

DCF LEGISLATIVE TESTIMONY



Legislative Post Audit Committee March 30, 2022

TESTIMONY OF

Laura Howard, Secretary
Department for Children and Families

TESTIMONY ON

Report: Reviewing Foster Care Services for the Health and Safety of Children

Chair

Senator Olson

Vice Chair

Senator Toplikar

and

Members of the Committee

Report Findings

Thank you for the opportunity to respond to the performance audit report, *Reviewing Foster Care Services for the Health and Safety of Children*. As noted in the report, I am pleased that we have reduced the need for foster care in Kansas as noted in the report. Additionally, the audit shows that DCF has made strides and has developed adequate policies in several key areas. Most importantly, the audit notes that DCF has shown improvement in numerous performance areas including placement stability; relative and kinship placements; and decreasing the number of children entering foster care. The audit also found that foster parent training is sufficient, procedures regarding missing youth are adequate and that DCF policies in general are adequate.

The insights, figures and information of deficiencies found in frequency of in-home visits, the adequacy of such visits, and communication with foster parents is appreciated. The results reflect 83% of children did not have more than 1 visit missed compared to the federal requirement of 95%. [n = 15 (17%) had more than one missed visit during the period under review]. DCF's work continues to support case managers' consistent achievement of seeing every child every month, as well as documenting those contacts thoroughly. DCF will augment current data reporting and case review methods regarding monthly worker/ child visits. We will institute phone call conversation surveys to relative, kin and foster parent placements to understand their experience with contacts from case managers and family support workers. This additional step using a customer service approach will track system progress with meaningful and timely communication with foster parents and timely visits with children.

The agency has concern that the placement appropriateness deficient finding is without reasonable basis and may be misleading. The report sets forth appropriate placement as one with a family that can meet the child's needs in the least restrictive way. To the best of our knowledge, the file provided by DCF reflects that 91% of the placements of 100 children that LPA used to create its sample read (of 86) for the period under review were living in a least restrictive family-based setting. There is no reasonable basis described in the report to understand that any of the 86 children were inappropriately placed or how the deficient finding was reached for these 86 children. Nor is there information that foster parents surveyed described that children in their home were inappropriately placed. The deficient finding appears to be related to lack of achievement with select aggregate measures; however the audit report also states "Not meeting these standards does not mean that children are not in a safe or most appropriate placements, but performance on them can indicate process or capacity issues." We do not agree that lack of achievement with select aggregate wellbeing outcome measures in this review equate to a finding of deficiency in placement appropriateness for this audit.

Given the audit described performance across time for past LPA audits, it's important to provide the context of performance across time not included in Figure 4 of the audit, which depicts data at a point in time. With regard to relative and kin placements, DCF intentionally elevated our efforts as a kin-first state increasing the goal of children placed with relative and kin from 29% to 50% in SFY20. As the charts below depict, Kansas has significantly increased placement with relatives and kin. The charts further show that placements with siblings have increased; and outcomes have maintained steady for children in their same school of origin. I particularly want to point out our agency's success in significantly reducing the number of moves of youth in foster care, as demonstrated in the federal placement stability measure.

Related Foster Care Trend Data

Table 1: Kansas Statewide Need for Foster Care

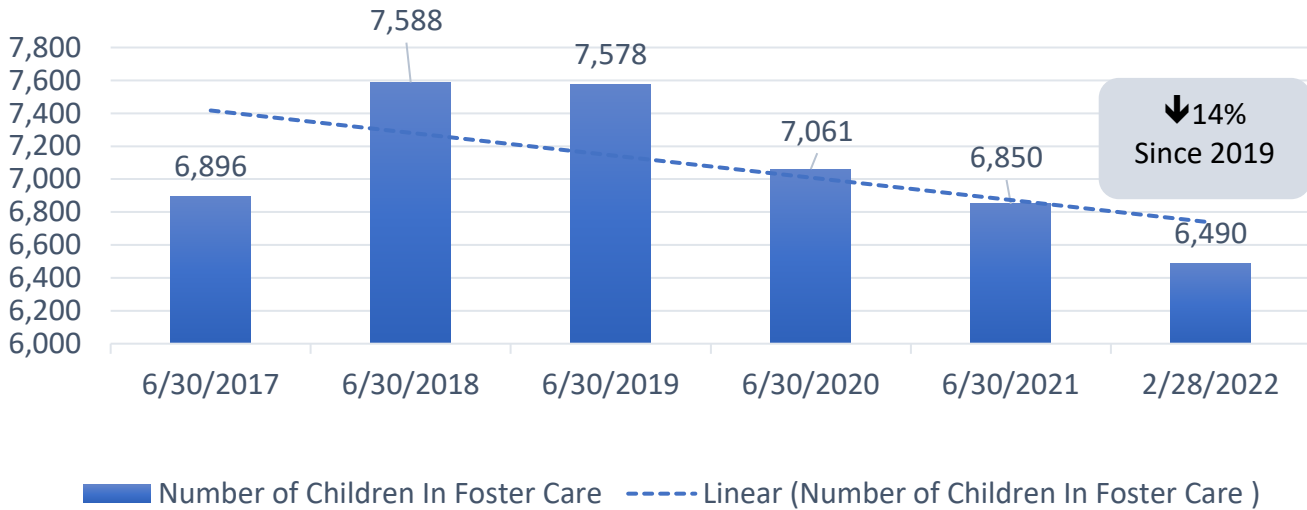


Table 2: Placement With Relative and Kin Over Time
State Standard: 50%, est. 7/1/2020

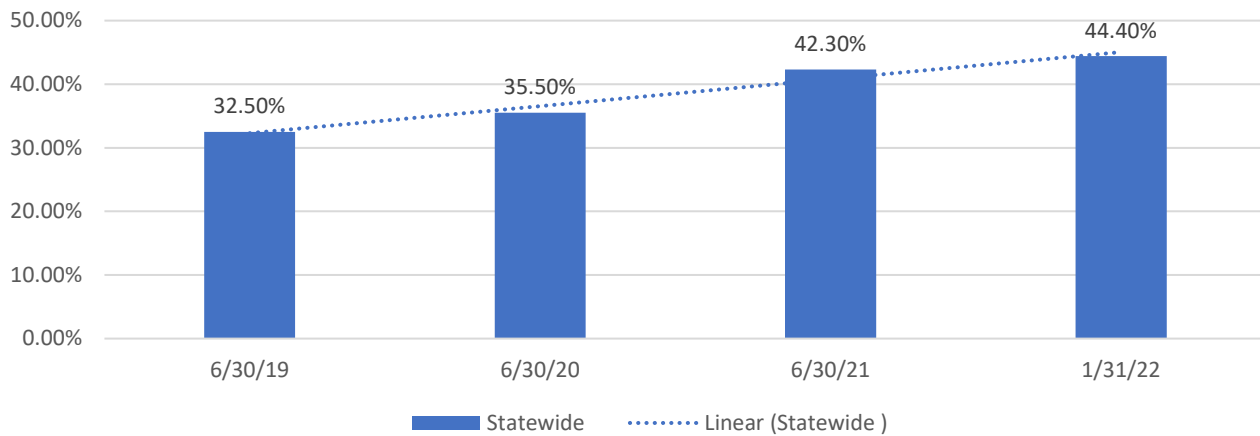


Table 3: Placement with Sibling
State Standard: 78%

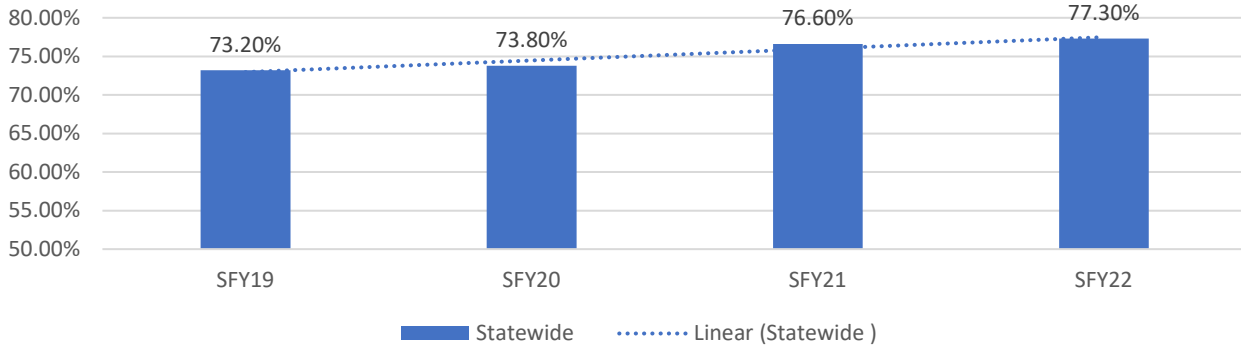


Table 4: Same School Attendance After Entering Care
State Success Indicator Standard: 25%

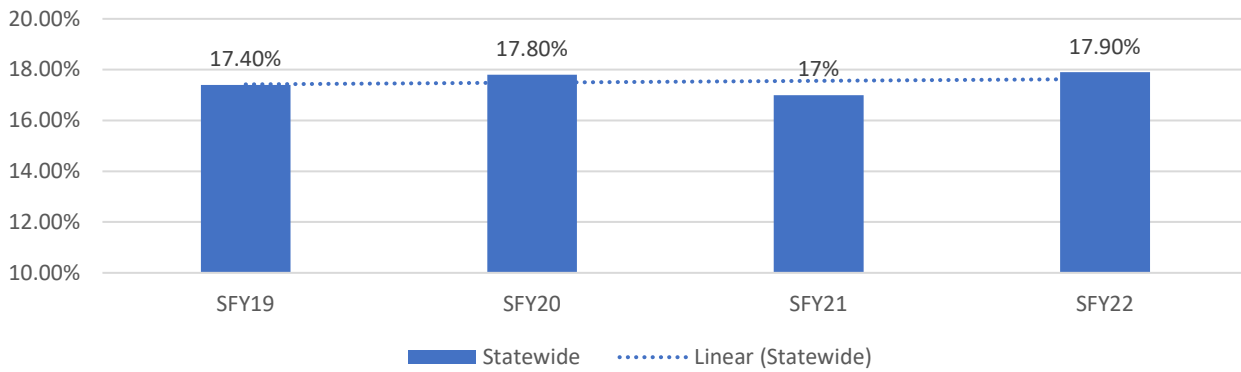
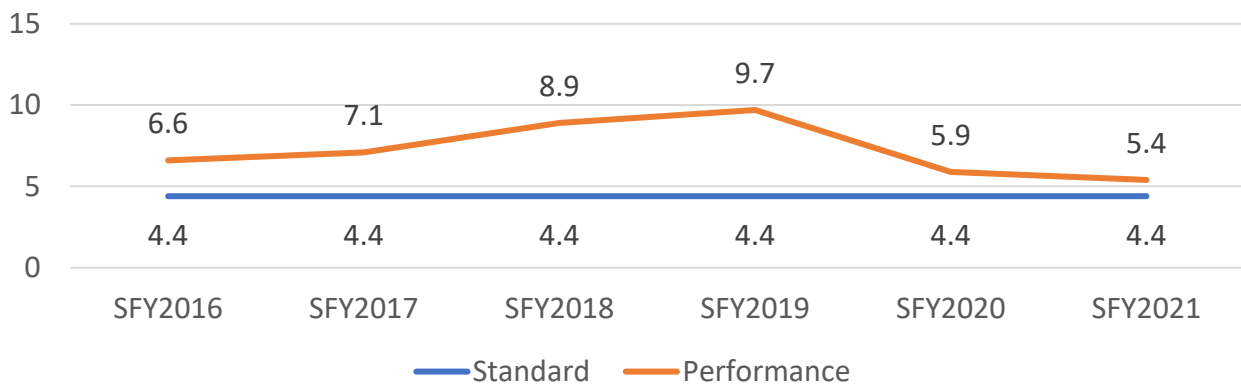


Table 5: CFSR Placement Stability Rate for Children Entering Care



Response to Recommendations

1. DCF, KDADS, and other partners should develop clear protocols and guidance for services, including timeliness standards for assessments and communication with service providers.
 - Agency Response: We appreciate survey responses from foster parents reflected that 85% were able to receive mental/behavioral services, 97% medical services and 83% specialized services as the child's case plan required. As described in the report, KDADS and DCF have worked to improve protocols of timely intake and assessments with Community Mental Health Centers, including adding standards to CMHC contracts. We know more work is needed to achieve the full continuum of mental health and developmental supports for children in care across the state and look forward to advancing ideas or partnerships with providers for in-home or family-based supports such as behavioral interventionists or therapeutic foster homes.
2. DCF should consider conducting a service capacity study to determine what services are most needed and the system and how best to increase capacity.
 - Agency Response: DCF appreciates the audit acknowledgement that systemic issues have no easy solutions in this complex system and collaboration is needed with other state and community partners to coordinate and find solutions. DCF has participated in service array assessments and capacity reviews through several facilitated collaboratives. The Cross Over Youth Working Group (2019-2020) initiated through the House Substitute for SB25 budget proviso mandated DCF to convene two working groups to study the impact of SB 367 on "crossover youth." In addition, DCF participates in the Mental Health Modernization Committee and sub-committees and recent KDADS Autism Task Team service capacity and action planning.
 - In July of this year, DCF begins its statewide assessment required by our federal partner, the Administration for Children and Families (ACF) as we prepare for our on-site Child and Family Service Review (CFSR) in Spring of 2023. This assessment is designed to enable states to gather and document information that is critical to analyzing capacity and performance. Assessment areas include safety, permanency, wellbeing and the specific federal safety in foster care and placement stability in foster care measure addressed in this audit. Our CFSR assessment processes and established efforts to gain feedback from regularly occurring stakeholder and family advisory groups will continue to inform our capacity building for an increase in the continuum of mental health supports and other services.
3. DCF should consider conducting a staffing study to determine what caseloads should be and what efforts they can do to lower them.
 - Agency Response: DCF grant awards require that foster care case management agencies be accredited by a national accrediting organization such as Council on Accreditation (COA), thus following well regarded caseload standards within accreditation standards. We recognize the 2018 Request For Proposal (RFP) set forth discrepant requirements in different sections and will remedy that discrepancy to require grantees follow COA private agency family foster care and kinship care guidance and interpretation regarding personnel employee workload (e.g. *Council on Accreditation, PA-FKC 2.08. or revision updates*). Clarity on the caseload standard can be achieved through grant amendment or policy change so that caseloads incrementally reduce from a figure of 25 children to accreditation standards of 12-15 children. Efforts to reduce the number of children in foster care and support a fully staffed workforce continue and impact meeting caseload standards.

4. DCF should establish clear oversight expectations with their case management providers, this includes corrective actions and using performance data to identify systematic issues.
 - Agency Response: DCF concurs oversight expectations are of critical importance and such provisions are terms in the foster care case management grants. The original Notice of Grant Award (NOGA) for October 2019 did include a penalty schedule. As mentioned in the audit, the grants contain quality assurance procedures including a penalty schedule applicable after a period of program improvement planning. In November of 2021, DCF implemented a Program Improvement Plan (PIP) in accordance with the grant terms with each case management agency for each outcome not met in SFY21. At the end of the PIP period in June of 2022, progress with negotiated improvement goals will be reviewed and determinations made about any applicable penalties. Additional methods or activities such as quality assurance outreach phone call conversations to placement providers and parents will be implemented in 2022 to understand in more depth and improve the quality and frequency of monthly worker/ child visits.
5. DCF should ensure the Comprehensive Child Welfare Case Management System they are developing has several key features, including, a robust comprehensive case management system; the ability to track services children need and are receiving; provide direct access to case management staff; a way to uniformly access customer service complaints and resolutions; and have clear data quality control measures.
 - Agency Response: Design requirements for the Comprehensive Child Welfare Case Management System (CCWIS) automated functions are set forth in 45 CFR §1355.53 to support development of a robust case management system. CCWIS is an active project in good standing with the Kansas Information Technology Office (KITO). The project has a rigorous planning review and reporting requirements to our federal partner ACF in the form of communication and prior approvals such as an Implementation Advanced Planning Document (IAPD) and quarterly reporting with KITO. With the feasibility study and requirements phase nearing a close, we look forward to next steps in development and implementation via Department of Administration Request for Proposal (RFP) anticipated in summer 2022 with subsequent procurement phases.
 - There is no current CCWIS functional requirement for uniformly accessing customer service complaints and resolutions. DCF maintains a customer service database for all programs and will continue to use that agency customer service system. DCF would be able to consider any customer service modules within bidder proposals when the CCWIS procurement phase begins.

We appreciate the insights and recommendations from this review and look forward to continued improvement by implementing additional activities for quality and timely worker child visits, CCWIS, placement stability and accountability in oversight for improvement with case management grant outcomes.