



DRAFT

DHS Children, Adults and Families
Child Welfare Advisory Committee
Future Issues Work Group
April 13, 2011

Attending: Janet Arenz, Mike Balter, Pamela Butler, Lois Day, Leola McKenzie, Carrie Rasmussen, Mickey Serice

MINUTES

The 2/23/10 FIWG minutes were approved.

CONSENT AGENDA

Calendar

- Serice: CAF just finished phase 2 of our presentations to Ways & Means. We understand there may be a phase 3 but we have not received any information yet. The co-chairs do not have their budget yet – we are working off the Governor’s Balanced Budget (GBB). We don’t have amendments to our TANF placeholder bill.
- Balter: The Senate passed the education budget.

Dashboard

- No need to highlight at the May meeting.

Child Welfare Data Book

- Day: We can see if anyone has questions. We can highlight that for the first time in quite a while more children are coming into care than leaving. Also, we are making progress in addressing disproportionality.
- Balter: Asked that Lois show CWAC the relevant pages from the data book.

BRIEFINGS

Legislative Update

- Serice: HB 2053 (our equity bill) just passed out of committee and is going to W&M with a 5 to 3 vote. He will be following up with Rep. Thompson, who cast an unanticipated no vote.
- Butler: Asked that Mickey let Rep. Thompson know the Oregon Foster Youth Connection supports HB 2053.
- Serice: Will do. He knows Rep. Thompson is a supporter of the foster youth connection.
- Balter: Is there a fiscal?

- Serice: Yes, for two positions, which are included in the GBB.
- Balter: That will be a good bill to highlight. It is an outcome of the equity task force.
- Day: We are hopeful that SB 964, a precursor to differential response, will pass out of committee tomorrow and go to W&M. We worked with Sen. Bates to match his concept with differential response. It will transform the front door of child welfare. The fiscal is in the GBB.
- Balter: That will be important for CWAC to pay attention to as these bills go to W&M. Is there any legislation that CAF is trying to defend against, that is damaging?
- Serice: There are two bills, one in child welfare (SB 288) and one in self sufficiency (SB 538). Both may violate federal law and result in lost federal money. The bill sponsors and committee chairs are aware of our concerns and are working toward some amendments that will allow us to be neutral on the bills.

For SB 288 (Authorizes limited disclosure of child welfare records to specified individuals if purpose of disclosure is to determine if Department of Human Services acted within scope of department's authority), they may move the bill forward even with Region X's opposition. If that happens we have permission to oppose the bill. One concern we have is that if it passes the Senate, it may be referred to House Judiciary instead of House Human Services. Is meeting with Sen. Monnes Anderson on 4/14/11 to discuss our concerns about it passing out of committee before we have federal approval. Region X says it violates federal law and they are seeking a determination from Washington, D.C.

- Butler: Met with Sen. Ferrioli about SB 288. It is modeled after Tennessee law. Is Tennessee violating federal law?
- Serice: Region X reviewed Tennessee's law. An amendment prepared by Legislative Counsel added some records not included in the Tennessee statute that broadened the intent. Both Tennessee and Idaho make records available to legislators who sign a confidentiality statement. Confidentiality follows them and they are not permitted to share what they see with others. Per Sen. Ferrioli, to meet "reasonable disclosure for a purpose," the legislator would have to receive a written request from someone before they could ask to review the child welfare records.
- Butler: Children First for Oregon submitted amendments saying if a legislator has a personal interest in a child welfare case (relative or friend), they cannot view the file. Sen. Ferrioli believes the ethics laws would prevent that, but Children First wanted to make sure that was clear.

- Serice: SB 538 (Requires Department of Human Services to adopt rules requiring drug testing of adult applicants for and recipients of public assistance. Requires department to deny or terminate public assistance to individuals for whom testing produces positive result. Applies to adults who apply for or receive public assistance on or after July 1, 2012) would apply to applicants and recipients of TANF and SNAP benefits and includes sanctions if they don't maintain treatment. They would lose benefits if they relapse. Federal Food and Nutrition Service says the termination of benefits would be a violation. There are concerns for TANF recipients as well. We already screen TANF recipients, but if they refuse treatment, we do not automatically stop their benefits. We provided written testimony, including a copy of the FNS letter. Advocates testified against the bill. The committee chair is committed that the bill will not pass out of committee.
- Rasmussen: Asked for clarification that a relapse once a client is in treatment would end benefits and if DHS would have to pay for all the testing.
- Serice: Yes, there is a substantial fiscal to the bill. It originally would have required urine samples, but was amended to the use of a screening tool.
- Butler: Another concerning bill is HB 2183 (Creates crime of making a false report of child abuse. Punishes by maximum of one year's imprisonment, \$6,250 fine, or both).
- Day: There is strong support from some legislators. It would have a chilling effect on people's willingness to report abuse.
- Serice: There appears to be some confusion between a false report and an unfounded report. Some legislators say it will reduce workload for DHS.
- Balter: The notion is that people are using child abuse reporting as a punishing tool against neighbors and between divorced parents.
- Serice: It is scheduled for a work session today. The Department of Justice went on record of having the concerns mentioned above. His legislative update will also include the bills we introduced. For the most part, most of the legislation that is moving is not of concern for us. For the bills we have concerns about, we see ways to stop them or amend them.

Federal Policy Discussion

- Day: Nothing to be done until the feds start working on the 2011-13 budget. The May CWAC meeting may be a good time for an update on our waivers, efforts to not tie federal funding to a poverty rate from 20 years ago, tying federal funding to foster care population.

Casey Partnership 2011 Plan and Permanency Roundtable Report Out

- Balter: The update during the March meeting focused on the right things for CWAC.
- Day: We can give another update if you want. Work is pretty active. We are bringing on more counties and will know which ones by the May meeting.
- Arenz: What will happen if the Oregon Commission on Children and Families is abolished?
- Day: We will keep going. We would have to figure out how to support community mobilization. The Commission is an active partner in the initiative.
- Day: Roundtables are designed to be an internal conversation – a case staffing to support the caseworker to explore possibilities for where the case can go. Other states do not include external partners.
- Balter: When barriers and resource needs are identified in a roundtable, it could be an opportunity for community partners to meet those needs.
- Day: We will share our final report on the roundtables and ask CWAC for input on how to track and note improvements. However, we will not be inviting community partners to the roundtable.
- Arenz: Mentioned a document that was used when the roundtables were created. It was a grid of child development stages with emphasis on certain elements, prepared by Mickey Lansing. Would like to see how this work links to those priority areas.
- Day: Is not familiar with the grid. She will check with Mickey Lansing.
- Balter: The roundtables are a tool but they are not the Casey Partnership. They came about because of the partnership.
- McKenzie: Suggested that a future Casey update to CWAC including information about Model Court in August. A work plan is being developed for that event. As for roundtables, encourages looking at outcomes before implementing more in other counties.
- Day: Agrees with Leola.
- Balter: As resources shrink, we have to be more creative. Private providers in adoptions and foster care may have more flexibility and resources that may not be represented at the roundtable. Is not sure they are seen as useful as they might be. Where could that conversation occur? The roundtables may not be the right place. We do have enough information for a Casey update at the May meeting. With the difficult conversation on budget, it would be good to have something positive to share.
- McKenzie: SB 964 (Requires Department of Human Services and county partners to implement Strengthening, Preserving and Reunifying Families programs to provide family

preservation and reunification child welfare services. Allows department to enter into contracts with and make payments to eligible programs. Directs department to seek federal approval to access federal savings accrued as result of reduction in costs of foster and substitute care to reinvest in programs under Act. Includes programs' services in definition of 'purchase of care.' Creates Strengthening, Preserving and Reunifying Families Program Fund. Continuously appropriates moneys in fund to department for specified purposes. Requires department and juvenile court to include in reasonable efforts considerations and determinations whether preservation and reunification services provided by programs are most likely to prevent or eliminate removal of child from child's home or most likely to make it possible for child to safely return home. Requires department to adopt rules. Declares emergency, effective on passage.) came out of the work of a Casey team in Jackson County to reduce the number of kids coming into care. This is an area where CWAC could discuss how to be involved and leverage resources in communities around the state. It gets to the resource issue and identifies community resources that might be available to leverage.

- Day: SB 964 is one of the bills moving forward and is a good compliment to the Casey work and the collaborative work in communities.
- Balter: The legislative report on SB 964 can link to Casey. The legislative report on HB 2053 can link to the Equity Task Force report.

OR-Kids

- Day: We do have information to report to CWAC. The one-month pilot will be underway by the May meeting so we can report on that.
- Arenz: Asked if the pilot will test the requirement of providers entering data.
- Balter: That requirement will be part of phase 2.
- Day: A SACWIS requirement is that whoever does the work is to enter the data. It will be in phase 2 in the Fall of 2011. We do have a plan to be more aggressive in communicating with providers so they have no surprises on cost and training. The cost is for Citrix accounts for remote access into OR-Kids.
- Balter: Whoever was assigned to represent providers was absent from the planning. The providers need to be more assertive to make sure they are represented. The representative also must be required to report back to the other providers.

CWAC SUBCOMMITTEE ON CHILDREN'S JUSTICE ACT (CJA)

- Day: The four CWAC members that form the core of the subcommittee are meeting on 4/21/11. They will review the draft annual report, discuss how to use the remaining funds, and develop the spending plan for the 2011-12 allocation that needs to be submitted to the feds.

- Balter: We will add time on CWAC agendas for regular updates. We will add a new section on the agenda for standing committee reports.
- McKenzie: Now that Shary Mason is back to work, can she be involved in the subcommittee since she was the former task force chair?
- Day: That is up to CWAC. What is the process to get non-CWAC members on a subcommittee?
- Balter: The core members have permission to decide who they need to add.

CWAC SUBCOMMITTEE ON FOSTER CARE SAFETY TEAM RECOMMENDATIONS

- Balter: Asked Pamela Butler for an update on this subcommittee.
- Butler: Leola and she drafted a charter including membership and calendar. They sent it to the other CWAC members that were part of the FCST. Other parties are being considered besides Leola and Pamela. They will be able to present the charter and membership to CWAC in May.
- McKenzie: A copy of the draft was sent to Lois to review for concerns regarding staffing resources, etc.
- Day: She will need to review it again before she can answer.
- Butler: Proposes the subcommittee hold its first meeting in May.

ACTION: FIWG will look at the charter and prepare a recommendation to CWAC for approval after Lois reviews it.

CROSS-OVER REPORTS

Child Welfare Racial Equity Task Force

- Balter: Asked Janet to organize a presentation from the task force chair, Mike Ware or from Kory Murphy. Tie it to HB 2053.
- Day: Before inviting Mike or Kory, Lois will check with Erinn Kelley-Siel for how she wants to present the report to CWAC.

HB 2009 and DHS/OHA Transition

- Balter: Suggested a July update on BRS and Wraparound.

- Day: The DHS/OHA transition is much larger than wraparound so is not sure why wraparound is in this cross-over report. Wraparound should have its own cross-over report.
- McKenzie: CWAC should know the policies that are in place regarding limited A&D resources for child welfare families.
- Day: That is what we could cover in a DHS/OHA transition update in May. Recommends delaying a Wraparound update to July.

Juvenile Dependency Interbranch Work Group

- McKenzie: Nothing new to report. They are focusing on legislation that is of concern to them. That will be covered in Mickey's legislative update.

UNFINISHED BUSINESS

Workload Staffing Model

- Day: This legislative report is finished and has been given to the legislature. It can be shared with CWAC as part of the DHS Director's report.
- Balter: Asked for a high level walk through.

DHS ACTING DIRECTOR AND CAF ASSISTANT DIRECTOR REPORT

- Day: She will suggest the following topics to Erinn: DHS/OHA transition, budget changes, DHS changes, Equity Task Force, workload staffing model. What Erinn doesn't cover, Lois and Mickey can.

CWAC WORK PLAN

- 1.** To advise the Department of Human Services (DHS) on development and administration of child welfare policies, programs and practices related to reducing over-representation of children of color in the child welfare system.

See above discussions regarding HB 2035 and the Equity Task Force cross-over report.

- 2.** To expand the representativeness in CWAC discussions.

- Pearson: All members whose terms have ended or will soon end have been contacted and are interested in remaining on CWAC, except for Chief Jerry Moore. He has not responded yet.

- Arenz: She spoke with Pam Patton about the idea of someone else on the Coalition for Equal Access for Girls serving on CWAC. Pam's concerns are that she has a broader, more holistic, perspective than the others, who have a more specific expertise. Janet agrees, but also thinks it may be a good idea to develop leadership and make a shift to someone else, keeping Pam on a hot sheet for advice or consultation on work groups. Sees an advantage to develop other advocates for girls and discover other perspectives.
- Balter: Pam Patton is a real champion. However, the agency may benefit from new perspectives.
- Butler: Did Pam have any ideas on who could take her place?
- Balter: We wanted to talk here first. We may want to ask Pam to bring on another advocate for girls to shadow for a while, such as Ruth Taylor did to find a parent advocate.
- Arenz: That is a good idea. Pam has served a long time and has much personally invested in CWAC. We could suggest some names to Erinn.
- Balter: Let's not act on this today. We need to look at strong advocates for young women in the child welfare system.
- Arenz: CWAC already has Pamela Butler as the Children First for Oregon representative. Perhaps she could also be considered to fill the girls advocate role.
- Balter: Suggested Janet and Pamela discuss this outside today's meeting.

3. To coordinate and leverage state and local efforts to improve policy, program, and practice.

- Balter: Suggests CWAC drop this from its work plan. We don't seem to have the bandwidth to visit local committees.

ACTION: FIWG will bring a recommendation to CWAC to drop this item from its work plan.

4. To advise DHS on the practice of the Oregon Safety Model (OSM).

- Balter: The subcommittee on the Foster Care Safety Team recommendations will have its separate agenda item on future CWAC agendas. At the March meeting, Pam Patton mentioned she is on a work group formed from the JM CIRT to look at whether or not the child's age

impacted the actions of the agency. She is on the work group because of her advocacy role and not as a CWAC member, therefore their work cannot be released to CWAC prematurely. She was asked to contact the work group to ask if they would be comfortable releasing their work to CWAC. For now we will keep this CIRT issue here under CWAC Work Plan Goal 4 for now.

- Day: We have no new actions on the CIRT process. We have hired a CIRT manager and have requested more staff to be able to do more.
- Balter: It may be good for CWAC to receive a general understanding of the CIRT process in May.
- Day: A CIRT looks for systemic issues that may be identified from a single incident. The Foster Care Safety Team came out of a CIRT. The May agenda is too full, so perhaps this can be a topic on the July agenda. We will know about staffing for the CIRT office by then. We can talk about how CWAC interacts with the CIRT process.

Meeting adjourned.