years of age. He said his job is to act as a hub in DCFS' team-based strategy. He said that the division's highest priority is reuniting children with their families and that a last resort is arranging for individualized permanency. He thanked the Legislature for passing 2013 H.B. 156, which deals with the restoration of parental rights. He also thanked the Legislature for passing the 2014 "normalcy" bill, which allows youth in foster care to live their lives more like teens not in foster care.

Ms. Maxwell observed that reducing abuse and neglect is not so much a matter of teaching parenting skills, which is relatively easy, but more a matter of providing addiction and mental health services to those who need them.

Ms. Luna suggested that the panel may wish to look at the prohibition on making a preliminary placement of a child with an adopted sibling unless the adopted sibling's parents become licensed foster parents. The placement is prohibited because the adopted sibling is no longer considered a blood relative of the child. She also said that the panel may wish to look at the policy that requires kin placements to meet the same requirements as foster care placements, and specifically mentioned the room size requirement.

Ms. Luna clarified how decisions are made regarding the choice of family members for kinship placements.

Mr. Platt said he would provide the panel with information on employee turnover the following day.

Ms. Judd expressed concern that DCFS is limited in what it can require of parents who are receiving voluntary services from DCFS. In particular, she expressed concern that DCFS cannot require parents to take drug tests. Mr. Platt pointed out, however, that if DCFS has serious concerns about the safety of a child, it is not afraid to go to court with a petition for removal.

Ms. Luna suggested that the Panel may wish to look at allowing preliminary placements of children removed from their homes with non-kin friends, such as a football coach or a neighbor down the street, even though they are not licensed as foster parents. She indicated DCFS could clear the placement with a

background check and walk-through of the home in less than an hour. By comparison, on average it takes a family two to three months to become a licensed foster placement. Rep. Menlove and Sen. Christensen encouraged DCFS to pursue expedited clearances for preliminary placements.

Ms. Hansen asked under what circumstances DCFS asks individuals to participate in voluntary drug testing. Mr. Platt said he could discuss that with Ms. Hansen after the meeting.

Ms. Whisler expressed her worry over how easy it is for a parent to turn a child, particularly an out-of-control teenager, over to the state. She wondered whether a parent should be required to show some effort at keeping a child in the home in order for the child to be removed, and whether additional DCFS staffings should be held prior to the child's removal.

5. Other Items/Adjourn

MOTION: Rep. Cosgrove moved to adjourn the meeting. The motion passed unanimously.

Chair Christensen adjourned the meeting at 3:27 p.m.