

Effective 5/10/2016

62A-4a-117 Performance monitoring system -- Annual report.

- (1) As used in this section:
 - (a) " Council" means the Child Welfare Improvement Council established under Section 62A-4a-311.
 - (b) "Performance indicators" means actual performance in a program, activity, or other function for which there is a performance standard.
 - (c)
 - (i) "Performance standards" means the targeted or expected level of performance of each area in the child welfare system, including:
 - (A) child protection services;
 - (B) adoption;
 - (C) foster care; and
 - (D) other substitute care.
 - (ii) "Performance standards" includes the performance goals and measures in effect in 2008 that the division was subject to under federal court oversight, as amended pursuant to Subsection (2), including:
 - (A) the qualitative case review; and
 - (B) the case process review.
- (2)
 - (a) The division may not amend the performance standards unless the amendment is:
 - (i) necessary and proper for the effective administration of the division; or
 - (ii) necessary to comply with, or implement changes in, the law.
 - (b) Before amending the performance standards, the division shall provide written notice of the proposed amendment to the council.
 - (c) The notice described in Subsection (2)(b) shall include:
 - (i) the proposed amendment;
 - (ii) a summary of the reason for the proposed amendment; and
 - (iii) the proposed effective date of the amendment.
 - (d) Within 45 days after the day on which the division provides the notice described in Subsection (2)(b) to the council, the council shall provide to the division written comments on the proposed amendment.
 - (e) The division may not implement a proposed amendment to the performance standards until the earlier of:
 - (i) seven days after the day on which the division receives the written comments regarding the proposed change described in Subsection (2)(d); or
 - (ii) 52 days after the day on which the division provides the notice described in Subsection (2)(b) to the council.
 - (f) The division shall:
 - (i) give full, fair, and good faith consideration to all comments and objections received from the council;
 - (ii) notify the council in writing of:
 - (A) the division's decision regarding the proposed amendment; and
 - (B) the reasons that support the decision;
 - (iii) include complete information on all amendments to the performance standards in the report described in Subsection (4); and
 - (iv) post the changes on the division's website.
- (3) The division shall maintain a performance monitoring system to regularly:

- (a) collect information on performance indicators; and
 - (b) compare performance indicators to performance standards.
- (4) Before January 1 each year the director shall submit a written report to the Child Welfare Legislative Oversight Panel and the Social Services Appropriations Subcommittee that includes:
- (a) a comparison between the performance indicators for the prior fiscal year and the performance standards;
 - (b) for each performance indicator that does not meet the performance standard:
 - (i) the reason the standard was not met;
 - (ii) the measures that need to be taken to meet the standard; and
 - (iii) the division's plan to comply with the standard for the current fiscal year;
 - (c) data on the extent to which new and experienced division employees have received training pursuant to statute and division policy; and
 - (d) an analysis of the use and efficacy of in-home services, both before and after removal of a child from the child's home.

Amended by Chapter 231, 2016 General Session