

CWAC – February 19, 2016

Present: Carl Ayers, Alex Kamberis, Deborah Eves, Ericca Facetti, Abigail Schreiner, Lori Battin, Katherine Lawson, Latanya Hairston, Traci Jones, Bragail Williams-Brown, Robin Ely, Jennifer Jones, Judy Gundy, Rita Katzman, Shannon Brabham, Denise Gallop, Ebony Baker, Deanna Brickhouse, Tania White, Phyl Parrish, Rick Verilla, Laura Polk, Tiffany Gardner, Morgan Nelson, Carey Natoli, Mary Stebbins, Amy Rice, Denise Dickerson, Hayley Mathews, Anne Kisor, Elizabeth Bowen, Em Parente, David Bringman, Dr. Don Kirtland, Brenda Washington, Emily Womble, John Dougherty, Amy Atkinson, Eleanor Brown

Carl Ayers, Director for the Division of Family Services, opened the meeting and the group provided self-introductions. Mr. Ayers reminded the group that the purpose of CWAC is to provide feedback to the director of Family Services. These meetings are not intended to be presentations; instead the intent is to have an interactive dialogue between members of the committee.

Mr. Ayers briefed the group on activity in the **General Assembly** and legislation impacting the division. The process to create new legislation begins in July of the year before the session. Legislation begins to “drop”, or be filed, in December before the session begins so activity is geared towards legislation earlier than when the session actually begins. This year there were four Departmental bills and one other bill that effects the Department that the Division was tracking. The first is **Senate Bill (SB) 417** “Unauthorized Practice of Law” and Jill Vogel is the patron. This bill stemmed from a complaint filed with the Bar stating that family services workers filing petitions and motions in Juvenile and Domestic Relations Court are practicing law and since they are not lawyers this was not allowable. The Bar upheld the complaint and the information was sent to the Attorney General’s Office for a fix. SB 417 allows non-attorney employees of the local department of social services (LDSS) to file petitions and motions related to child protective services and foster care services without the signature of counsel. It also has an enactment clause stating that all petitions and motions filed before July 1, 2016 are not in violation. There was proposed legislation in the House (House Bill (HB) 589, Jeffery Campbell) that was introduced that was very similar to the senate bill. The house bill passed out with little conversation. The senate bill was subject to significant debate and narrowly passed. SB 417 is currently in House Courts committee.

**SB 436** “Fostering Futures” is patroned by Barbara Favola and seeks to extend foster care to youth up to the age of 21. This is a fresh attempt to get this legislation through the General Assembly and received bi-partisan support. Two house bills were also introduced but action was not taken on those bills with agreement the focus should be on SB 436. The money for this extension is currently in the Governor’s budget and in the Senate version of the budget and is not tied to Medicaid expansion. Spending will be approximately \$1.9 million over two years. If this legislation passes, the extension of foster care services will begin in July 2016. Senator Favola also patroned **SB 433** which will create the Kinship Guardianship Assistance Program. The bill sets forth eligibility criteria for the program, payment allowances to kinship guardians, and requirements for kinship guardianship assistance agreements. The bill also requires the Board of Social Services to promulgate regulations for the program. This program will affect a relatively small number of youth as the children who will qualify must be living with a relative foster parent for at least six months and all other permanency options have been explored and ruled out. The child will

discharge with a reason of Placement with Relative and the family will receive a maintenance payment. Children that are discharged and meet the qualifications of the program can have a maintenance payment until the age of 21 if the Fostering Futures legislation also passes. If this legislation passes, the program will begin July 1, 2016. There was a question from the group concerning the use of VEMAT when determining maintenance payments for children in the program. A decision has not been made at this time. There is a possibility that VEMAT will be used; however, it may look different than the current VEMAT in that the rate may be capped. Procedures need to be developed on how to follow children in this program after discharge. It is envisioned the process will be similar to adoption assistance with an annual affidavit required.

**HB 600** “Federal Mandate Bill” is patroned by Richard “Dickie” Bell and seeks to bring Virginia into compliance with the federal sex trafficking legislation that went into effect in September 2014. Changes include:

- Raising the age to 16 for the foster care goals of APPLA and Permanent Foster care: there is no grandfathering with this decision – goals must be changed if the youth is under the age of 16 or localities cannot draw down federal or state reimbursement;
- Sex Trafficking has been added to the definition of abuse and neglect;
- Introduces the Prudent Parent Standard which calls for normalcy for children in foster care
- Lowers the age to 14 for credit checks for children in foster care – which is current Virginia practice;
- Allows youth to choose two people, other than the case worker, to participate in case planning.

There are other requirements that are not covered above. Foster care guidance needs to be updated to catch up to this legislation.

**HB674** allows the Commissioner or designee to review the local board of social services’ reasoning and decision to grant a waiver to relatives from the foster home approval standards and to ensure that what is being waived is not a safety standard. The Bill also states that the approval or disapproval by the Commissioner of the local board’s decision to grant a waiver to the foster home approval standard shall not be a case decision.

Mr. Ayers mentioned several **other pieces of legislation or studies** that impact the Division. Senator Hanger introduced SB 385 that provides the same criminal conviction process for foster and adoptive parents that is currently available for persons that work at a child welfare agency. Senator Favola requested a study on barrier crimes and waivers for relatives interested in becoming foster parents. SJ 73 directs the Department of Social Services to (i) review the Commonwealth's current barrier crime statutes that apply to kinship foster care and adoptive placements, (ii) assess the feasibility of lessening and formulate recommendations to lessen the restrictions of such statutes in a manner that would promote kinship foster care and adoptive placements while continuing to ensure the safe placement of children, and (iii) consult with all relevant stakeholders. The resolution requests that the Department present its findings and recommendations to the Commission on Youth. Consideration is being given to asking the CWAC subcommittees to help with that study.

Delegate Peace patroned HJ103 that directs the Commission on Youth to study the adoption home study process, including the current mutual family assessment home study format and curriculum; review the process by which home studies are completed by staff of local departments of social services and licensed private child-placing agencies; and consider the potential benefits of implementation of a uniform home study format established by the Department of Social Services for all home studies completed in the Commonwealth.

Delegate Byron requested a budget amendment “Pilot Project – Temporary Placement of Children in Crisis” Item 346 #1h. This amendment requires the Department of Social Services to establish a pilot program to partner with Patrick Henry Family Services in Planning District 11 for the temporary placements of children in families in crisis. This requested is related to HB2034 (2015 session) that provides that a parent or legal custodian of a minor may delegate to another person by a properly executed power of attorney any powers regarding care, custody, or property of the minor for a period not exceeding one year. This legislation was passed by indefinitely but it was requested that the Commission on Youth study the issue. This year Delegate Byron asked for the budget amendment to being the pilot program using the Safe Families model. The pilot would allow a parent or legal custodian of a minor, with the assistance of Patrick Henry Family Services, to delegate to another person, by a properly executed power of attorney, any powers regarding care, custody, or property of the minor for a temporary placement for a period that is not greater than 90 days. This program would allow for an option of a one-time 90 day extension. The Department must ensure the pilot program meets the background check requirements, develop and implement policies and procedures, as well as provide training for providers. The Department of Social Services shall evaluate the pilot program and determine if this model of prevention is effective.

Anne Kisor spoke to the group about progress made with the **Practice Profiles** that have been discussed several times previously at CWAC. The purpose of the practice profiles are to operationalize our practice model for everyday case management tasks by bringing the practice model “to life” in measurable, observable, and behavioral terms. The profiles break practice into specific skills and tasks and enable workers to determine what good practice looks like. Virginia’s practice profiles can be used across the continuum of practice; from first contact to permanency. The profiles were developed out of the Learning Collaboratives with 21 participating local departments. The final draft was reviewed using a trauma lens to support holistic well-being of children. There are 11 worker skill sets in the profiles including:

- Advocating
- Collaborating
- Documenting
- Evaluating
- Partnering
- Demonstrating Cultural and Diversity Competence
- Assessing
- Communicating
- Engaging
- Implementing
- Planning

There are significant benefits to using these profiles. They promote consistency at every level of service delivery and provide a framework within which to integrate best practices. The profiles help identify

departmental supports that lead to reliable and effective practice. When used properly, the profiles should develop and sustain worker competency and understanding of what is expected of them. Additionally, they should provide consistent outcomes that can be accurately identified and understood.

The question of how the practice profiles will be rolled out was raised by the group. There is not a definite plan laid out of timelines for roll out yet. There is a plan to introduce the profiles through coaching and a planned series of workshops for local department staff. These workshops will be for a few departments at a time with the goal of around 60 departments participating in training by the end of the year. The implementation team will meet in February to make decisions about how to release the practice profiles. There has not been a decision on when to post the profiles for public consumption. A follow up question came from the group concerning the difference between coaching and supervision. The core of coaching is skill development while supervision is focused on compliance. Coaching is looking for ways to ask questions and uses solution focused questions. Coaching is about engagement. Local departments must complete readiness assessments as part of the process. The last question from the group was how private providers could become part of the roll out for practice profiles. The answer is the implementation team is working on this issue. A large part will be participating in the self-assessment that local departments must complete as part of this process.

There was a slight change to the agenda in an attempt to keep the meeting on time and Laura Polk spoke to the group about the **Child and Family Services Review (CFSR)**. The discussion of the Title IV-E review will be moved to another meeting. Ms. Polk informed the group that Virginia is leaning toward conducting a state led review in 2017 instead of having the Children's Bureau and federal regional office lead the review. While the CFSR will take place between April 1 and September 30, 2017, the period under review actually begins April 1, 2016 and runs through the date of the review. Ms. Polk is proposing that Virginia review a total of 80 cases over the six month review time period. This is more than the 65 required cases. Fifty of the cases will be divided evenly over the five regions of the state and 30 of the cases will come from Fairfax County because they are the largest metropolitan region. Because local departments vary in size and caseload, the size of the local department will determine the potential number of cases that could be randomly selected for the review. The smallest departments, Level 1, could have two cases selected: one on-going CPS and one foster care. Level 2 departments could have three cases selected: one on-going CPS and two foster care cases. The largest departments, Level 3, could have five cases selected: two on-going CPS and three foster care cases.

Ms. Polk asked the opinion of the group concerning the recruitment of community partners and local department workers as partner reviewers for the CFSR. It is an expectation of a state led review to have reviewers outside the state agency that includes community partners and other stakeholders. Ms. Polk suggested that local departments in each region who are not selected for case review send at least one worker and suggestion of a community partner to attend reviewer training. It is expected the training would help get buy in from local departments for the review since the CFSR instrument is being used in state led case reviews. The consensus of the group was it is a good idea to ask for local workers to attend the CFSR training.

Mr. Ayers reminded the group that one of the major initiatives in child welfare in Virginia is **Adoption**. There are hundreds of children in foster care in Virginia that are available for adoption. At the end of 2015, it was discovered there was a backlog of adoption inquiries at the state office. That backlog was addressed in short timeframe and additional staff was brought in to ensure follow up for all inquiries. There are multiple ways to make an adoption inquiry including phone, website, and email. The current process ensures a response to an inquiry will go out within 24 hours. The number of children in AREVA has increased since the end of the year. It was discovered that localities were putting children on deferment, but not removing them from deferment. That issue will be addressed soon.

Mr. Ayers led a discussion with the group around the concern that local departments are not following up on adoption inquiries that are being forwarded to them by the state office. He asked for input about any barriers in place that would prevent them from following up. One suggestion was that local departments are focused on reunifying children with their families and are focusing their attention on foster families instead of on adoptions and adoptive families. Another suggestion was there is not enough staff at the local level to recruit, train, and support foster or adoptive families and there isn't enough staff or time to conduct the required home studies. A local department representative informed the group that the specific department she works with does respond to adoption inquiries on a regular basis. Several group members had suggestions that may be helpful including;

- Having regional adoption liaisons that can be “go-betweens” for departments and families with adoption inquiries;
- Have a point of contact person to pre-screen families over the phone; or,
- Creating an adoptive family registry, instead of only a registry for waiting children, develop a registry of willing families.

Mr. Ayers informed the group due to Adoption Savings, DSS has put forward a plan to the General Assembly to provide regionally-based staff to address some of the concerns noted above.

Alex Kamberis briefly discussed Virginia's interaction with the Center for States and the areas that will receive **technical assistance** in the coming year. In the past, the Children's Bureau provided technical assistance through National Resource Centers. The decision was made to consolidate those resource centers and the Capacity Building Center for States was created. The Center for States will provide capacity building support to DSS on four brief services that have been identified as priority needs in VDSS 2015-2019 Child and Family Services Plan and as a need to fulfill the requirements of the new federal law on Preventing Sex Trafficking and Strengthening Families Act. These brief services, all of which are expected to last a period of 2-4 months in the 2016 fiscal year, are designed to meet foundational and innovative-specific capacity needs in the State's knowledge and skills and infrastructure. Mr. Kamberis reviewed three of the four services and are described below.

**Brief Service #1 – Build Knowledge and Skills in Adoption Assistance Negotiation:** Through this service, VDSS will develop an understanding of how other states have successfully developed and implemented adoption assistance negotiation processes. This will improve VDSS' knowledge and skills to support staff in addressing the needs of adoptive families and children.

**Brief Service #2 – Develop Knowledge and Skills to Address Inconsistency/Variability in CPS Screened Out Reports:** Services will be provided to help VDSS build its knowledge and skills and improve its infrastructure on structured decision making for CPS screened out reports. This should help VDSS increase consistency and improve the validity of decisions made by CPS to enhance the safety and protection of children and youth.

**Brief Service #4 – Improve Transitioning of Older Youth:** Through this service, VDSS will engage in determining the root cause(s) for under-utilization and/or lack of utilization of independent living (IL) assessments and transitional living plans for foster youth. It is hoped that through this research, VDSS can implement targeted strategies that will yield improvement in utilization of these assessments and plans and lead to better preparation of youth as they transition into adulthood.

The third services deals with streamlining processes related to ICPC and FAPT. This work will take place, as mentioned, over the next year and reports can be brought back to CWAC.

The meeting adjourned at 1:10. The next meeting will be Friday, April 22, 2016 from 10:00 – 1:00 at the Tuckahoe Library.