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DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
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January 31, 2019

TO: The Honorable Russell E. Ruderman, Chair
Senate Committee on Human Services

FROM: Pankaj Bhanot, Director

SUBJECT: **SB 1022 RELATING TO CHILD WELFARE SERVICES**

Hearing: Friday, February 1, 2019, 2:45 p.m.
Conference Room 016, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent, and offers comments.

PURPOSE: This bill would establish a child welfare services task force to examine the work of the Child Welfare Services Branch (CWSB).

The Department is committed to increasing child safety and continuous quality improvement, and there already exist numerous evaluative bodies and methods to provide feedback and direction to Hawaii's Child Welfare Services Branch.

Based on the results of the recent review by the federal Administration for Children and Families (ACF), which the bill references, CWSB has completed a thorough root-cause analysis with guidance from ACF and the federal child welfare Capacity Building Center for States (CBCS). This analysis involved examinations of CWSB data from multiple perspectives, focus groups with staff, meetings and discussions with administrators, community partners, and stakeholders. Out of this thorough analysis, an action-based, formal Program Improvement Plan (PIP) has been developed with support from ACF and the CBCS. This PIP includes twenty-four

AN EQUAL OPPORTUNITY AGENCY

distinct activities that are anticipated to result in improved outcomes for children and families. As part of the PIP, these activities will be regularly evaluated for efficacy, and altered, if needed, based on the evaluation data.

In addition to the federal ACF review, two independent groups meet regularly to review relevant data and information and then provide guidance to CWSB. The Citizens' Review Panel is made up of statewide community volunteers, who meet monthly, examine ways to improve CWSB practice, and provide feedback to CWSB. The Child Welfare Advisory Council meets quarterly, with statewide representation from numerous state agencies, community groups, service providers, stakeholders, and CWSB leadership. The Advisory Council reviews CWSB data, discusses CWSB projects and initiatives, and provides direction to CWSB.

Additionally, every year, CWSB's data is subject to federal audit, as well as State audit. Any deficiencies found in these audits are formally addressed through the implementation of written corrective action plans, whose progress is externally monitored.

CWSB's continuous quality improvement (CQI) focus is also evident in the partnered projects with its CQI contract with University of Hawaii, Maui College. The biggest collaborative project is the statewide reviews of CWSB cases. These reviews are conducted continually throughout the year, using the same formal evaluation tool as the federal case review system. The outcomes of these reviews become the basis of geographic-specific action plans to improve both CWSB performance and the outcomes for families in each area of the State.

Thank you for the opportunity to testify.

SB-1022

Submitted on: 1/29/2019 11:46:06 PM

Testimony for HMS on 2/1/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Marilyn Yamamoto	Testifying for Hawaii Family Advocacy Team	Comments	No

Comments:

I am an advocate for families in the child welfare system and for child welfare reform since 2012 when my first case uncovered one dozen violations of Hawaii laws and the Policy and Procedures manual. I have read online research from the federal website childwelfare.gov and a follower of papers from the CEO of the NCCPR (National Coalition for Child Protection Reform), Richard Wexler, a journalist and researcher since 1976.

Hawaii DHS has been violated by the Administration for Children and Families 3 times since 2012, two of which were 14th amendment, due process federal rules in CAPTA 1974 that authorizes federal foster care funding. The Hawaii State Auditor reported deficiencies in 1999 and noted that those deficiencies were still not corrected in 2003. ACF then failed CWS in all three rounds of federal evaluations in 2003, 2009 and 2017. ACF told me last year that the reason for state CFSR failures is the lack of management support for good standard practices. Four decades is long enough to get child protection right.

I have watched task force panels organized in at least 5 states that created a list of recommendations that were never implemented. My expectation is that more state funding will be on the list of recommendations. The department does not need money; it needs strong leadership from the perspective of compliance with child welfare law and procedures. It needs to reduce foster care to only cases where removal is the only choice, not the "grab 'em and ask questions later" culture. The judiciary needs to hold court appointed lawyers, who are the checks and balances for due process, accountable to prevent overreach of power by CWS that harms more families than they help.

From my perspective of having seen hundreds of cases, child welfare removes children from families that do not rise to the level of guidelines for abuse or neglect and because of that case overload, overlooks actual abuse cases.

I would have expected an independent party to be on the panel. Why not a parent advocate to assure that all sides of the issues are put onto the table?

SB-1022

Submitted on: 1/31/2019 2:47:50 PM

Testimony for HMS on 2/1/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

SB-1022

Submitted on: 1/29/2019 3:06:19 PM

Testimony for HMS on 2/1/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Victor K. Ramos	Individual	Support	No

Comments:

Senator Russell Ruderman, Chair
Senator Karl Rhoads, Vice Chair
Senate Human Services Committee Members

Thank you for this opportunity to provide suggestions for SB1022.

As an independent Domestic Violence Survivor Advocate whose had too many domestic violence (DV) cases become entangled with Child Welfare Services, may I humbly recommend that someone like myself (a professional who works with domestic violence SURVIVORS) be included on to the list of suggested task force members in addition to a professional who works with domestic violence VICTIMS (so this would be an allowance for 2 additional representatives).

For brevity and simplicity's sake, please take me at my word when I tell you that a large part of the problem is not recognizing DV and mishandling such cases. My personal experience:

When I changed from working with child abuse to domestic violence, I thought it was going to be a "no-brainer" because I thought all I was going to do was switch out one victim (a child) for another (a woman) - it didn't take me long to see it was a whole 'nother ball game and a completely different ball of wax. So you can see what I mean:

- From the very inception of a child abuse case, family members - especially an absent and/or estranged parent - are identified and reached out for case inclusion;
- From the very inception of a domestic violence case, family members - and in particular the absent/estranged parent (the abuser) - are identified and assessed for case exclusion (and this is called SAFETY PLANNING because 85% of abusers become stalkers post-separation and use the victim's friends/family members to assist them in stalking).

Is CWS doing anything "wrong" by including? No. Are DV services doing anything "wrong" by excluding? No. Can you see how this can all go sour and south when a CWS worker contacts an abuser to include him when DV services have invested weeks/months/years in Safety Planning?

If I itemized out the amount of wasted (taxpayer) money and manpower in these "crossover cases" you'd be sick, not to mention the serious harm and damage done to the lives of the most vulnerable in these cases (some of whom were killed in the process while the "issue" of DV was being pondered). I'm willing to help fix but can't if I'm not included.

Thank you for your time and consideration.

Respectfully,

Dara Carlin, M.A.

Domestic Violence Survivor Advocate

SB-1022

Submitted on: 1/31/2019 2:21:41 PM

Testimony for HMS on 2/1/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Esther McDaniel	Individual	Support	No

Comments:

To: Senate Committe for Human Services

From: Esther McDaniel

Re: SB 1022

Aloha Senate Committee for Human Services,

I SUPPORT SB 1022, but with reservations. I would like to see the following additions to the Task Force:

- Former Foster Youth
- Biological Family Member
- Current/Former Resource Caregiver
- Please provide financial resources

Thank you for thinking of our youth in foster care and for wanting to strengthen child safety across the system. Child Welfare Services needs more support, resources and attention. I am a Resource Caregiver and willing to serve and/or consult with the Task Force should it be approved.

Mahalo,

Esther McDaniel

LATE

TO: Senate, Committee on Human Services and Ways and Means

HEARING: Friday, February 1, 2019
2:45 PM
Conference Room 016

FROM: Emily Ovian-Kwiat

RE: In SUPPORT of SB 1022, Relating to Child Welfare Services

Aloha, my name is Emily Ovian, and I am a third-year graduate student at the University of Hawaii at Manoa, Myron B. Thompson School of Social Work. I have previously been employed at a non-profit agency as a Contracted Monthly Home Visitor in West Hawaii. This position was created to aid Child Welfare Services in completing face-to-face visits with the families they service. I am also a former case manager in the Voluntary Case Management Program, which is part of the Child Welfare Services Differential Response System. However, I am not speaking on behalf of either entity.

I want to submit testimony in support of Senate Bill 1022 and its intent to establish a Child Welfare Services task force to review the Child Welfare Services (CWS) Branch and examine best practices that will help to improve child safety through the branch.

While working in the social service field, I participated as a reviewer in two Child & Family Services Reviews in West Hawaii. These reviews ensure conformity to federal child welfare requirements, help determine what is happening with the families involved with CWS and assist those families in achieving positive outcomes. During these reviews, it was my experience that CWS consistently struggled to meet the federal standards. I believe that a significant contributor to this was the number of vacant positions within CWS. This resulted in high caseloads for the workers, inevitably causing their inability to provide frequent and quality visits to serviced families. Ultimately, the inability to keep up with these demands caused a significant amount of worker burnout. Providing frequent and quality visits are paramount to the safety and wellbeing of the children and families they serve, and a task force must strive to correct this major issue.

A task force is needed to identify clear paths towards the improvement of worker retention, recruitment, and to streamline CWS processes. In closing, I strongly encourage this committee to support the passage of SB1022.

Sincerely,
Emily Ovian

LATE

EAST HAWAII FRIENDS OF FOSTER FAMILIES

February 1, 2019

**The Honorable Senator Russell Ruderman, Chair
Senate Committee on Human Services
Hearing at 2:45pm in Conference Room 016
Testimony in SUPPORT of SB1022**

CURRENT SITUATION:

The federal government in 2018 evaluated Child Welfare Services and found no improvement from the last evaluation in 2009. In the seven outcome categories reviewed, the state failed to be in *substantial conformity* in all seven, the same as eight years ago. Our hope is that this task force will directly address concerns currently facing Child Welfare Services and make legislative recommendations to improve outcomes.

We see the largest problem currently facing Child Welfare Services as the high caseloads and vacancy/turnover rates in positions. Child Welfare League of America recommends social workers carry a caseload of no more than 12-15 children. Currently our social workers carry an average of 40. These high caseloads have severely negative consequences. For the state to remain eligible and compliant for federal IV-E funds social workers are required to do monthly face-to-face visits with the children and parent(s). In 2014 Child Welfare Services did a staff survey of reasons behind missed visits (below). When answers are grouped the survey found that only 26% of these missed visits were unavoidable where as 74% were due to workload/oversight/scheduling/unknown. Unknown because either there was no documentation that a visit took place for that month, or the worker could not confirm that a visit occurred, or the worker had left employment with no further information obtainable.



Data Source: Statewide Random Sample Surveys

STAFFING:

Large amount of vacancies have been a problem for many years with CWS.

CWSB Staff Positions and Vacancies						
	June 2010	June 2011	April 2012	May 2013	May 2014	May 2015
Total Number of CWSB Staff Positions	Over 500	444	417	428	411	409
Number of Vacant CWSB Positions	unknown	91	103	94	93	72
Percentage of Vacancies	unknown	20%	25%	22%	23%	18%

Data Sources: DHS Directories, Past APSRs, April 2012 CWSB Workforce Survey, May 2014 CWSB Workforce Survey, June 2015 CWSB Workforce Survey, and direct staff inquiries

EXPECTED OUTCOMES:

This bill is about collaborating to ensure we do the job right. Our hope is that this task force can focus on how we can reduce caseloads and move CWS to a stable and staffed workforce. Once achieved we expect to see these outcomes:

- More-thorough investigations that result in less removals and investigators having more time to focus on family strengthening
- Shortened time-in-care for children that do enter
- Increased reunification rates
- More-supported and happier foster parents that results in greater retention and easier recruiting
- Improved social worker job-satisfaction that results in less turnover
- Less-burdened court system with fewer sanctions
- Better outcomes for our children

REQUESTED AMENDMENTS:

We strongly feel that frontline stakeholders need to be included in the task force. We recommend the following people be added to serve on the task force:

- Current or former foster youth
- Resource caregiver
- Bio-parent of a current or former foster youth
- Frontline CWS Social Worker

THE ASK:

We humbly ask you to amend and pass this bill. As one of our GAL's puts it:

Social workers are often difficult to reach and many are not conducting their minimum monthly face-to-face visits. It may seem like a small thing, but is hard to put into words how deeply unfair this is to foster children. By definition, the most important adults in their lives have already failed them. When we entrust their care to a state agency without the means or the staff to meet their needs, we send them a powerful and damaging message about their worth.

Thank you for scheduling this hearing and giving us the opportunity to testify,

Joseph O'Connell
East Hawaii Friends of Foster Families
808-640-0905
PO Box 11058
Hilo HI 96721

LATE

SB-1022

Submitted on: 2/1/2019 10:44:36 AM
Testimony for HMS on 2/1/2019 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
kia-lyn.campbell	Individual	Support	Yes

Comments:

Aloha Human Services Committee,

My name is Malie. Me and my three siblings spent four years in foster custody. Due to the shortage of foster homes we were initially placed into three different homes. My older brother and I were in two different homes in Hilo and my two younger sisters were placed in a home in Ka'Å«. Additionally, I was forced to change schools to the district of my foster home. Ka'Å« is an hour and a half drive away from Hilo and due to the distance I didn't get to see them for the first year I spent in foster care. Overnight I lost connections to everything I knew. I had to live with a new family I had never met, a new school with kids I did not know and in a new neighborhood away from friends and my siblings. When I would ask my social worker to visit my younger sisters she would say that she didn't have the time to make this happen. I later found out that the social worker was not visiting my sisters either. My 2 and 5 year old sister were being abused in that home and when it finally got reported the home was shut down permanently. 1 year of additional abuse could have been prevented if social workers made their monthly visits. Also if social workers had more time they could ensure that siblings visits happened as well. Although I understand and agree with us being removed, the way it was handled by an overburdened system made it much more traumatizing than anything else.

I ask the legislature to support this task force. We need things to improve. I think children's lives should improve when CWS steps in, not get worse.

Thank you for your time.

SB-1022

Submitted on: 2/1/2019 12:51:13 PM

Testimony for HMS on 2/1/2019 2:45:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Shandon Cuba	Individual	Support	No

Comments:

Aloha Human Services Committee,

As a former foster youth I support this task force. We need more energy and resources focused on how we can improve the system.

Mahalo,

Shandon Cuba