

Consideration of GOC potential next steps for ongoing review of the child protective system

Prepared for the committee by OPEGA

Summary of actions since request received by GOC to direct a review of the child protection system:

March 9, 2018 – GOC directed OPEGA to determine facts surrounding the response of the child protection system in handling of reports of potential child abuse and neglect (received by DHHS) in the cases of Marissa Kennedy and Kendall Chick. OPEGA was tasked to take on this project as a priority. The Committee had received a letter (dated 3/2/18) from Rep. Hymanson (as chair of HHS committee) requesting a rapid (full) review of the child protection system in light of the 2 child deaths. The Committee also received a letter from AG Mills supporting Rep. Hymanson’s request. The GOC indicated that this work may lead to further, broader review of the child protection system in Maine.

May 23, 2018 – OPEGA presented Information Brief – Maine’s Child Protection System: A Study of How the System Functioned in Two Cases of Child Death by Abuse in the Home.

May 31, 2018 – Public Comment on the information brief. Among those who offered comment were Governor LePage, legislators, child welfare professionals and members of the public impacted by the child protective system/DHHS.

June 28, 2018 – OPEGA presented additional information requested at the 6/14 GOC meeting. GOC tasked OPEGA with a special project that included two parts. OPEGA was directed to begin this project immediately. The first part directed OPEGA to gather the perspectives of frontline workers in the child protective system regarding retention, effectiveness/efficiency and decision-making. The second directed an assessment of the status DHHS child protective initiatives (self-identified and presented at 6/28 meeting) and the impact of those initiatives on the system.

Special Project added to GOC workplan. OPEGA was tasked with a two-part directive.

Part 1: Frontline Perspectives of child protective workers

OPEGA developed and administered surveys to all OCFS workers (Intake, Assessment, Permanency, District Program Administrators (PAs) and Assistant PAs).

Survey responses were reviewed and OPEGA followed up by conducting interviews workers in each district across the state. (Fall and winter 2018)

Part 1 Information brief presented on 2/22/19

Public Comment period held 3/8/2019

GOC heard concerns regarding foster care licensing, communication, availability of placements, support for foster families and kinship families, level of workload for staff, funding for child welfare work and other topics.

Part 2: DHHS initiatives

Department initiatives (presented at 6/28 meeting) were broken down into smaller components and aligned with the areas of concern listed at the end of OPEGA's 5/23 Information Brief. The department provided OPEGA with additional information on those initiatives that did not align directly with concerns identified in Info Brief.

In conducting our work on this part of the special project, OPEGA is looking at each initiative in terms of the following:

- Current status
- How and when the initiative was implemented
- Desired future impact
- Current impacts
- Challenges faced in meeting initiative objective

NOTE: There has been a change in the administration, and it's not clear to what extent the new administration has decided to continue with these initiatives OPEGA has been tasked to assess as part of the special project. Also, assessing the impact of these initiatives at this stage presents a challenge in light of the short period of time that has elapsed since they were initiated.

Legislation introduced/enacted:

Aug/Sept 2018: Four of five proposed bills submitted by the Governor to address various issues connected to the child protection system are enacted (summary of enacted bills attached).

Current and planned efforts as reported by DHHS:

Systemic changes: DHHS reports that they are undertaking systemic changes to ensure the safety and well-being of Maine children - such as convening the Children's Cabinet, contracting for evaluations of the system (see PCG), and increased transparency of improvement efforts demonstrated by posting progress reports and updates online. DHHS stated a commitment to improving supports and services to families in the state – beyond those within the child protective realm. The supports cited by DHHS include, MaineCare expansion, efforts to address the opioid crisis and revitalization of the public health nurse program.

As reported by DHHS, following enactment of LD 1923 at the close of the 128th Legislative session, OCFS has hired 39 staff, raised staff pay, increased reimbursements for foster families and is beginning the process of issuing an RFP for MACWIS replacement. They are also doing a pilot of a new model for family visitation which includes coaching and parental education.

Based on OPEGA's reports, PCG's work (to date) and the Child Welfare Ombudsman report, DHHS reports they have established a list of 84 recommendations to address (51 directly from PCG report issued on 2/8/19). DHHS reports they have begun work to address some of the themes that emerged from OPEGA's information brief and other reports.

They cited efforts aimed at the following:

- improving the phone system used at intake,
- allowing for better background check access,

- making use of a workload analysis tool, and
- developing an RFP for clinical consultation services.

Staff input will be sought and considered as these efforts move forward according to DHHS.

Consultant studies: DHHS engaged Public Consulting Group (PCG) to conduct a multi-year evaluation of the OCFS child welfare service system which will recommend a plan to implement and sustain improvements to the system. The \$825K contract began on 10/1/18 and has an end date of 3/21/20. OPEGA's reading of the contract shows 3 phases of review:

- **Phase 1** focused on the OCFS Intake and Assessment units looking at work flow, decision-making processes, staff perspectives, technology and state policy. (This report identified 51 short and long-term recommendations to improve access to child welfare services, quality and efficiency). Posted February 8, 2019.
<https://www.maine.gov/dhhs/ocfs/cw/reports/Child-Welfare-Evaluation-and-Business-Process-ReDesign.pdf>
- **Phase 2** will focus on OCFS Permanency Units, Foster Care Licensing units, Adoption, Quality Assurance, Quality Improvement, Background check Units, Youth Transition services and Teaming Units. The deadline for this phase is 12/31/19. The contract requires PCG to develop a Policy and Practice Report with recommendations for specific procedures (by position), to update the Workload Study Tool for ongoing use by OCFS, and to develop and implementation plan.
- **Phase 3** involves the creation of a Sustainability Plan to be used to sustain the implementation of changes. Completion deadline is 3/20/20.

DHHS contracted with PCG for a separate study to conduct a comprehensive review of the current child behavioral health system in Maine. The contract started 8/15/18 and the final report was issued December 2018 (\$213K). The report resulted in 24 recommendations, both short-term and long-term.

<https://www.maine.gov/dhhs/ocfs/cbhs/documents/ME-OCFS-CBHS-Assessment-Final-Report.pdf>

Potential next steps for GOC/OPEGA:

Considering the two OPEGA information briefs and subsequent public comment received by the GOC each, current agency efforts as reported by DHHS, past/current work by others (PCG) intended to improve the child welfare system, and the interest expressed by some members of the GOC for continuing work on this issue, OPEGA has identified four potential avenues for next steps:

1. **Periodic Updates from DHHS to GOC.** The GOC may want to schedule periodic updates from DHHS as part of the regular GOC meeting schedule (and postpone further work by OPEGA on this topic at this time). These updates could be scheduled to begin after a period of time, in order to allow the department to conduct its own internal evaluations, implement changes, and to allow those changes to impact the system. The schedule of updates would identify which subjects would be addressed at each periodic GOC meeting.
2. **Follow-up Survey of Frontline Workers.** OPEGA is well-positioned to do a follow-up survey with OCFS staff following DHHS implementation of changes. The GOC could recommend a time period for the follow up – perhaps 12 to 18 months out. OPEGA could administer the same survey (or selected parts) to the same populations. This would create comparable data for the GOC to evaluate in terms of workload, quality of work, adequacy of resources, job satisfaction and other factors. The survey could also be expanded to consider other topics or additional populations.
3. **Finish Special Project Work (DHHS initiatives).** OPEGA would revisit the initiatives with the agency and compile a table containing a description of each initiative, the area of concern it is intended to address (as identified in OPEGA May 2018 brief), the desired future impact of the initiative, and the status of the initiative (and whether current administration is adopting/pursuing the initiative). Subsequently, the GOC could then revisit any of these initiatives and task OPEGA to review if there has been any change or if the desired impact (as stated) has been achieved.
4. **OPEGA Review of Out of Home Placement Options.** At the direction of the GOC, OPEGA would conduct preliminary research and propose scope questions to the committee for approval, then conduct a review based on the approved scope.

Possible areas of focus include:

- The availability and types of placement options and the extent to which “hotelings” occurs;
- The recruitment, retention, training, support for and licensing of, foster parents;
- Changes in responsibilities of foster parents and foster parent perspectives;
- The extent to which OCFS provides sufficient services, training, financial supports and information to foster parents; and/or
- Others as directed by the GOC.