

**MINUTES OF THE
CHILD WELFARE LEGISLATIVE OVERSIGHT PANEL**

October 6, 2008 • 1:00 p.m. • Room C250 State Capitol

Members Present:

Rep. Steven R. Mascaró, House Chair
Sen. Gene Davis
Rep. Paul Ray

Staff Present:

Mr. Mark D. Andrews, Policy Analyst
Mr. Thomas R. Vaughn, Associate General Counsel
Ms. Wendy L. Bangerter, Legislative Secretary

Members Absent:

Sen. Dan R. Eastman, Senate Chair
Rep. David Litvack

Note: A list of others present, copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Mascaró called the meeting to order at 1:05 p.m.

MOTION: Rep. Ray moved to approve the minutes of the July 10, 2008 meeting. The motion passed unanimously.

2. DCFS Report

Ms. Lisa-Michelle Church, Executive Director, Department of Human Services, briefed the Panel on the progress of the *David C.* case and the final review by the court-appointed monitor. She stated that the state is on track for the federal district court to dismiss the case with prejudice December 30, 2008. She expressed appreciation for the support of the Legislature.

Ms. Church reported on the work of the Governor's Child and Family Cabinet Council this year.

Ms. Church discussed recent state budget cuts and the priorities she used to make recommendations to the Legislature. She expressed concern that if the DCFS (Division of Child and Family Services) budget is further reduced preventive services will have to be cut. At Chair Mascaró's request, Rep. Ray agreed to work with Ms. Church and come back to the next meeting with recommendations on how to balance preventive and acute services.

Ms. Church also reported that with the pending discontinuation of foster care citizen review boards on November 6, 2008, DCFS is trying to see whether board volunteers can be used elsewhere in the child welfare system to provide oversight and conduct reviews. She also reported on efforts to work with public education and the juvenile courts on foster care issues, efforts to help caseworkers locate resources with foreign language capabilities, the November 10, 2008 DCFS immersion program for legislators, issues of concern to specific legislators, and efforts to reduce foster care licensing delays.

Ms. Kristin Lambert, Office of Services Review, Department of Human Services, reported on the results of qualitative case reviews. She said that marks and performances were very high for the fifth year in a row, being at or above standards.

Mr. Brad McGarry, Office of Services Review, reported on the case process review. He reported that last year was a very good year in terms of scores. He discussed three scores that had slipped.

Ms Cheryl Dalley, Fatality Review Coordinator, Department of Human Services, distributed and reviewed the FY 2008 Fatality Review Report. She noted two systemic problems identified by the reviews — failure by caseworkers to corroborate what is said by parents, and failure to document important facts that allow others to track the course of events in a case.

Ms. Church said that she is committed to continuing the type of oversight provided by the Office of Services Review, even after court oversight ends.

Mr. Duane Betournay, Director, DCFS, distributed and reviewed "Child and Family Services, FY 2008 Medicaid Costs." He reemphasized the Division's desire to avoid budget cuts that will decrease services. He distributed and reviewed "Elements of Contracts and Purchase Services."

3. Kin Placements

Mr. Betournay distributed and reviewed information regarding the placement of children with kin. He noted the importance of providing support to kin placements and recent federal legislation that includes some of the best practices associated with kin placements.

4. Racial and Ethnic Disparities in Child Welfare

Mr. Betournay distributed and discussed "Ethnicity of Children on Total Investigations, CPS Supported Victims, Home Based Children, and Foster Care Children for Fiscal Years 2004-2008."

5. Foster Care

Ms. Kelly Peterson, Utah Foster Care Foundation, distributed "Hitting the M.A.R.C." She emphasized evidence that inadequate foster care rates negatively affect foster parent recruitment and retention. Mr. Betournay indicated that he could come back to the Panel with an estimate of what it would cost to reimburse foster parents for child care expenses incurred in the care of their foster children.

Ms. Peterson reported that foster care payments have not increased significantly since the 1980s and that it would cost \$3.5 million for the state to increase foster care payments to 100% of the M.A.R.C. rate.

Mr. Ken Stettler, Director, Office of Licensing, Department of Human Services, discussed the foster care licensing process and the impact of national background checks in that process.

6. Family Support Centers

This item was not discussed.

7. Other Business

The Panel scheduled its next meeting for November 10 at 2:30 p.m.

8. Adjourn

MOTION: Sen. Davis moved to adjourn the meeting. The motion passed unanimously.

Chair Mascaro adjourned the meeting at 2:47 p.m.