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Todd Landry, Director, Office of Child and Family Services
Department of Health and Human Services
11 State House Station, 109 Capitol Street
Augusta, ME 04333-0011

Dear Dr. Landry:

At the April 13, 2022 meeting of the Government Oversight Committee, the committee conducted a work session on the OPEGA report on Child Protective Services Investigations released on March 25, 2022. The Government Oversight Committee would like to request the attendance of a representative of the Department to attend the next GOC meeting on May 18, 2022 to participate in the Committee's continued work session this report. The meeting will be held in Room 220 of the Cross Office Building and will begin at 9:00 am.

Attached are a list of topics and questions that we would appreciate the DHHS representative be prepared to discuss.

Sincerely,

Handwritten signature of Nathan L. Libby in cursive.

Nathan L. Libby
Senate Chair

Handwritten signature of Holly Stover in cursive.

Holly Stover
House Chair

cc: Members, Government Oversight Committee
Anna Broome, Sam Senft, Office of Policy and Legal Analysis
Molly Bogart, Director of Governmental Affairs, Department of Health and Human Services

Questions for OCFS--GOC Meeting May 18, 2022

Community Partner Engagement
○ What has OCFS done to engage or partner with law enforcement?
<ul style="list-style-type: none"> ● With health care providers?
<ul style="list-style-type: none"> ● With schools?
<ul style="list-style-type: none"> ● With childcare providers?
<ul style="list-style-type: none"> ● With other mandated reporters?
○ What plans does OCFS have to improve relationships with these community institutions and to enhance communication?
○ How is OCFS working to improve information sharing among the above community institutions to ensure that concerning behavior is brought to CPS's attention early?
○ What can the Legislature do to assist in ensuring that this communication can occur in a time effective manner?
Outcomes
○ How is OCFS working to improve outcomes for children and families?
○ What is OCFS doing to improve internal systems to ensure that children are not being lost in the system or swept up in overwhelming caseloads?
○ What is OCFS doing to improve information sharing to make sure that caseworkers have all of the information that they need to ensure that children are safe and cared for?
<ul style="list-style-type: none"> ● To ensure that caseworkers have the data necessary to decide whether reunification or foster placement is best for the child?
<ul style="list-style-type: none"> ● What factors are most relevant to making a determination of reunification or foster placement?
<ul style="list-style-type: none"> ● Is there data that OCFS can provide to GOC regarding how these decisions are made and where children are placed and how those decisions impact child wellbeing?
○ An examination of the Child Fatalities list shows that most had past referrals for mental health and/or substance use services. How was it determined that the services were successful and therefore those children were returned to a safe home? Will there be any changes to how it is determined that a home is safe?

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Internal Processes, Review and Oversight
○ A working group was assembled to problem solve the issue that caseworkers have in getting medical records that are relevant to the cases that they are working. Is there an update on the status of this project?
○ What has been implemented from the recommendations from Casey Family Services?
● Specifically, have new Safety Science hires been made?
● If so, what has been their impact so far?
○ How is OCFS going to fix the communication between the caseworker, the caseworker's supervisor, the supervisor of the supervisor, and all the way up through till you get to Dr. Landry and Commissioner Lambrew?
○ As OPEGA's reports from 2022 and 2018 highlight, there are serious deficiencies in caseworker supervisor oversight. What is OCFS doing to improve oversight of caseworker supervisors?
○ What has OCFS done to ensure that caseworkers are protected when raising concerns about supervisors overriding concerns about child safety?
● How is OCFS improving or developing further protections?
○ How often does OCFS evaluate the screening questions used by caseworkers?
● How often are changes made to those screening questions?
● Does OCFS engage in outside evaluation of the questions?
○ How does OCFS engage with families, foster parents, and mandated reporters to get feedback on the CPS process?
● What is OCFS doing to ensure that candid feedback is received without fear of retaliation?
● How is OCFS working to improve these feedback processes?
○ How does OCFS gather feedback from caseworkers about issues with the CPS structure or with supervisors?
● What is OCFS doing to ensure that caseworkers can raise concerns about supervisors without fear of retaliation?
● How is OCFS working to improve systems for caseworkers to raise such issues?
○ When caseworkers go outside the office to report to the Ombudsman's Office, it seems that they frequently experience retaliation both internally and in the larger

Questions for OCFS--GOC Meeting May 18, 2022

<p>professional community. What is OCFS doing to end this culture of retribution and encourage transparency when cases are not being adequately followed up on?</p>
<ul style="list-style-type: none"> • Would OCFS benefit from having hybrid of an HR and a whistleblower position separate from the supervisory structure to manage internal reviews and concerns regarding oversight of potential evidence of child abuse or concerns about supervisor management and behavior?
<ul style="list-style-type: none"> • What about a liaison to receive information from mandated reporters/foster parents/community members regarding concerns that CPS is not properly following up on evidence of mistreatment?
<ul style="list-style-type: none"> ○ What is OCFS doing to address the changes recommended by the Ombudsman's Office and state oversight panels?
<ul style="list-style-type: none"> ○ What is OCFS doing to build on its existing Quality Assurance system to identify practice concerns in a timely manner and create opportunities for feedback, mentoring, and training?
<ul style="list-style-type: none"> ○ What data can OCFS provide on the tool conclusions that are overridden by supervisors (from assessment to closing)?
<ul style="list-style-type: none"> ○ How was the 35 day limit for investigations determined and why does the "clock" not start over when there is new information to investigate?
<p>Recurrent Issues</p>
<ul style="list-style-type: none"> ○ What tangible steps can be taken, by the Legislature, the Government Oversight Committee or OCFS, to address to issues with high caseloads, inadequate training and high turnover rates?
<p>High Caseloads</p>
<ul style="list-style-type: none"> ○ How are caseloads assigned?
<ul style="list-style-type: none"> ○ What workload metrics can be provided to the GOC each month to track workloads?
<ul style="list-style-type: none"> ○ What consideration is given to the content of cases when distributing them among caseworkers?
<ul style="list-style-type: none"> ○ What can OCFS do to improve hiring practices and recruitment? What can OCFS do to increase its reach in recruitment initiatives?
<p>Inadequate Training</p>
<ul style="list-style-type: none"> ○ Where is OCFS in the implementation of its new training program for caseworkers?

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<ul style="list-style-type: none">○ Does training include methods for managing high caseloads?
<ul style="list-style-type: none">○ How does OCFS solicit feedback from caseworkers on the training provided? When is feedback solicited?
<ul style="list-style-type: none">○ How does OCFS assess caseworker performance, workplace comfort and support systems at 3 months, 6 months, 12 months after training?
<ul style="list-style-type: none">○ Has OCFS considered partnering with education systems in the state to create educational programs for students considering a career in CPS to provide training during college?
<ul style="list-style-type: none">○ Does OCFS feel that the fieldwork component of the training is sufficient?
<ul style="list-style-type: none">● Has another model ever been considered that would partner new caseworkers with supervisors in the way that other professions have apprenticeships before new members of the profession practice independently?
High Turnover Rates
<ul style="list-style-type: none">○ Does OCFS conduct exit interviews with caseworkers when they leave their positions?
<ul style="list-style-type: none">● What are the most frequent reasons for such exits?
<ul style="list-style-type: none">○ How is feedback from caseworkers who leave their positions incorporated into CPS practices to ensure that conditions improve for future employees to increase retention rates?
<ul style="list-style-type: none">○ What is the current turnover rate?
<ul style="list-style-type: none">○ Staffing has been an issue since 2017. Regardless of administration shifts, the agency remains highly susceptible to lack of workforce. Are there any ongoing long-term initiatives to address this?
Hiring
<ul style="list-style-type: none">○ How many open positions are there currently?
<ul style="list-style-type: none">○ What considerations are being given to new approaches to finding employees? For instance, should standards be changed to ease onboarding?
<ul style="list-style-type: none">○ What are the requirements to become a caseworker in OCFS and how were those standards determined?