

# **CHILD WELFARE OVERSIGHT AND ADVISORY COMMITTEE**

## **Minutes of the 1st Meeting of the 2022 Interim**

**July 21, 2022**

### **Call to Order and Roll Call**

The 1st meeting of the Child Welfare Oversight and Advisory Committee was held on Thursday, July 21, 2022, at 3:00 PM, in Room 131 of the Capitol Annex. Senator Julie Raque Adams, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Julie Raque Adams, Co-Chair; Representative David Meade, Co-Chair; Senators Karen Berg, Denise Harper Angel, Brandon J. Storm, and Whitney Westerfield; Representatives Kim Banta, Lynn Bechler, Josie Raymond, and Nancy Tate.

Guests: Heather Wagers, Executive Director, Kentucky Office of the Attorney General; Mary Carpenter, Executive Advisor, Department for Community Based Services, Cabinet for Health and Family Services; Kelli Root, Division Director, Division of Protection and Permanency, Department for Community Based Services, Cabinet for Health and Family Services; Laura Begin, Staff Assistant, Regulation Coordinator, Department for Community Based Services, Cabinet for Health and Family Services; and Christa Bell, Executive Advisor, Department for Community Based Services, Cabinet for Health and Family Services.

LRC Staff: Ben Payne, Lead Staff, Becky Lancaster, and Eric Rodenberg.

### **Approval of Minutes**

A motion to approve the minutes of the October 13, 2021, meeting was made by Representative Tate, seconded by Representative Meade, and approved by voice vote.

### **2022 Regular Session Senate Bill 8 Implementation Update**

Heather Wagers, Executive Director, Kentucky Office of the Attorney General, discussed Kentucky's rankings regarding child abuse and neglect incidences, the Child Abuse and Neglect Prevention Board's voting and non-voting members, and the responsibilities of the board, successful campaigns and programs on child safety issues sponsored by the Child Victims Trust Fund (CVTF). Ms. Wagers discussed the total number of child sexual abuse medical exam reimbursements by CVTF from fiscal years 2019 to 2021.

In response to questions and comments from Senator Adams, Ms. Wagers stated that changing the definition of how CVTF works with Medicaid to make sure the bundle amount will be different and the amount paid by CVTF will be decreasing.

Ms. Wagers discussed events where the Attorney General's office staff met with partners and organizations to exchange information and better develop public awareness for the prevention of child maltreatment. She discussed the effective date of 2022 Regular Session Senate Bill 8, dissolution of the State Child Sexual Abuse and Exploitation Prevention Board, the grant application deadline, and the meeting of the new board, the State Child Abuse & Neglect Prevention Board, which will cover all forms of child maltreatment. She discussed several items on the agenda for the new board's first meeting.

Laura Begin, Staff Assistant, Regulation Coordinator, Department for Community Based Services, Cabinet for Health and Family Services (CHFS), gave an overview of 2022 Regular Session Senate Bill 8. Kelli Root, Division Director, Division of Protection and Permanency, Department for Community Based Services (DCBS), Cabinet for Health and Family Services, discussed the amended definition of fictive kin that could result in a decrease in the number of children entering the state's custody and an increase in children being placed with siblings and reunifying with birth parents.

Kelli Root, Division Director, Division of Protection and Permanency, Department for Community Based Services, Cabinet for Health and Family Services, discussed the number of children in the custody of or committed to CHFS and the number of children in the custody of relative or fictive kin from June 2016 to June 2022. She discussed the establishment, requirements, and exceptions regarding the putative father registry, and the number of putative father search requests. Mary Carpenter, Executive Advisor, Department for Community Based Services, Cabinet for Health and Family Services, discussed Kentucky's national poverty rating, the average childcare cost for one child in Kentucky and how 2022 Regular Session Senate Bill 8 amended the definition of an abused or neglected child to better differentiate poverty from neglect. She discussed the number of types of maltreatment related to child protective services reports with a substantiated or services needed finding and an out-of-home care case disposition from state fiscal year (SFY) 2016 to SFY 2022, the expansion and impact of family preservation services provided by 2022 Regular Session Senate Bill 8.

Ms. Begin discussed the positive changes for young adults formerly and currently in the custody of the state created by 2022 Regular Session Senate Bill 8 in regards to re-entry, the Foster Child Bill of Rights, and extended commitment options. She reviewed the number of youth exiting to independence from SFY 2015 to SFY 2022.

In response to questions and comments from Senator Adams, Ms. Root stated that there are 8,684 children in the custody of or committed to CHFS and 1,494 children are in the custody of relative and fictive kin.

In response to questions and comments from Senator Berg, Ms. Root stated that 43 men put their names on the Kentucky putative father registry, a putative father has up until 21 days after a child's birth to submit a registration request, and searches are done so that an adoption notice may be provided to the putative father.

In response to questions and comments from Representative Tate, Ms. Root stated if a child came into the custody of CHFS through a newborn safety device, there is an exception that a putative father request would not be completed for a public agency adoption.

In response to questions and comments from Senator Storm, Ms. Root stated that DCBS does keep records of where children are located when placed in out-of-home care. Ms. Carpenter stated that a child's removal from a home is not automatic but dependent on if there is a safety risk, even if born into a home where other children were removed. Ms. Begin stated that a reunification plan with goals must be completed in order for children to return to the home of removal. Ms. Carpenter stated that if a child is removed and custody is given to a relative, DCBS may not have an active or open record of where the child is placed.

In response to questions and comments from Representative Moser, Ms. Carpenter stated that when 2018 Regular Session House Bill 1 was implemented, CHFS created the putative father registry education programs and brochures to educate the public and providers. Ms. Root stated that a private agency adoption must submit a request to the Adoption Services Branch to check the putative father registry prior to adoption.

### **Update on Use of Budget Funding for Kentucky Prevention Services for Families**

Christa Bell, Executive Advisor, Department for Community Based Services, Cabinet for Health and Family Services, discussed the number of Family First Services Act families served in SFY 2022, compared the prevention, out-of-home care, and adoption expenditures from SFY 2019 to SFY 2022, reviewed the increased spending for Family First Services Act prevention programs, and listed the additional state general funds used for other prevention and pilot programs. She discussed the number of children in the custody of or committed to CHFS from SFY 2016 to SFY 2022, the three types of prevention activities and the coordinating programs, and ways to prevent maltreatment before it occurs.

### **Current and Past Year Child Welfare Statistics Discussion**

Christa Bell, Executive Advisor, Department for Community Based Services, Cabinet for Health and Family Services, discussed the statewide numbers and various categories of child protective services (CPS) intakes for SFY 2022, the different types of maltreatment, and the contributing risk factors to substantiated CPS intake reports. She

gave an overview of the Helping Others and Promoting Empowerment (HOPE) community response pilot program along with other primary and secondary prevention efforts. She discussed future funding sources to support prevention programs, a joint initiative by large national partners to rethink the approach to child welfare, and the new formal statewide prevention collaborative, the launch of the Birth Parent Advisory Council. She reviewed the number of reports that met acceptance criteria for child abuse and neglect assessment and all types of CPS intakes for SFY 2020 through SFY 2022. She stated that the provision of economic and concrete supports of prevention is a contributing factor in reducing the number of maltreatment reports. She discussed a study that relates to state spending on public benefits and how it drives down maltreatment.

In response to questions and comments from Senator Berg, Ms. Bell stated that she could provide reports that were completed when DCBS was preparing for implementation of Family First and that the reports listed the number of total population that could meet the definition of candidates for foster care. She stated that she has not been involved in conversations relating to DCBS anticipating an increase in providing additional needs and services to women being denied abortions.

In response to questions and comments from Representative Meade, Ms. Bell stated that the number of child abuse and neglect reports are not worse than anticipated post-pandemic. Ms. Begin stated that a previous statement made in the Early Childhood Education Task Force referred to the severity of the maltreatment cases and not the total number of cases reported. Ms. Bell stated that approximately \$7.3 million of the \$20 million appropriated by the Kentucky General Assembly to be utilized for prevention was sent back to the CHFS general fund because it was not used by July 2022. She stated that the information on the additional state general funds for prevention is helpful in showing CHFS' strategy to blend one-time funding federal funding and the state's general funds that were provided.

In response to questions and comments from Representative Tate, Ms. Bell stated that the terminology for the expansion of candidacy for foster care is federal language, set by each state, and approved at a federal level. She stated that to fulfill a claim for federal reimbursement, the child being served must meet the definition of a candidate for foster care. She stated that Kentucky has a more traditional definition of a candidate for foster care and is reviewing how other states have expanded the definition to include more of the populations who are at risk of entry into foster care. She stated that there is not a requirement for legislative involvement for CHFS to submit a request for a changes to the plan with the federal government.

### **Adjournment**

There being no further business, the meeting was adjourned at 4:54 PM.