

# Kentucky Child Fatality And Near Fatality External Review Panel 2024 Update



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**Legislative Oversight and Investigations  
Committee**

**July 11, 2024**

## Child Fatality And Near Fatality External Review Panel



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- KRS 620.055
    - Panel conducts "comprehensive reviews of child fatalities and near fatalities...suspected to be a result of abuse or neglect."
    - Panel shall publish an annual report "consisting of case reviews, findings, and recommendations for system and process improvements..."

## Legislative Oversight Annual Reviews

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### KRS 620.055 & 6.922

- Legislative Oversight and Investigations Committee (LOIC) is required to conduct annual evaluations of the panel's operations, procedures, and recommendations

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## LOIC Annual Reviews

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- 2024 LOIC evaluation focused on:
  - Implementation of recommendations from LOIC's 2023 evaluation
  - Statutory compliance and the development of findings and recommendations
  - Operations and procedures

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# Finding Area 1

## 2023 LOIC Recommendations

<b>Summarized 2023 LOIC Evaluation Recommendations</b>	<b>Action Taken?</b>
Explore options for a single platform for case storage, review, and analysis	
Update the existing memorandum of understanding (MOU) to reflect new budgetary and expenditure procedures	
Develop procedures to follow up with agencies that do not respond to panel recommendations as required by KRS 620.055(10)(c)	
Ensure findings are based on data presented in the report and recommendations are actionable, targeted, and directly related to findings	
Organize information in each finding area so each finding is clearly articulated related to corresponding recommendations	



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## Funding Allocated For Panel In 2024 – 2026 Budget

- Panel funding increased from \$420,000 to nearly \$600,000 annually in 2024-2026 budget
- \$200,000 (FY 2025) for a new case management system
- Hired full-time case analyst



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## Finding Area 2 Statutory Compliance

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- KRS 620.055 outlines panel requirements
  - Membership and appointment process
  - Meeting requirements
  - Reporting and notification requirements
- Panel has generally met all requirements

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## Panel Membership

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- 5 ex officio nonvoting members
- 17 voting members
  - 4 members serve because of position/title
  - 13 members are appointed
- All panel positions are filled as of June 2024

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## Membership Vacancies

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- Practicing social work clinician was vacant for nearly four years
- No statutory requirement to fill appointment if no nominations are made
  - Leads to extended vacancies and the panel lacking specialized knowledge or experience

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## Matter For Legislative Consideration 3.A

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The General Assembly may wish to specify a procedure for filling the vacancy of a voting member of the Child Fatality and Near Fatality External Review Panel when it cannot be filled in the manner mandated by KRS 620.055(2).

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## Agency Notification

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- KRS 620.055 (1) requires the panel to notify agencies of recommendations
- Agencies must provide response within 90 days with required elements
  - Intent to implement, explanation of how, and timeframe; or
  - Explanation for declining to implement

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## Agency Responses

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- Agencies often fail to respond by deadline
  - 2022: 48% of recommendations were responded to by deadline
  - 2023: 36% of recommendations were responded to by deadline
- Agency responses to 2023 recommendations often did not include required elements
  - Only 3 of 9 responses included all elements

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## Recommendation Notification System Deadlines

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- Adjustments may improve response rates and statutory compliance
- Notification receipt date cannot be verified
  - Certified mail or similar service
  - Adopt policy regarding deadline
  - Establish when to follow up

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## Recommendation 3.1

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The panel should use a service like certified mail or adopt policies determining the 90-day response deadline by which agencies are required to respond to panel recommendations.

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## Recommendation Notification System Forms

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- Current form does not state recommendations
- A standardized form could include prompts for required elements
  - Text of recommendations
  - Prompt for acceptance or rejection

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## Recommendation 3.2

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The panel should update their notification letter format to include spaces for agencies to provide all of the required elements in their responses such as clear intent to implement the recommendation, a timeline for implementation, and an explanation for declining to implement the recommendation.

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## Finding Area 3 Internal Controls

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- Panel's written procedures have not been formalized into written standard operating procedures
- Benefits of developing and maintaining written procedures include:
  - Establishing and communicating internal control to staff
  - Retaining organizational knowledge
  - Communicating knowledge to external parties, new staff, or new panel members

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## Recommendation 3.3

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Panel staff should develop written procedures for review and approval by the panel chair and members. The written procedures should document the processes by which the panel obtains, stores, reviews, and analyzes cases; develops findings and recommendations; develops annual reports; and complies with the reporting requirements mandated by KRS 620.055(10).

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# Questions

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