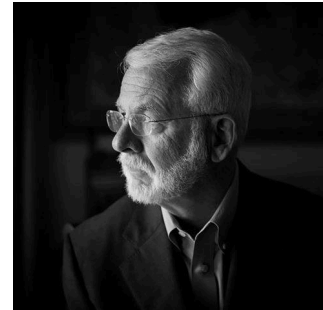


A Troubled Child Welfare System - A Report From the Executive Director



The press release dated 03/03/22 caught my attention. It relates to a crisis brewing in the Permian Basin of West Texas. Reportedly, 2/3rds of foster kids in that region are placed elsewhere because foster homes are simply not available.

Sadly that means that children are separated from everything familiar in their lives. I suspect that distance often precludes regular family visits and support. Children have to adjust to new schools, absorb the loss or unavailability of friends, and virtually attempt to start over.

Fortunately, some private agencies have now stepped up to the plate to see if they can assist in making a difference. It was in the Permian Basin that I got my start as a child protective services worker in 1970. When you do the math that was a very long time ago. But I vividly remember a system that seemingly worked well for children. Children's protective services provided both supportive in-home services to families and short-term residential placement while families resolved difficulties that posed an imminent threat to their child's safety.

A couple of years later, I transferred to residential child-care licensing. I continued in that area of responsibility for the next fifteen and a half years. The focus was still on protecting children, but there were different dimensions to the work.

I left employment with the public child welfare system in 1987. I eagerly embraced the opportunity for a hands-on experience in an administrative role in the private sector caring for children in both group care, foster care, and adoptive home settings.

Twenty years from the time I initially started working in the Permian Basin in children's protective services, I was back in that same locality as the administrator of a private agency that subsequently provided a full continuum of care to children.

I found that resources were plentiful and the agency was privileged to partner with families wanting to share their life and resources with foster children.

In looking back twenty years to that subsequent ten-year block of time when I worked again in the Permian Basin, a lot of changes have taken place. Foster care is still a viable option for some children and families, but across the country, there has been an increasing shortage of available foster parents.

Consequently, it is not uncommon for children needing removal from families where they are imminently at risk of harm, to find themselves sleeping in workers' offices or hotel rooms because foster homes or kinship homes are unavailable. No other option is funded for their care unless the child's primary need is treatment needs.

To complicate the issue, not everyone who gravitates to the foster care system does so because they are primarily interested in sharing their life and family with a child from a hard place.

The motivation for some foster parents is to operate a small family business where their living expenses and lifestyle are dependent on foster care reimbursement.

I never worked for an agency that chose to sacrifice the quality of services for the number of children served, but such agencies do exist. I've known of child-placing agencies that regularly distributed information concerning the need for foster parents in "food stamp offices" and laundromats to advertise for foster care providers.

I was always of the mindset that a foster family needed to have the financial resources to meet the basic needs of children placed in their homes without relying on foster care reimbursement to pay the utility bills and buy groceries.

I am not suggesting that impoverished families are categorically not a good resource for children. Many can shower a child with nurture and support. However, the biggest difference is the motivation of a family to want to be a resource.

Integrating one or two children into a family is significantly different from attempting to be a resource for up-to-six children with the intent to use reimbursement payments as the primary income for the foster family.

COVID was a key player in families being less open to incorporating an additional child or two in their family unit. Though the pandemic no longer poses the kind of threat it did in 2020, it continues to be a variable that impacts foster care recruitment.

According to the 2020 CHAMPS report, the foster and adoptive parent recruitment plans developed by the majority of states did not include a comprehensive approach to the creation of sustainable agency-wide recruitment.

Sadly, children are sometimes allowed to remain in environments where they are at risk of serious harm or death in their own homes due in part to the lack of resources or the mistaken belief that children fare better with their families. In last month's report, I mentioned that child deaths from abuse/neglect doubled in the state of Maine during 2021 from the previous calendar year. Press releases indicate that families of victims had a history of involvement with the child-welfare system.

We know from a Harvard Research Study that the current opioid crisis in our nation plays itself out through addicted persons being three times more likely to physically, sexually, or emotionally abuse their children and four times more likely to neglect them.

As a nation, the capacity crisis for children needing out-of-home care is also due in part to the elimination of children's homes and residential schools being considered a viable resource for children not needing treatment services. Under current law, IV-E funds cannot be used for the care of those children in any other setting than foster care.

From some of my contacts in Washington, I sense there is now more of an openness for considering legislation that provides more options for children. The gap between what now exists and the unmet needs are a cause of concern.

We are moving forward in our discussions with legislators regarding the need for increasing capacity, keeping sibling groups together, and providing children a normalized home and community environment with opportunities of age-appropriate normalized extracurricular, enrichment, cultural and social activities and the same freedoms afforded peers living with families.

We also support creating accountable, respectful environments for children that implement a trauma-informed approach in care, prohibits the use of seclusion, mechanical or chemical restraints and permits only short-term physical restraint if approved in the agency's policies to prevent injury to self or others. At no time is a prone physical restraint permitted.

We endorse the requirement that programs must provide a system for children to alert a staff person(s) if they have concerns or feel they have been unfairly denied their rights or are subject to the threat of mistreatment.

In addition, we promote a continuous quality improvement methodology that regularly solicits information from children concerning their perceptions of the quality of care and identification of strengths and weakness of the program.

We believe that children are best served in a family-like living environment in a single-family style residence with no more than two children per bedroom unless it is in the best interest of children; and one in which children are under the care of live-in home parents that use the implement the reasonable and prudent parent standard and provide 24 hour substitute care for children placed away from their parents or caretakers

I hope to be back in touch with you soon to discuss strategy for moving forward in making the legislative contacts necessary to orchestrate a more favorable environment and options for children who are without placement.

In the interim, if we could hear from you regarding the continuation of children being housed in child protective services' offices in your state or reports of child deaths or serious injuries within close proximity of child welfare involvement, the information would be helpful to share with legislators.



PENDING LEGISLATION

No noted progress has been noted on the following proposed bills:

S.2689

Medicaid Continuity for Children in Foster Care Act (S. 2689) was filed by Sen. Richard Burr (North Carolina) on August 10, 2021.

The bill would clarify existing law to ensure that the care provide for certain foster children in need of higher levels of care are covered by Medicaid. The bill has 4 co-sponsors: Sen. Dianne Feinstein [D-CA] original co-sponsor, Sen. Todd Young [R-IN] signed on September 20, 2021, Sen Alejandro "Alex" Padilla [D-CA] signed on September 20, 2021, and Sen. Marco Rubio [R-FL] signed on September 2021. The bill was assigned to the Finance Committee.

The only category of care impacted by this legislation is Qualified Residential Treatment Programs serving more than 16 residents. Programs with a capacity of more than 16 residents are subject to the IMD (Institute for Mental Disease) exclusion that prohibits payments to a hospital, nursing facility or other institution with more than 16 beds that primarily provides care for people with mental conditions.

H.R. 4378

Protecting Siblings Relationships In Foster Care Act (H.R. 4378) was filed by Rep. Don Bacon on July 9, 2021.

The bill is a competitive grant pilot program to encourage the development of specialized foster care programs designed specifically for large sibling groups, sibling groups with a wide age range, and sibling groups with complex needs.

The bill has 3 original co-sponsors and an additional co-sponsor added on July 13, 2021. Co-sponsors include: Rep. Karen Bass [D-CA], Rep. James R. Langevin [D-RI], Rep. Brenda Lawrence [D-MI], and Rep. Markwayne Millin [R-OK].

H.R. 4299

Foster Care Stabilization Act (H.R. 4299) was filed by Rep Don Bacon on July 1, 2021.

The bill directs the Secretary of Health and Human Services to establish a demonstration grant program to provide emergency relief to foster youth and improve pre- placement services offered by foster care stabilization agencies, and for other purposes.

The bill has 3 original co-sponsors: Rep. Karen Bass [D-CA], Rep. James R. Langevin [D-RI], and Rep. Markwayne Mullin [R-OK]

H.R. 4348

The **Tribal Family Fairness Act** (H.R. 4348) was filed by Rep. Karen Bass on July 2, 2021. The purpose is to remove administrative barriers to participation of Indian tribes in Federal Child Welfare programs, and increase funding for tribal child welfare programs, and for other purposes.

Co-sponsors include: Rep. Sharice Davids [D-KS 07/02/21], Rep. G.K. Butterfield [D-NC 07-19-21], Rep. Liz Cheney [R-WY 07-19-21], Rep. Pete Aguilar [D-CA 07/12/21], Rep. Ken Calvert [R-CA 07/19/21], Rep. Angie Craig [D-MN 07/19/21], Rep. Charlie Crist [D-FL].

The **Accountability for Congregate Care Act** has not yet been filed. In October 2021 Rep. Ro Khanna [D-CA] announced at a press conference with Paris Hilton his intent to craft legislation entitled the Accountability for Congregate Care Act. Rep. Adam Schiff also spoke in favor of the legislation. Reportedly, Sen. Jeff Merkley [D-OR] has indicated he will sponsor the legislation in the Senate.

Reportedly, the intended legislation would identify a bill of rights for residents including protections against solitary confinement, chemical and physical restraints, alienation for

their peers, and the right to call friends and family. Reportedly, the legislation will include minimum standards of care and treatment that facilities will have to meet. To my knowledge, nothing yet has been officially filed in either the House or Senate.

666

**Save the Date &
Call for Presenters**

*The **2022 CORE National Conference** is scheduled for October 11-13, 2022. This year's host for the conference is Milton Hershey School - Hershey, PA*

A link to the Call for Proposal can be found on the CORE Website under "Presentation". <https://www.core-dc.org/call-for-presenters/> The timeline for submission is on or before June 15, 2022.



Suggested topics include, but are not limited to:

- Revamping program models to more effectively respond to needs
- Transitional Leadership
- Donor Acquisition and Fund Raising
- Orchestrating Legislative Change
- Ethics
- Tracking Outcomes
- Independent Living
- Attachment
- Sensory Integration
- Thrift Stores -Are They Worth The Investment
- Innovation and Thinking Outside the Box
- Working with Boards and Selection of Board Members
- Employee Recruitment and Retention
- Effectively Utilizing the Reasonable and Prudent Parent Standard
- Implementation of Kickboard Behavioral Management System
- Effectively Utilizing Suite 360 Social Curriculum
- Sensory Integration
- Supporting a Normalized Home Environment for Children
- Drug Use and Misuse
- Promoting Best Practice in a FFPSA Environment
- Continuous Quality Improvement Processes
- Using Alumni To Share The Agency's Story and Impact Legislative Change
- Promoting Educational Excellence

- Keeping Children Safe
- The Use of Volunteers In Enrichment Activities for Children
- Recruitment, Training and Retention for Child-Care Staff
- Trauma Informed Care Issues
- An Executive Leadership Track