

CHILD WELFARE ADVISORY COMMITTEE MEETING MINUTES

September 17, 2015

Director Sheldon provided a comprehensive report on various developments within and pertaining to DCFS.

Staff and Organizational Changes to DCFS

Lisa Spacapan is the new General Counsel for DCFS. She comes from practicing law in the private sector. Michelle Jackson, previous counsel, will now be over Monitoring. The Director has separated Monitoring from Licensing.

Cynthia Tate has responsibility for programmatic, racial equity, training and QA.

Carolyn Ross is over all administrative functions such as contracts, finance and information.

Michael Ruppe has operational functions in the agency for the activities on the ground.

A Strategic Planning and Innovation Unit is being created to drive change across the various divisions and programs. Jody Grutza will be the deputy director of this unit. She previously was a policy director on child welfare for the National Governor's Association and worked with APHSA and most recently worked with Eckert Services in Florida.

Andrew Bridge is senior innovation adviser. He was previously in care in LA, worked on litigation that helped turn Alabama around and has done national consulting work. He published "Hope's Boy" about his years in care.

A Foster Youth unit will also be created. April Curtis and Jeremy Harvey will staff that unit.

A data consultant is helping DCFS identify deficiencies and challenges in the way its data systems work and will make recommendations for improvement. The consultant previously worked with Director Sheldon in Florida. He will work with Keith Schoonover on developing the types of data reports DCFS needs and that various CWAC committees have identified.

The final organizational chart is in process and will be released as soon as it is approved.

CWAC Organization

There are new responsibilities for the Child and Family Advisory Council as a result of recent legislation. The Director wants to assure a good organization of purpose and activities for that council and for CWAC. The Director will look closely at the current terms of CWAC to assure good rotation of members to maximize the effectiveness of the committee.

BH Consent Decree and DCFS Response

DCFS is in the process of developing an agreement with the plaintiffs in the BH suit on how to implement the expert panel's recommendations. Three of the four members of the expert panel will continue to serve in an advisory capacity. DCFS is seeking to make work with the ACLU as BH plaintiffs and the expert panel a collaborative effort. DCFS must roll out an implementation plan in 4 months and must draft a report for court review on steps to implement the expert panel's recommendation.

DCFS issued a formal response to the court on August 28. If you would like a copy contact bbarnett@cca-il.org. Highlights include:

Steps Taken To Strengthen DCFS

- I. Appointment of Director with National and State Expertise on Child Welfare
- II. Placements for Youth, Including Those with Behavioral and Mental Health Needs
 - A. Establishment of Pilot for Therapeutic Foster Homes
 - B. Regenerations Pilot for Youth in Detention Beyond Release Date
 - C. Quality Parenting Institute
 - D. Collaboration with HFS and DHS to Develop Systems of Care for Youth
- III. DCFS Programmatic Enhancement to Improve Outcomes

- A. Development of Metrics to Drive Programmatic Progress
- B. Improve Claiming to Maximize Use of Federal Funds
- C. Assessment of Youth in Residential Care for Over One Year
- D. Assessment of Youth in Psychiatric Hospitals
- E. Illinois Rapid Response Team
- F. Funding for Illinois Survey of Child and Adolescent Well Being
- G. DCFS Monitoring of Residential Treatment Facilities

IV. Revitalization of DCFS Staff

- A. DCFS Realigned its Organizational Structure
- B. Internal Change Management, Strategic Planning & Innovation Unit
- C. Management Staff Focus on Specialty Areas
- D. Development of Residential Simulation Lab
- E. Enhancing Supervisory Practice through Model of Supervision
- F. Revision of Procedures to Guide Staff

RFP for Therapeutic Pilots

DCFS issued a Request for Proposals for Therapeutic Foster Care DCFS is looking for innovation and creativity for better outcomes and results. Providers are encouraged to participate in the bidder's conference call on September.

Director Sheldon also encouraged agencies with other ideas for testing out pilot ideas on how to do the job better. He is willing to talk with agencies about their creative ideas beyond the FC RFP.

Residential External Monitor

DCFS will be looking at revamping monitoring in many ways. DCFS has agreed to an external monitor for programmatic monitoring per the BH decree while they build internal capacity to provide more effective and enhanced data collection, review and outcome attention to agencies.

The expert panel recommended DCFS move residential monitoring external to DCFS. There will be an RFP to solicit an entity to provide that residential monitoring.

Michelle Jackson also expects some tweaks to AP Monitoring for foster care as well as the internal monitoring DCFS provides for residential programs.

Step Down

Mike Ruppe reported efforts to continue to push for step downs of youth assessed in residential as ready for stepping down from residential. DCFS meets weekly with programmatic and clinical staff and have moved 192 youth to other types of placements (group home, CILA, foster or relative homes, parent homes.) DCFS continues to work to identify less restrictive placements.

DCFS has implemented an internal process for all shelter placements during weekday hours. They will be implementing a way to review after hours placements as well. They hope to obtain an understanding of why kids enter shelter placements.

Budget Update

DCFS has no official budget due to the overall state budget impasse. They are operating on the same budget as FY'15. DCFS is continuing to pay for contractual services. Priority for the Comptroller was to pay on FY'15 bills. The Comptroller will now give attention to FY'16 bills that are due.

There have been a few snafus where agencies with "master contracts" may have run into difficulty with DCFS payments on a DHS master contract but those seem to have been worked out.

DCFS is paying its bills at the moment, unlike other social services that are not funded by other state agencies. DCFS is aware of how the lack of other social service payments could impact DCFS in terms of increased DCFS intake.

IV-E Claiming

DCFS delayed beginning claiming for 18-21 year olds for this year while it appeals previous back claiming. The feds are interpreting that a youth is eligible for IV-E claiming the day they turn 18 because it is considered a "new episode" in which the youth will be eligible on their own. Illinois is one the few states that extends wardship by court order. DCFS legal staff are now going circuit-by-circuit to work on the opening and closing information and process for judges and attorneys. In Cook, Judge Martin will be doing these directly and in fact processed the first 30 this week. Downstate will be more difficult because DCFS must track down the GAL for each youth. Judge McGraw, chair of the chief judges group, has agreed to send a letter to all chief judges with a fact sheet.

For youth in ILO and TLP, DCFS can recapture some claiming it has not drawn down before.

Judges are questioning the logic of the federal requirement: How can I make a finding and issue an order that a youth is no longer eligible for state supervision and then a minute later issue an order that he needs state supervision?

DCFS at this point does not intend to stop services for 18-21 year olds unless the legislature makes some changes. However, there needs to be further discussion about incentivizing youth to stay in school/be employed.

Contract Issues

DCFS staff reported that 93% contracts are in payable status. There are a few providers with specific circumstances. Lump sum grant programs should have received an adjustment to the 10% reduction.

Specific language in residential contracts about required staff ratios was changed by DCFS over the objections/concerns of a number of agencies. CWAC FAS has proposed a work group that can propose alternative language that allows more flexibility in ratio interpretations. DCFS felt these requirements reflected concerns about safety. CWAC members cautioned that prescriptive measures do not necessarily guarantee safety or good outcomes.

The rate review work groups established as a result of CCAI's advocacy with the senate are leading to larger discussions about required policies and procedures. When reimbursement rates do not keep up with increased expectations--either because of additional mandates or stagnant rates where is the flexibility for providers to be found? How does DCFS know what services it is buying?

DCFS leadership agreed to further discussion about the specific ratio discussion as well as supporting the work of the Finance committee on rate reviews. DCFS wants some equity on how DCFS reimburses for services. Director Sheldon will also be working with a consultant on a comprehensive review of all rates.

CWAC also addressed the implications of projected changes to the FLSA pertaining to salary threshold changes for overtime. Agencies are projecting significant cost increases.

Chicago has raised its minimum wage. Although few DCFS direct positions are impacted, it has the impact of compressing wage and salary scales throughout organizations. How this impacts an already tight labor market for child welfare agencies will be an issue.

Lock Out Issues

Behavioral health deficiencies in the state drive the incidence of lockouts and kids beyond necessity in psych hospitals. The NB lawsuit was driven by lack of access to behavioral health. At the moment the state is unsure what the future status of settlement of NB will be. Director Sheldon is working with Director Norwood of HFS and DHS Secretary Dimas on an interagency behavioral work group to address behavioral health issues.

BH refers to the need for DCFS to collaborate across the various state agencies on behavioral health. Kristie Herman referenced the pilot work in CHOICES as one example.

Data

One of the issues identified in various meetings the Governor held with a number of child welfare execs is the lack of collection of good data and the lack of sharing of data reports to help agencies. Director Sheldon agreed Illinois is in the dark ages on modern data collection.

Keith Schoonover reported on DCFS' efforts to improve data collection. Solving data challenges is a multi-prong approach. DCFS is working with the Governor's office on enterprise analytics as well as how the IL Frameworks project will affect DCFS. DCFS knows there are still challenges with predictive analytics to help find reliable system measures. There will also be operational dashboards to help the system know how it is doing. These will be updated in real time.

There are also specific challenges with SACWIS. DCFS is seeking more information on the various data systems used by DCFS as well as the multiple systems that various provider agencies must use for other state agencies or other funders. A fully compliant SACWIS system actually must include components of many electronic health records used for Medicaid and managed care so a new SACWIS design must include this.

The state is moving to the IMPACT cloud-based technology for a single billing and claiming system. DCFS Medicaid agency information is already entered but agencies should have registered for this new system.

Child Fatality Website

DCFS will roll this out within the month to provide details of child fatalities in Illinois. It will allow better reporting and study of all the types of fatalities.

Committee Reports

System of Care

System of Care now includes the Medicaid sub-committee. The entire committee seeks to bring more behavioral health resources to children in care. The committee encourages the DCFS Director to continue its collaborative efforts with other state agencies and the courts. The committee also recommends DCFS reactivate work on the In-Home pilot DCFS had previously started developing. There has been a bias in the state towards "conflict free" case coordination. This pilot would show whether that principle of "conflict free" is necessary. A capitated rate paid to pilot agencies provides the incentive for those care management agencies to seek the best possible/lowest cost options.

Foster Care

The HMR work group of the Foster Care committee has worked for several years on ways to help DCFS maximize federal claiming for relative homes. Current recommendations include changes to placement rules to expand allowable CANTS waivers and clarification of criminal offenses in Rule 402; more accurate benchmark of 70% for licensing; better resourcing of the cost of licensing relative homes; training for all licensing staff; DCFS implement a QA process to review the appropriateness of initial HMR placement considering

- Days in placement from initial placement until disruption;
- Reason for the disruption;
- Trends by geographic areas (sub-region, field office); and
- Trends for homes; and review of the use of the "inactive status" for homes that have no intention of accepting another placement.

CWAC asked the DCFS Director to review the draft HMR recommendations. DCFS needs to advise providers on whether they are willing to pursue policy/legislative/rule changes. The Director agreed to forward the recommendations to the new strategic planning group within DCFS for review. They will then communicate back to the CWAC Foster Care committee. DCFS is also looking internally at how to address the issue of the "inactive" homes.

The Foster Care committee also recommended DCFS is sharing of the internal CQI assessment done by

DCFS and internal assessment tools agencies can use. There is no need for a review of additional agencies in order to identify gaps in the system.

Director Sheldon is also asking DCFS staff to look at the internal waiver process for licensing and making decisions on foster care licensing capacity exceptions. For criminal background check waivers there is advantage to the Director having approval. He agreed to have DCFS review the recommendations for HMR and the CQI.

High End

DCFS will implement reviews of an additional 142 youth who have been in residential for long periods of time. CWAC addressed how do we institutionalize the review and assessment in a way that is replicable for agencies and DCFS on a regular basis?

Front End

Two work groups will further examine:

- 1) Lack of consistency between dashboard, program plan and rule/procedure
- 2) Data trends for Intact--what happens to families as a result of Intact services?

There is also a problem with Intact contracts being capped while there are no-decline contractual requirements.

Director Sheldon asks for assistance from the Front End group in whether pursuing an additional component of the IV-E waiver would be helpful. Congressional discussions might expand candidacy for IV-E dollars to expand front-end type services.

Finance and Administration

There is now a Racial Equity Practice sub-committee of Finance and Administration. Darrin Holt of LCFS and Bob Blackwell of DCFS will chair the committee. Director Sheldon acknowledged the disproportionality issues in child welfare. Data DCFS has collected shows a similar rate of placement for investigators of various races, so the decision is based more on system pressures. Once children of color come into care they have poorer outcomes and stay in care longer. To what extent are we bringing kids into care because of poverty issues? DCFS needs to partner with other service sectors and with the nonprofit community about housing, nutrition, etc.

The goal is improving outcomes for children of color by eliminating racial and poverty barriers within DCFS and the broader society.

DCFS will create a Race-informed practice model that acknowledges institutional racism and implicit bias. If this is not interrupted at some point we won't see any improved results. The next step is development of a framework to create and implement a race-informed model.

The Permanency Enhancement Project is the centerpiece for a Systems approach. The project will use data: such as anti-racism education and training/data workgroups and QA staff. Community engagement will deploy action teams to involve law enforcement, teachers, doctors and judges. The project will need Cross Systems collaboration in such areas of judicial anti-bias training/juvenile justice/law enforcement and education. Finally, the work should yield strategic plans implemented by transformation teams that address policy, practice and racial equity principles. A practice model must be tested.

CWAC expressed support for the work. Agencies agreed they have to own their part of the issue in order to improve outcomes for kids. We know the deeper the kids get into the system the poorer outcomes they will have so it is incumbent on us as leaders to promote the work and to encourage our staff to participate.

The new subcommittee needs members. The work group needs staff of all levels and races throughout the system. If you or your staff are interested in serving on the sub-group, please contact Darrin Holt or Bob Blackwell.