

CHILD WELFARE OVERSIGHT AND ADVISORY COMMITTEE

Minutes

July 22, 2020

Call to Order and Roll Call

The Child Welfare Oversight and Advisory Committee meeting was held on Wednesday, July 22, 2020, at 2:00 PM, in Room 171 of the Capitol Annex. Senator Tom Buford, Chair, called the meeting to order, and the secretary called the roll.

Present were:

Members: Senator Tom Buford, Co-Chair; Representative David Meade, Co-Chair; Senators Julie Raque Adams, Denise Harper Angel, Reginald Thomas, and Whitney Westerfield; Representatives Lynn Bechler, Angie Hatton, Joni L. Jenkins, and Nancy Tate.

Guests: Jill Seyfred, Executive Director, Prevent Child Abuse Kentucky; Kelly Crane, State Policy Specialist, Prevent Child Abuse America; Eric Friedlander, Secretary, Cabinet for Health and Family Services; Marta Miranda-Straub, Commissioner, Department for Community Based Services, Cabinet for Health and Family Services; Christa Bell, Director, Mary Carpenter, Assistant Director, Division of Protection and Permanency, Department for Community Based Services Cabinet for Health and Family Services; and Kelli Root, Manager, Out of Home Care Branch, Department for Community Based Services, Cabinet for Health and Family Services.

LRC Staff: Ben Payne, Lead Staff, Becky Lancaster, and Shyan Stivers.

Approval of Minutes

A motion to approve the minutes of the November 11, 2019 meeting was made by Senator Westerfield, seconded by Representative Tate, and approved by voice vote.

Child Abuse - Kentucky and National Perspectives

Jill Seyfred, Executive Director, Prevent Child Abuse Kentucky (PCAK), stated that the mission of PCAK is to prevent the abuse and neglect of Kentucky's children through advocacy, awareness, education, and training. PCAK has more than 250 partners throughout the state. The highest number of substantiated cases of child abuse or neglect or children in need of services occurs between one to five years of age. Substance abuse was documented as a risk factor in 63 percent of the reports with a finding of substantiated or services needed. According to the Child Fatality and Near Fatality Review Panel from 2013 to 2018, an average of 47.5 children died under circumstances of maltreatment each year in Kentucky. An average of 87.75 Kentucky children are involved in near fatal

incidents. In 28 percent of child abuse and neglect cases reviewed by the panel, a bystander issue was identified for failing to make a report of child maltreatment to the appropriate authorities. One in ten children will be victims of child sexual abuse before the age of 18. The prevalence of child sexual abuse is believed to be higher than the rate of substantiations. Research indicates that only 60 percent of victims tell anyone that abuse is occurring.

Ms. Seyfred gave examples of primary child abuse and neglect prevention resources. PCAK has 14 educational programs in Kentucky and serve approximately 15,000 people. A recent report estimates that Kentucky children who have substantiated cases for child abuse and neglect in 2018 will incur costs of over \$19 trillion over their lifetime. PCAK is working with the Kentucky Department for Community Based Services (DCBS) on a recidivism project to educate people who enter the parent education program to not have a reoccurrence and do not reenter into the DCBS system. She provided findings from the regional meetings with each PCAK partner. She listed the most pressing needs facing the children and families that are working with PCAK. More funding for child abuse prevention and awareness is the main request of PCAK partners.

In response to questions from Senator Buford, Ms. Seyfred stated that the Kentucky Health Access Nurturing Development Services (HANDS) program, the family resource centers, and youth service centers have tremendous impact in each local community. Other than funding, Kentucky can improve on educational trainings on how to report and prevent child abuse and neglect.

Kelly Crane, State Policy Specialist, Prevent Child Abuse America (PCAA), stated that PCAA aims to prevent abuse and neglect before it begins by strengthening families and supporting communities. PCAA has four organizational pillars. The policy pillar advocates for federal and state policies that will have a positive impact on families. The state chapter network promotes prevention strategies and services that improve child well-being and develops programs to help parents raise happy, healthy children. The U.S. child maltreatment rates from 1990 to 2016 have decreased. The 2018 National Child Abuse and Neglect Data System (NCANDS) report stated there were 678,000 victims of child maltreatment and 1,770 deaths. On an annual basis, child maltreatment is more costly than patients that have a stroke or Type 2 diabetes. The costs are related to productivity losses, child welfare, special education, juvenile justice, and healthcare. She listed several prevention strategies that included expanding the HANDS program, promoting positive fatherhood engagement, and increasing economic supports for families.

In response to questions from Senator Buford, Ms. Crane stated that Kentucky's child abuse and neglect reporting laws are more robust than other states. Kentucky may have more child abuse and neglect cases, because there are more people obligated to report the child abuse and neglect.

2020 Foster Care System Update

Eric Friedlander, Secretary, Cabinet for Health and Family Services (CHFS), introduced Marta Miranda-Straub as the new Commissioner for the Department for Community Based Services (DCBS) at the Cabinet for Health and Family Services. Commissioner Miranda-Straub stated that due to COVID-19, DCBS has put in new systems that are more accessible and flexible for the employees and foster families. Although 80 percent of the DCBS workforce is working remotely, they have maintained face to face interaction with children and families in crisis.

Christa Bell, Director, Division of Protection and Permanency, Department for Community Based Services, Cabinet for Health and Family Services, stated that one of DCBS's priorities is that children in out-of-home care receive quality services and timely achieve permanency. DCBS has expanded in-home services to prevent entry into care and improved the relative service array. In July 2015, there were 7,856 children in care and as of July 2020, there are 9,797 child in care. During the pandemic state of emergency, while courts were closed, the number of children in care did go above 10,000 children.

In response to a question from Representative Buford, Ms. Bell stated that in May of 2020, the highest number of children that were in DCBS care was 10,072 children

Ms. Bell stated that as of July 2020, there are 5,466 total foster homes of which 2,432 are DCBS approved foster homes. There are 3,034 private child placing foster homes. During the pandemic, foster homes continued to be approved for child placement. DCBS continues to focus on recruitment and retention of qualified staff to maintain manageable caseloads. DCBS has continued the exploration of performance based contracting with providers. In 2020, the average Child Protective Services (CPS) caseload, with CPS not at full staff capacity and with past due investigation cases, per social worker is 27 cases in Kentucky.

Mary Carpenter, Assistant Director, Division of Protection and Permanency, Department for Community Based Services, Cabinet for Health and Family Services, stated that Kentucky is in the 75th percentile of states where children in out-of-home care have two or fewer placements. DCBS has worked with regional staff and private partners to address strategies for placement stability. For the state fiscal year (SFY) 2020, the DCBS average timeframe for reunifications of children to birth families is 10.3 months which is an increase from 9.4 months in 2019. For SFY 2020, the DCBS average timeframe for children in care to be adopted is 35.6 months. In SFY 2020, there have been 1,293 adoptions through DCBS in Kentucky. There has been an increase in adoptions primarily since 2018. The overall average number of months for a child to receive permanency, for exit reasons, is 17.9 months in SFY 2020. DCBS is focused on reducing the number of youth who leave cabinet custody without achieving permanency. In 2018, DCBS established the Transitional Services Branch within the Division of Protection and Permanency to focus efforts on the transitional age youth in out-of-home care. The

transition planning is for older youth in care to ensure their needs are met and are successful when exiting care. In SFY 2020, there were 709 youths exiting to emancipation and has increased from 665 in SFY 2019. DCBS' goal is to decrease the number of emancipations and have more youth achieve permanency through reunification or adoption.

Ms. Bell stated that due to the state of emergency and the pandemic, monthly caseworker visits and the parent and child visitations were conducted via videoconferencing platforms. Face to face visitations resumed in a phased-in approach at end of May. Due to COVID-19, there have been reduced entries into and exits out of foster care. She stated that the reopening of courts and the increased use of virtual hearings has increased the achievement of permanency for Kentucky children. Kentucky requested and received federal waiver for fingerprinting in order to continue approval of foster families. Foster parent training conducted via videoconferencing platforms. The number of reports with an allegation of child abuse or neglect was reduced beginning in March of 2020, coinciding with schools closing statewide due to COVID-19.

In response to questions and comments from Senator Raque Adams, Ms. Bell stated that DCBS has seen improvements with the caseload in Jefferson County. There has been additional measures put in place to assist with past due investigations and have contracted with an external partner to assist with parts of the work that are appropriate for someone outside of DCBS. Commissioner Miranda-Straub stated that the previous caseload for Jefferson County was 80 to 82 cases per worker, but now the average is approximately 37 cases per worker. DCBS is looking at how to provide more assistance and support to those workers to reduce the caseloads.

In response to questions and comments from Senator Buford, Commissioner Miranda-Straub stated that she does not know the number of additional social workers that are needed to reach manageable caseloads. DCBS is reviewing what a manageable caseload is with added support workers. She stated that working from home during the pandemic has been a support and morale buster for the staff. It was stated that DCBS has been working with the courts to share data and has a judicial engagement work group to discuss barriers of the cases. Most courts in Kentucky have reopened and are holding court virtually. There are several reasons for the delays in the timeframe of the adoption cases such as the amount of paperwork that is required to give to the adoptive family. DCBS has reduced some documentation if the child has been in the same initial foster home placement. There are also delays with guardian ad litem (GAL) reports and setting court hearings. DCBS is implementing a communication plan for each region to share data with the courts to improve the adoption timelines.

In response to questions and comments from Senator Westerfield, Ms. Bell stated that the number of reports of child abuse and neglect declined significantly when schools closed. The Division of Protection and Permanency has met with the Family Resource Youth Service Center within CHFS to discuss the reporting of child abuse and neglect

during school closures. There have been discussions of measures that can be taken to provide supports for families before returning to school in-person or online.

In response to questions and comments from Senator Buford, Ms. Bell stated that number and decrease in child abuse and neglect reporting has been a topic of interest. DCBS has responded with information on supports provided to families through social media platforms. She stated that there will be a report that actively tracks reports of abuse in foster care homes.

Ms. Bell stated that recent programming changes will allow more accurate reporting of maltreatment in care. She stated that programming changes have been made to allow DCBS to accurately capture and separate maltreatment that occurs while in foster care verses previous maltreatment that is reported while a child is in foster care. The DCBS staff monitors the reports of maltreatment and substantiations among DCBS homes, private child placing (PCP), and private child caring (PCC) providers. In SFY 2020, there were 310 reports that were accepted for investigation for youth in a PCP or PCC placement. She stated that 27 reports were substantiated, 38 reports are still open investigations, and 245 reports were unsubstantiated. There is an existing foster parent registry that captures all foster homes in Kentucky along with the reason for closure.

Kelli Root, Manager, Out of Home Care Branch, Division of Protection and Permanency, Department for Community Based Services, Cabinet for Health and Family Services, stated that to prevent maltreatment while in care, foster parent background checks will be expanded. DCBS is assessing foster families and their ability to meet the needs of children through more in-depth home studies. DCBS has high quality, preservice training and supportive services to better prepare foster parents to meet the needs of the children in care. Private agencies have the ability to receive the Federal Bureau of Investigation (FBI) rap sheet of a foster parent. Training in trauma-informed care and caring for a sexually abused child is mandatory for all foster parents. The professional development and training for foster parents can be tailored to the specific needs of the family and children in the home. Kentucky's Just in Time training is a web-based service program designed to connect foster parents, kinship, or other caregivers with online training, peer experts, and other resources. Other supports for foster families are the Resource Parent Mentor Program, the Adoption Support for Kentucky program, and the Foster/Adoptive Training Support Network. There are also local and regional foster parent associations that are active in helping to provide insight and support.

In response to questions and comments from Senator Buford, Ms. Seyfred stated that PCAK provided additional information regarding financial information when discussing prevention of child abuse and neglect. The additional information has been downloaded to the LRC website along with all other meeting materials for this committee meeting.

Adjournment

There being no further business, the meeting was adjourned at 4:12 PM.