

**LITTLE HOOVER COMMISSION
AUGUST 22, 2002**

**TESTIMONY ON BEHALF OF THE COUNTY WELFARE DIRECTORS
ASSOCIATION
BY
STUART OPPENHEIM
NORTHERN REGIONAL DIRECTOR
SAN MATEO COUNTY HUMAN SERVICES AGENCY**

Thank you very much for the opportunity to address the Little Hoover Commission on the progress that has been made in the field of foster care and child welfare services since the publication of your 1999 report, "Now In Our Hands."

I was privileged to be invited to speak with you in 1998 and I am truly delighted to testify on behalf of the County Welfare Directors Association. Through my own leadership and the leadership of my colleagues on the Children's Services Committee, this Association stands committed to continuously improving...our state's services to vulnerable children and their families. I believe that my 30 years of experience in public social services, and 25 years in Child Welfare programs, is representative of the experience that our Association brings to an assessment of the current state of affairs in our field.

Foster Care Statistics

I would like to begin by providing you some very good news. In contrast to the trend that you reported in 1999, when you noted that, "an increasing percentage of a growing population of young people is flooding a child welfare system...." and that "the absolute number of children in foster care has tripled," I would like to offer the following statistical information from the Center for Social Services Research, based upon data in the Child Welfare Services Case Management System (CWS/CMS):

After doubling between 1988 and 1997, the number of California children in child welfare supervised foster care declined 8 percent between July 1, 1998 and July 1, 2001

While numbers do not tell the entire story, this trend does provide evidence that through the concerted efforts of state and county officials and community services, we have been able to provide some containment to our system.

Promising Practices

I would also like to provide you with a document that addresses the challenge that you posed in your 1999 report, as follows: "The innovation and initiative of county social services are also critical."

Eleven Bay Area counties produced our own report, "Promising Bay Area Practices for the

Redesign of Child Welfare,” which I am pleased to share with you today. We hope that you will review our report in your efforts to understand how Child Welfare Services in California are addressing the fundamental challenges in this field by creating interesting and exciting programmatic initiatives, a large number of which are in prevention and early intervention services. In producing this document we did not intend to contrast the Bay Area with the rest of California. We state throughout the report, and truly believe, that the work that we have highlighted in our report is representative of the efforts that go on in all 58 California counties, often with the leadership and assistance of the California Department of Social Services. CWDA would be happy to provide you with more detail about our ideas for improving the recruitment, retention, and support for foster family homes, and with ideas for restructuring the overall rate system to enhance the supply of appropriate placement options throughout the spectrum of care, based on the needs of the child.

Workforce Challenges

We also highlight in our report some of the unmet challenges we face. In particular, echoing your 1999 report, wherein you state that “in many counties social workers are overwhelmed by this challenge alone,” we note that we continue to struggle with the factors that were highlighted in the SB 2030 workload study. That study found that three times the current number of authorized social workers would be necessary to meet the mandates that were in existence at the time of the study (1999); further mandates have been created by the legislature with little additional funding. Thus, any progress in improving the lives of children in the Child Welfare System and foster care is hampered by the fact that the system remains significantly underfunded.

Placement Resources

One area that you did not address directly in 1999, which has become a matter of crisis proportions, is the availability of placement resources for foster children. From basic foster homes to the highest end residential resources, we are witnessing a tremendous decrease in available resources for both wards and dependents. In addition to all of the critical issues that you raised in 1999 and are reviewing today, **the matter of placement resources poses the greatest risk to foster children in California.**

The legislature, in SB 933, mandated that the California Department of Social Services undertake an re-examination of the group home system in California and to make improvements in that system. To date, the study has been completed but there have been few concrete improvements in the system. In addressing the 1999 findings and recommendations we will cite areas of interagency cooperation and group home rates that require further positive work in order to ensure the adequate care of children in group homes. It is our hope that in updating your assessment of the foster care system you will join us in urging the administration and legislature to move quickly towards reforming the out of home care system. We believe that this system requires both additional funding and some fundamental restructuring if the children who reside in foster care will in fact receive the kind of care that they require in order to overcome the harm of abuse and neglect that has brought them to our attention.

Findings and Recommendations from “In Our Hands”

Many of the specific findings and recommendations in the 1999 report are directed to the California legislature and/or the Governor’s administration and we assume that they will respond directly to them. However, certain findings and recommendations seem appropriate for a county response, so I will briefly touch on several of these:

Finding 1: State’s obligation to protect and care for abused children

In this section of the report you state that, “there are reasons for optimism. First, federal, state, and local child welfare agencies increasingly agree on how the system should conceptually work.”

Under the leadership of the current administration, there has been very positive growth in the relationship between the California Department of Social Services and the county Child Welfare Services agencies. State staff have worked with county officials to try to achieve a common vision for how Child Welfare Services can better improve the lives of the children and families whom we serve.

Counties have had representation in the State’s Stakeholders’ process. As this process moves into its third year and focuses on implementation, the administration has provided assurances that the leadership of this implementation phase will be shared by the state with the counties. It is imperative that implementation planning be done in partnership if the fledgling steps toward creating more preventive, community-based, pre-placement services which are showing such great progress are to be brought to statewide scope.

Finding 2: State programs are not organized, managed, or funded to comprehensively meet the State’s obligation to abused children

Sadly, despite the progress that has been made in improving the relationship between the California Department of Social Services and the county Child Welfare Services programs, the lack of coordination at the state level that you cite does not seem to be improving. Recent developments in the area of mental health services to children in foster care highlight this shortcoming and the increased risk to children that it poses.

Very recently, the State Department of Mental Health stated its intention to remove from funding certain Day Treatment activities that have been used to help maintain very troubled children in group homes, principally under the supervision of Child Welfare and Probation agencies. This development occurred without any conversation with county Child Welfare agencies and no apparent conversation with the leadership of the California Department of Social Services. It is clear to the Child Welfare community that this change in funding for Day Treatment activities will either result in the closure of many group homes because they do not have sufficient funds to maintain their programs or counties’ having to find county general fund resources to pay for services that previously were funded by the state and federal governments. Thus, the unilateral

act of one Department, if taken, will result in increasing the vulnerability of very disturbed children in the foster care system.

Overall, the system for funding group home placements in California is deeply troubled and cannot be improved without serious collaboration between the Departments of Social Services and Mental Health. The current system does not provide adequate funding to meet the needs of children and youth in group placement, especially those with serious emotional disturbance, and it cannot be improved without both Departments accepting responsibility for its resolution.

All systems that address the needs of children in foster care need to work together effectively; not just Mental Health, but Education, Developmental Disabilities, Alcohol and Drug, Health and Housing must understand their role in working with Social Services to improve the lives of these most vulnerable children.

We, therefore, strongly urge that the goals of recommendation #2 be met, specifically: *improve partnerships, increase performance accountability, create an accurate child abuse database, adopt comprehensive performance measures, identify best practices, reengineer the funding process, assist recruitment and expand training.*

Finding 5: Child abuse prevention and early intervention efforts fall short of their potential to protect children from harm and spare families the trauma of losing children to foster care.

We believe that the state -- indeed the nation --- still lacks a comprehensive statewide strategy for prevention and early, non-court forms of intervention. This is a fact acknowledged by the Stakeholder's, and an area of much focus for the Stakeholder's. It is our hope that as CDSS leads the Stakeholder's process to the implementation stage, we can focus these implementation efforts on the creation and implementation of a comprehensive strategy. Despite the absence of a statewide strategy, county commitment to prevention and early intervention is exemplified by the great efforts that have been undertaken at the local level. In the report that we provided to you, "Promising Bay Area Practices for the Redesign of Child Welfare Services," we highlight and describe a wide array of early intervention services that are currently implemented in Bay Area counties. Many of these began with state Healthy Start funding and demonstrate how state leadership can seed the growth of positive alternatives to high-end interventions, such as foster care placement. We know much about HOW to do prevention and early intervention. Now we need a state strategy for moving from the incubators to doing it comprehensively across all counties. And we will all need to jointly pressure the federal government to modify it's antiquated funding systems that provide next-to-nothing for prevention but an open-ended pot for placement

Additionally, there are currently eight California counties undertaking the implementation of the Annie E. Casey Foundation's` Family to Family Initiative. California Department of Social Services staff is working with the Stuart Foundation to help these efforts to support children and families in a community based support system. The principles of the Family to Family Initiative are that children belong in families, that families do best with community support, and that Child Welfare Services needs community support in order to achieve its goals. There are four basic

strategies in this initiative—Building Community Partnerships; Recruitment, Training and Support of Resource Families; Self-Evaluation; and Team Decision Making—that are directed to keeping children in their communities of origin and engaging communities in helping to protect their children by keeping them at home or in foster placements in their own neighborhoods, and returning them as soon as possible if they must enter foster care.

We also believe that the most promising directions in the Stakeholders process are those that encourage the development of early intervention initiatives and we are hopeful that this process will result in the state’s promotion and funding of these and other early intervention approaches.

Finding 6: The State lacks an accurate and dynamic assessment tool to measure the risk to vulnerable children and determine the best approach to their well being

While it is true that there is not one risk assessment tool applied in California there are in fact at least two tools that have enjoyed widespread application in our state and which, in the words of your 1999 report, constitute “an on-going effort to improve the ability of caseworkers to make one of the hardest decisions public employees are required to make.”

Over ten years ago the California Department of Social Services promoted the development and dissemination of the “Fresno State” risk assessment process and tool. This methodology is still being taught at the Child Welfare Regional Training Academies and the process and tool are in place in many counties throughout California.

More recently, CDSS has offered counties the opportunity to participate in the Structured Decision Making (SDM) process for assessing risk to children and targeting services based upon that risk assessment. Many counties have chosen to implement SDM, and its application has become an effective complement to those counties that have chosen to deploy the Fresno State model.

One of the implementation activities that appears to be envisioned in the Stakeholders process is a re-evaluation and refinement of the risk assessment approaches used in California. Factors for use in risk assessment should be standardized for use in all California counties and good, on-going training should be in place for all staff. Risk assessment is about a process and competencies, not just a tool. Consequently, any research based tool which incorporates the agreed upon factors should be allowable in the counties. The State should play a strong role in assuring that all counties have implemented such a process.

Finding 7: Welfare reform could further stress families, making more children vulnerable to abuse and neglect

In California counties, the implementation of CalWORKS has resulted in establishing case management services for families on aid that provide a wide range of services to enable families to achieve self-sufficiency. Families with identified barriers to self-sufficiency are offered opportunities for assessment, referral, and treatment of their problems that are intended to head off any problems that might result in children having to enter the foster care and adoption system. Supportive services for families with

problems, and community service options for families who are unable to overcome their problems to find work in the general economy, are avenues for avoiding the realization of the predictions that pre-dated the implementation of welfare reform in California.

In addition to the activities that take place in individual counties, there has been a great effort to ensure that attention is paid, statewide, to the interface of CalWORKS and Child Welfare Services. A multi-year project has been funded by the Stuart Foundation to create a Child Welfare/CalWORKS Partnership project and this project has been staffed by a large number of state and county officials. This project has recently produced a lengthy report on best practices in this area, including recommendations for effective partnering activities between the programs.

Recommendation 9:.....ensure alcohol and drug treatment programs are adequately funded and integrated into foster care programs, specifically...make foster families a priority for treatment, track service delivery, fund case management for parents, expand public-private partnerships, and report on progress

We agree that much needs to be done in order to ensure the coordination of services between Alcohol and Drug program and Child Welfare Services. For six years the Stuart Foundation has underwritten a collaborative work group of state and county staff in both fields to make recommendations for more effective coordination. This work group has hosted a number of inter-disciplinary conversations between the two disciplines and has provided technical assistance in replicating best practices. The latest work of this group has been to initiate legislation that would have funded staff in both the Department of Social Services and the Department of Alcohol and Drugs to institutionalize this coordination. Due to this year's budgetary considerations the legislation, AB 2514, has been amended to mandate that the California Department of Social Services consult with the Department of Alcohol and Drugs to establish a joint committee to study the relationship between these two fields and make recommendations to the legislature for improvements in the coordination of the systems. While this does not provide a complete solution to the problems cited in your 1999 report it takes some concrete steps towards ensuring that permanent attention is paid to the critical interactions of the Drug and Alcohol and Child Welfare Systems.

In addition, we have seen that recent initiatives such as Proposition 36 have concentrated the attention of the Alcohol and Drug community on criminal justice matters, in some cases at the expense of child welfare and foster care issues. We believe that it is important for the state Department of Alcohol and Drugs, in addition to the county agencies, to consider prioritization for treatment of families in the Child Welfare System. The "fast track" requirements in the Adoptions and Safe Families Act that move families towards an early termination of parental rights have created an urgency for treatment of parental substance abuse that is not matched by the availability of these services to those families.

Finding 10: Relative foster care placements tend to be of longer duration than traditional foster family care and disproportionately contribute to foster care caseload growth

The state, in partnership with the counties, has been very successful in promoting legislation to improve the situation in kinship care. The Kingap program created a payment system that allows families to exit the Child Welfare System after one year and to stabilize their lives without continued government intervention. In addition, the creation and funding of Kinship Support Services Programs in many counties has enabled communities to support kin placements without any Child Welfare Services intervention or to assist families once they exit the system. Thus, although kinship care remains a significant placement resource for California's children, positive steps have been taken to ensure that families can care for kin outside that system, either through diversion or through earlier exits from the system.

Finding 11: While children in foster care are eligible for services, they often do not receive the help necessary to treat their trauma or meet their developmental needs

Our belief that greater leadership at the state level is needed in service coordination is addressed in response to *Finding 2*, above, and in the following statement that I provided in my 19998 testimony:

Many counties in California participate in developing and maintaining Children and Youth Systems of Care (originally known as the Ventura Model, and expanded under AB 377 and subsequent legislative and administrative initiatives). Under the Systems of Care, Severely Emotionally Disturbed (SED) children and youth receive collaborative services from Mental Health and Education while they are in the Social Services and Probation systems. Thus, many abused and neglected children are already benefiting from tremendous inter-departmental efforts in California to remedy the effects of abuse and neglect. Expanding the System of Care model to all California counties, and providing further financial incentives to inter-agency partnerships would go a long way towards promoting true inter-departmental collaboration on behalf of these very vulnerable children.

While local efforts continue to flourish, counties would find greater collaboration and cooperation among state departments very helpful as we attempt to find solutions at the county level. The current need for coordinated health and mental health services for foster and adoptive children who cross county lines would be greatly enhanced if it resulted from leadership at the state level. Counties have struggled, through our statewide Associations (County Welfare Directors Association and County Mental Health Directors Association) to create collaborative agreements that might have been obviated by a coordinated strategy at the state departmental level. A current series of forums being conducted by the State Department of Alcohol and Drug Programs to explore the connections between Alcohol and Drugs and CalWORKS might serve as a model of inter-departmental cooperation (between State ADP and CDSS) to assist counties in finding local solutions to common problems. Such efforts have not been as evident in other arenas, and counties are left to sort out inter-jurisdictional issues across programmatic lines; that we have been able to do so in many cases reflects the good will and good faith of local officials but does not negate the fact that state leadership might have helped us achieve solutions sooner.

Not only has there been little improvement in the past few years, but in the current budget stalemate it appears that the Children's System of Care programs, which have proved very successful in one sector of service coordination, are at risk of losing all state funding.

Finding 12: The adoption process is unnecessarily tedious and cumbersome, frustrating the goal of increasing the number of successful foster care adoptions, particularly for older children

As a result of Governor Wilson's Adoption Initiative there have been great improvements in expediting the adoption of foster children. Through improved funding to counties, technical assistance in concurrent planning, improved home study, inter-jurisdictional, and public/private partnership processes, there has been a very significant increase in the number of foster children who are adopted each year. Tens of thousands of additional children have been adopted due to the activities of counties, under state leadership, since the inception of the initiative. The annual rate of adoptions remains high even though the Initiative is now over, due to permanent changes in the adoptions program. However, in this year's budget negotiations, there is consensus between the administration and the legislature that there should be cuts in funding to adoptions, and we estimate that the result of the proposed cuts will be that hundreds of foster children who otherwise would have been adopted will not achieve this goal this year.

Recommendation 14: The governor and legislature should enact legislation to assist youth in the transition from foster care to independent living.

A great deal of work has been done at the federal and state levels to improve services to youth who are aging out of the foster care system. In line with the specific recommendations of your Commission, the state passed legislation during last year, which created two programs that expanded transitional services to foster youth. The Transitional Housing Placement Program expanded transitional housing services to additional age groups, and the Supportive Transitional Emancipation Program created a payment option for youth who have exited the foster care system. Unfortunately, due to budgetary constraints, a decision was made with regard to the latter program to mandate a 60% county share of cost, which has inhibited the widespread subscription to this program.

It is clear that services to emancipating youth is a top priority for Congress, as well as the state legislature, and that the goals of this recommendation are being addressed. Hopefully, funding will accompany these policy changes.

In Conclusion

We hope you will find in revisiting the themes of your Commission's 1999 report that steps have been taken toward the goals of your recommendations. The California counties and the California Department of Social Services are very serious about addressing shortcomings in a very complex programmatic landscape that is demonstrably underfunded. The current budget crisis threatens to create more severe resource shortages. Progress has been made through a spirit of good will and cooperation that we are hopeful will continue as the administration moves to embark on the implementation phase of its Stakeholders process. And, as we have noted, much remains to be done in creating partnerships with other systems that serve abused and neglected

children. We are hopeful that the legislature and governor will insist that other State departments, which have a critical role in outcomes for children in the Child Welfare system, work in partnership with us.

Thank you once again for the opportunity to speak to you on these critical matters.

Respectfully submitted,

Stuart Oppenheim, Northern Regional Director
San Mateo County Human Services Agency
for
County Welfare Directors Association of California