

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

August 24, 2010 – 9:00 a.m. – Room 25 House Building

Members Present:

Sen. Allen M. Christensen, Senate Chair
Rep. Merlynn T. Newbold, House Chair
Sen. Gene Davis
Rep. Trisha S. Beck
Rep. Lorie D. Fowlke

Staff Present:

Mr. Joseph Wade, Policy Analyst
Mr. Thomas R. Vaughn, Associate General Counsel
Ms. Wendy L. Bangerter, Legislative Secretary

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

1. Committee Business

Chair Christensen called the meeting to order at 9:15 a.m.

MOTION: Rep. Beck moved to approve the minutes of the June 29, 2010 meeting. The motion passed unanimously. Sen. Davis was absent for the vote.

2. Integrating Feedback

Mr. Brent Platt, Director, Division of Child and Family Services (DCFS), updated the Panel on quality improvement committees and how DCFS evaluates and integrates the results of various quality assessment mechanisms. He reviewed the work in progress being done by the nine quality improvement committees throughout the state. He said that the committees look at overall trends, not specific cases, and report criticism and feedback to the Division. The goal is to integrate feedback and use it to improve services offered to families.

3. Report by the Office of the Child Protection Ombudsman

Ms. Dianne Warner-Kearney, Office of the Child Protection Ombudsman, reviewed the Office's annual report previously distributed to the Panel. The purpose of the office is to receive and investigate complaints, to provide a voice to the consumer/complainant, to promote a way whereby complaints are addressed at the lowest level possible, and to ensure that DCFS is acting in accordance with Utah law and DCFS Practice Guidelines. She stated that in FY2010, the Office found 44 complaints to be valid and made 46 recommendations to DCFS. All of those recommendations were implemented.

Mr. Brad McGarry, Director, Office of Services Review, Department of Human Services, reported that the request for proposal for an independent reviewer of conflict of interest cases (where alleged abuse has been committed by DCFS or one of its providers) has been reopened following a survey of why various entities did not respond to the first request for proposal.

4. Annual Report by the Office of Child Welfare Parental Defense

Mr. Sal Petilos, Deputy Director, Office of Child Welfare Parental Defense, Department of Administrative Services, gave a background and history of the office.

Mr. John Norman, Parental Defense Alliance, explained that the alliance is a nonprofit group that provides training, consultation, resources, and assistance to parental defenders. Oversight of the alliance is provided by the Office of Child Welfare Parental Defense. He distributed a synopsis of the annual Parental Defense Conference held in May, 2010. He reported that the Alliance's funding comes from both federal and state funds. He noted that training by the Alliance counts toward required continuing education.

Ms. Sharon Sipes, Parental Defense Alliance, commented that one of the findings from the Alliance's conference was that parents have more in common with guardians ad litem than was previously thought.

Rep. Fowlke commented on her attendance at the conference, which she found helpful.

5. Follow-up on Issues Raised at June 29, 2010 Meeting

Mr. Platt reported that DCFS caseloads are increasing. He explained that cases in excess of what DCFS can handle are referred to the Department of Human Services (DHS) where the critical needs are either filled or permission is given for the Division to exceed the target caseload. A request for additional caseworkers has been made for the Western Region.

6. Report by Utah Foster Care Foundation

Ms. Nikki Mackay, Director, Foster Family Retention, Utah Foster Care Foundation, distributed "Foster Families Impacted by State Budget Cuts." She stated their top concern which is that many foster families feel they can no longer afford to provide this service since the budget cuts have impacted the reimbursement rates so much. They will either not renew their license as it reaches expiration or when their foster children are reunited with parents or adopted, they will discontinue their service as foster families. In response to questions, she reported that child support payments made to DHS are not routed directly to foster families, but are put into the Department's general fund. She said that donations from the community are sought for extra costs like school activities and sports. She reported there are over 2,800 children in foster care in the state and that some services set up to support foster families have had to be cut. She explained that kinship placement is an option pursued and that group homes and proctor agencies have to be utilized when not enough foster families are available. She explained that rates of reimbursement for foster care vary because different levels of care are needed,.

7. Update on Federal Child and Family Services Review

Mr. Platt reported on the federal review of child welfare systems in 65 counties around the country. The State of Utah submitted Weber County, Salt Lake County, and Summit County for federal review. Mr. Platt reviewed some of the comments made at the federal review exit conference highlighting Utah's strengths. Recommendations for improvement were also made. Mr. Platt indicated that DCFS's intention is to implement the federal recommendations within two years.

Ms. Linda Wininger, Division of Child and Family Services, responded to specific questions about the federal review. She indicated that funding received by the state from the federal government will have to be paid back if federal improvement recommendations are not met. She reported that Utah's child welfare system is viewed by other states across the nation as a model system. Utah is weaker in financial support. Utah, however, is first in the nation for adoptions. She said that DCFS is committed to being more consistent in all areas of service.

Mr. Palmer DePaulis, Director, DHS, stated the Department's number one concern is to be able to appropriate adequate funding for foster families.

8. Adjourn

MOTION: Rep. Fowlke moved to adjourn the meeting. The motion passed unanimously. Sen. Davis was absent for the vote.

Chair Christensen adjourned the meeting at 11:10 a.m.