



## Legislative Fiscal Bureau

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May 18, 2005

Joint Committee on Finance

Paper #428

### **Child and Family Service Review Program Enhancement Plan (DHFS -- Children and Families)**

[LFB 2005-07 Budget Summary: Page 290, #3]

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#### **CURRENT LAW**

In August, 2003, the U.S. Department of Health and Human Services (DHHS) conducted a comprehensive review of Wisconsin's child welfare program. DHHS conducted this federal child and family services review (CFSR) in all 50 states over a three-year period. All 50 states failed some portion of the review. The CFSR is an examination of a state's conformance with federal requirements under Titles IV-B (general child welfare) and IV-E (foster care/out-of-home placement) of the federal Social Security Act. The review examined 14 aspects of the state program, including seven outcome measures relating to safety, permanency, and well being of children, and seven systemic factors relating to the overall capacity of the state program to serve children and families.

The CFSR consisted of: (a) an on-site review of 50 cases in three counties, which were intended to represent performance across the state; (b) focus groups with key stakeholders; (c) analysis of program outcome data; and (d) a state self-assessment. The on-site portion of the review included an examination of individual cases and discussions with stakeholders in Milwaukee, Kenosha, and Outagamie Counties and was conducted by a team of federal and state reviewers at each of the three locations. The individual case reviews involved analyzing case files and interviewing family, social workers, service providers, out-of-home care providers, and legal advocates.

Overall, DHHS determined that Wisconsin was not in substantial conformance with six of the seven outcome factors and with four of the seven systemic factors. The results of the review are described in more detail in the Legislative Fiscal Bureau's Informational Paper #50, *Child Welfare Services in Wisconsin*.

DHHS required Wisconsin to develop a program enhancement plan (PEP) to address each item of nonconformance. The PEP establishes measurable goals for improving child welfare program outcomes and systemic aspects of program capacity to deliver services statewide. The state must implement the action steps in the PEP over a two-year period and show progress toward the improvement goals during the period. Wisconsin's plan was approved in November, 2004.

## **GOVERNOR**

Provide \$2,079,500 (\$1,435,000 GPR, \$484,500 FED, and \$160,000 PR) in 2005-06 and \$2,079,500 (\$1,214,600 GPR, \$484,500 FED, and \$380,400 PR) in 2006-07 to implement components of the state's PEP, which resulted from the federal CFSR. The federal funds are available under Title IV-E and the PR funds are medical assistance (MA) funds the state claims for certain case management services counties provide. In addition, create a GPR aids appropriation for the child welfare program enhancement plan.

## **DISCUSSION POINTS**

1. This item has four components: (a) supporting state positions to focus on statewide child welfare practice and service delivery; (b) quality assurance reviews and technical assistance to counties; (c) training for county staff on new statewide policies and standards and funding for counties to support training for newly-hired child welfare workers; and (d) the Wisconsin foster care and adoption resource center, which would provide training and support to foster and adoptive parents and county child welfare workers.

2. DHFS began funding all of these activities in 2004-05 by reallocating GPR base funding that became available in the Bureau of Milwaukee Child Welfare (BMCW) after DHFS began claiming Title IV-E funds based on Milwaukee County's Title IV-E claiming rate, which is higher than the statewide Title IV-E claiming rate that DHFS had previously used. This change increased the amount of federal funding in BMCW, but reduced the amount of federal funding that would have otherwise been available as income augmentation revenues. In 2004-05, \$2,079,500 (\$1,595,000 GPR and \$484,500 FED) was used to support activities relating to the PEP. Because this change in the Department's method of claiming IV-E funds is reflected in the base reestimate for BMCW, which is addressed in budget paper #426, GPR funding used in 2004-05 would not be available for this purpose in the 2005-07 biennium unless the Committee and the Legislature approve funding for these activities as part of this item. Consequently, the funding recommended by the Governor would permit DHFS to continue to conduct these activities in the 2005-07 biennium to fulfill the requirements of the state's CFSR PEP.

3. Since AB 100 introduced, DHFS has indicated that the state will use a higher Title IV-E federal claiming rate for these activities than the rate the administration assumed in the bill. Consequently, an additional \$125,600 FED in 2005-06 and \$209,900 FED in 2006-07 could be budgeted to support these activities to more accurately reflect the IV-E claiming rate DHFS will use

to fund these costs. The following table summarizes, by source: (a) the funding that DHFS budgeted for PEP activities in 2004-05; (b) the funding that would be budgeted for PEP activities under AB 100; and (c) the funding that would be available to support these activities, based on and with the change in federal funding as indicated by DHFS.

**Funding for CFSR PEP  
2004-05, AB 100, and AB 100 With Current Estimates of Federal Funds**

Funding Source	Budgeted 2004-05	AB 100		AB 100 with Adjusted Federal Funds	
		2005-06	2006-07	2005-06	2006-07
GPR	\$1,595,000	\$1,435,000	\$1,214,600	\$1,435,000	\$1,214,600
FED	484,500	484,500	484,500	610,100	694,400
PR	0	160,000	380,400	160,000	160,000
Total	\$2,079,500	\$2,079,500	\$2,079,500	\$2,205,100	\$2,289,400

**Child Welfare Practice and Service Delivery Improvement - State Positions**

4. One strategy identified in the PEP to ensure safety and permanence for children is to increase the consistency in child welfare practice and enhance the capacity of DHFS to do research, develop policy, and provide technical assistance for both systemic and case-specific issues. This item responds to multiple findings related to outcome measures in the CFSR, including timeliness of initiating investigations, recurrence of maltreatment, services to protect children in home and prevent removal, permanency planning and permanency goal achievement, and worker visits with parents.

5. To meet this PEP requirement, DHFS reassigned six positions within the Department to work on issues and activities related to the PEP. Five of these positions are policy positions that each focus on one of the following areas of child welfare practice: (a) child protective services intake and assessment; (b) ongoing services; (c) tribal specialist; (d) complaints and grievances from the counties; and (e) quality improvement. The final position is a support staff position. These positions are all currently filled. The attachment to this paper includes a description of each policy position.

6. The bill would provide \$133,400 (\$97,400 GPR and \$36,000 FED) annually to continue to support the difference in the position costs between the original position classification and the new classification. The Department of Administration (DOA) approved the reclassification of these positions and the additional funding to support the higher position level in 2004-05. Because these reclassifications occurred after July 1, 2004, these reclassifications are not funded as a standard budget adjustment for DHFS.

## **County Reviews and Program Improvement Activities**

7. One of the systemic factors in the CFSR examined whether the state is operating a statewide quality assurance system that evaluates the quality and effectiveness of services and measures program strengths and areas needing improvement. Since Wisconsin does not have a statewide quality assurance program, the CFSR found that the state did meet substantial conformance with this factor. Therefore, Wisconsin's PEP includes a strategy to design and implement a statewide quality assurance program to: (a) assure that the expectations of families and the actions of child welfare professionals are guided by clear and comprehensive policies and standards of practice; (b) improve the quality and usefulness of information needed to evaluate the safety, permanency, and well-being of children; and (c) assure the quality and effectiveness of services for children and families by regularly reviewing the state's programs and practices.

8. DHFS began contracting with The Management Group (TMG) in November, 2004, to conduct county reviews in a process similar to the CFSR to examine counties' progress in achieving safety, permanency, and well-being for children. DHFS plans to conduct pilot reviews this summer in two or three counties and in the fall, begin the full, ongoing reviews in an estimated 15 counties annually. DHFS will use the ongoing reviews to measure and report the state's progress in achieving the goals of the PEP and will report these findings to DHHS quarterly.

9. The bill, with the adjusted federal claiming rate, would provide \$535,500 (\$252,600 GPR, \$122,900 FED, and \$160,000 PR) in 2005-06 and \$534,000 (\$32,200 GPR, \$121,400 FED, and \$380,400 PR) in 2006-07 to support the 5.0 contracted positions with TMG and related expenses to conduct the county reviews, including travel costs.

10. The bill would also provide \$200,000 (\$162,500 GPR and \$37,500 FED) annually to support quality assurance process and technical assistance activities. These activities include: (a) providing funds to counties to support county costs related to the review, including staff costs to prepare cases for the review; (b) recruiting and training peer reviewers that, with the TMG staff, would be conducting the county reviews; (c) providing technical assistance to counties to address issues identified by the county or in a review.

## **Local Agency Staff Training**

11. Training for county child welfare staff is primarily provided through regional training partnerships, which includes DHFS, county and tribal child welfare agencies, and University of Wisconsin campuses at Green Bay, Madison, Milwaukee, and River Falls. Training is provided to professional and paraprofessional staff throughout the state at regional and local agency levels. State law requires all staff members and supervisors whose responsibilities include investigation or treatment of child abuse and neglect to successfully complete training in child abuse and neglect protective services approved by DHFS. Generally, this training is offered by the regional training partnerships. Local agencies establish their own requirements for staff employment and initial and ongoing training. DHFS also works with the training partnerships to develop specialized training on specific, advanced practice topics.

12. One of the CFSR findings was that the training partnership did not ensure that newly-hired caseworkers in all child welfare agencies receive the initial training necessary to provide services to support state program goals and federal policy requirements. In addition, the review found that many newly-hired caseworkers are assigned caseloads before completing a training program, and that there are no statewide requirements for staff to participate in ongoing training.

13. The PEP includes a strategy to expand the frequency, accessibility, and application value of child welfare training in Wisconsin, with the goals of: (a) strengthening and diversifying the child welfare workforce and increasing the state's capacity to serve families and keep children safe; and (b) improving the quality and usefulness of information needed to evaluate the safety, permanency, and well-being of children.

14. The bill, with the adjusted federal funding amounts, would provide \$847,400 (\$595,000 GPR and \$252,400 FED) in 2005-06 and \$933,200 (\$595,000 GPR and \$338,200 FED) in 2006-07 to develop training curriculum for initial and ongoing training and to expand the current regional training to include some types of training that is not eligible for reimbursement under Title IV-E. These funds would be awarded to the training partnerships and the Adoption Resources of Wisconsin (ARW).

#### **Foster Care and Adoption Resource Center**

15. The CFSR found that in 42% of the cases reviewed, local agencies did not adequately assess or address the service needs of children, parents, and foster parents. The CFSR also found that, while Wisconsin has a strong training curriculum for foster parents that is available to counties, there is no initial or ongoing state-mandated training for foster parents. As a result, there are some counties in which foster parents receive minimal training prior to having a child placed in their homes.

16. In response to both of these findings, the PEP includes developing a foster and adoptive parent resource center that would increase support for foster parents by improving their access to information, training, and resources. The bill would provide \$488,800 (\$327,500 GPR and \$161,300 FED) annually to support the resource center.

17. DHFS has contracted with the Adoption Resources of Wisconsin (ARW) for the period of January 1, 2005, through June 30, 2006, to support the start up, development, and operation of the foster care and adoption resource center. The center will have three locations: Milwaukee, Sheboygan, and Eau Claire. As described in the RFP, the resource center will provide information about state policy and procedures and be able to provide foster parents, adoptive parents, and foster care coordinators (county child welfare workers) with accurate, consistent information about foster care, adoption, and related services. This information will be available both on a web site and through print materials. In addition, the resource center will establish a toll-free inquiry line to respond to families requesting information.

18. The information provided by ARW will include: (a) the roles and responsibilities of foster parents; (b) information about the legal system and courts, including the roles of participants and members in those systems and their relation to foster parents; (c) standard appeal processes and legal proceedings for decisions that affect foster homes; (d) processes for allegations of child maltreatment in a foster home; (e) licensing processes, procedures, and requirements for foster care and treatment foster care; (f) access to information about MA providers; (g) information regarding pending legislation; and (h) referrals to local services, including family resource centers.

19. The resource center is also required to: (a) develop a model foster parent handbook that includes required and recommended information that should be given to foster families at the time of licensure and provide technical assistance to foster care coordinators to create foster parent handbooks specific to their agency requirements; (b) coordinate the development of training curricula for foster care coordinators, foster parents, and adoptive parents; (c) coordinate the development of a statewide recruitment campaign for foster and adoptive parents; and (d) collect data and provide reports on its activities to DHFS, as well as conduct an evaluation of its services.

### **Next Steps in CFSR Process**

20. DHHS' approval of Wisconsin's PEP in November, 2004, began the two-year time frame in which the changes identified in the PEP must occur. At the end of this two-year period, DHHS will conduct another CFSR to assess the extent of the system improvements, as agreed upon in the PEP. If, during that CFSR, a state is found to be in nonconformance, DHHS can assess financial penalties against the funds received by the state under Titles IV-B and IV-E.

21. Penalties would be assessed against a pool of federal funds that includes a state's Title IV-B award and 10% of a state's Title IV-E claims for administrative costs in the years subject to penalties. For each item that a state is found to be in noncompliance, a 1% penalty, or approximately \$150,000, could be assessed against the pool of federal funds and continue until the state comes into conformance. The penalty increases to 2% and then 3% per item if nonconformance continues following subsequent federal reviews.

22. Because the PEP is a contractual agreement between the state and DHHS, and the components of this item are to support activities included in the PEP, the Committee could approve the Governor's recommendation, as adjusted for the correct federal claiming. Alternatively, the Committee could reduce funding for these activities or delete all funding for these activities, in which case, DHFS would either have to support priority activities by reallocating funding within the Division of Children and Family Services, to the extent possible, reduce the scope of these activities, or discontinue these activities, which could affect the state's ability to meet the requirements in the PEP.

### **ALTERNATIVES**

1. Approve Governor's recommendation, as modified to reflect the correct federal funding amounts (\$122,400 FED in 2005-06 and \$220,900 FED in 2006-07).

<u>Alternative 1</u>	<u>FED</u>
<b>2005-07 FUNDING</b> (Change to Bill)	\$343,300

2. Approve funding for one or more of the following:
  - a. Position Reclassifications (\$97,400 GPR and \$36,000 FED annually).
  - b. County Reviews and Program Improvement Activities (\$415,100 GPR, \$160,400 FED, and \$160,000 PR in 2005-06 and \$194,700 GPR, \$158,900 FED, and \$380,400 PR in 2006-07).
  - c. Local Agency Staff Training (\$595,000 GPR and \$252,400 FED in 2005-06 and \$595,000 GPR and \$338,200 FED) in 2006-07.
  - d. Foster Care and Adoption Resource Center (\$327,500 GPR and \$161,300 FED annually).
3. Reduce funding for these activities by 50%. Consequently, require DHFS to reduce the scope of the activities it would provide under its program enhancement plan.

<u>Alternative 3</u>	<u>GPR</u>	<u>FED</u>	<u>TOTAL</u>
<b>2005-07 FUNDING</b> (Change to Bill)	- \$1,595,000	- \$484,500	- \$2,079,500

4. Delete the provision.

<u>Alternative 2</u>	<u>GPR</u>	<u>FED</u>	<u>PR</u>	<u>TOTAL</u>
<b>2005-07 FUNDING</b> (Change to Bill)	- \$2,649,600	- \$969,000	- \$540,400	- \$4,159,000

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Attachment





## ATTACHMENT

### Position Descriptions

<u>Classification/Agency Working Title</u>	<u>Position Description</u>
Human Services Program Coordinator (CPS Practice Review Consultant)	<p>This position is responsible for receiving concerns and complaints regarding child welfare services (e.g., child abuse and neglect, out-of-home care) from a variety of sources, including parents involved in the county child welfare programs, the media, the general public, and elected representatives, determining when a case should be reviewed, managing the establishment of a review team, taking the lead in conducting reviews of such cases, and referring such concerns and complaints, as appropriate, to other Department staff.</p>
Program & Policy Analyst -- Advanced (CPS Ongoing Services Policy Analyst)	<p>This position is responsible for the research, analysis, development, and implementation of policies and procedures related to child protective services cases from the point of voluntary or court disposition through case closure. This encompasses, at a minimum, assessment and reassessment of threats to child safety, development and management of safety plans, development of family assessments and case plans, permanency planning requirements, and appropriate services for child and families throughout involvement with CPS ongoing services.</p> <p>This position serves as the primary CPS consultant related to the child protective services ongoing case management process and provides technical assistance and consultation to counties, tribes, and the Bureau of Milwaukee Child Welfare. In addition this position is the primary contact at the statewide level for CPS ongoing services as it involves other program areas and systems (domestic violence, law enforcement, juvenile court, etc.).</p>
Human Services Area Coordinator (Quality Service Review Manager)	<p>This position provides oversight, analysis, and program planning for the provision of statewide quality child welfare services and the child welfare quality assurance plan. This position supervises and coordinates the activities of the contracted quality service review positions. Management of these services and the review team include, but are not limited to, assisting local agencies with building quality assurance components into their various child welfare programs; preparing the Department and local agencies for federal program reviews; coordinating assistance to county and tribal agencies in the development and implementation of local program enhancement plans; and oversight of all case, program, and agency reviews for both the ongoing quality assurance plan and in response to specific program or practice issues that require review.</p> <p>The QSR Manager is also responsible for the development of written policies, procedures, and tools required for enhancing program quality. Following review, analysis, and plan development, this position assures that results are used as appropriate in the development and revision of child</p>

<u>Classification/Agency Working Title</u>	<u>Position Description</u>
	welfare policy, enhancing practice standards and practices, and recommending proposed changes to child welfare regulations.
Program and Policy Analyst - Advanced (CPS Intake and Initial Assessment Policy Analyst)	This position serves as the primary CPS contact related to the child protective services intake and initial assessment process as it involves other program areas and systems and is responsible for the research on and analysis and development of policies related to child protective services from the point that a referral is made to the county, the Bureau of Milwaukee Child Welfare, or tribal agency through the initial assessment of the family. Included in this phase of the system are the initial assessments related to safety and risk issues, the determinations of the need for and the development of protective plans, safety plans, and recommendations to the agency or court on the need for services or other interventions. This position provides intake and initial assessment technical assistance and consultation to agencies both at the systemic and case specific levels and as a result of either a program review or at the request of the agency.
Human Services Program Coordinator - Senior (Tribal CPS Consultant)	This position is responsible for: (a) providing technical assistance to Wisconsin's 11 federally-recognized Indian tribes and bands and to county and private child welfare agencies; (b) coordinating activities between the Department and the Wisconsin tribes and bands related to child welfare plans, programs and policies; and (c) developing policies and procedures related to tribal child welfare issues.