

Department of Child Safety Community Advisory Committee Report of Activities and Recommendations for State Fiscal Year 2019

Background

The Community Advisory Committee was established in June of 2015 by A.R.S. §8-459, “to provide a community forum:”

1. to inform the department, analyze current law and policy and make recommendations to improve the ability of the department to increase the safety of children, respond to child maltreatment and ensure the well-being of and timely permanency for children who are referred to and involved in the child welfare system;
2. for collaboration among state, local, community, tribal, public and private stakeholders in child welfare programs and services that are administered by the department; and
3. to improve communication between mandatory reporters and the department.”

The Community Advisory Committee consists of one representative each from fourteen stakeholder groups. The Committee’s membership includes:

Deborah Burdick, Ed.D, representing schools, with experience in the child welfare system.

Kathryn Coffman, M.D., FAAP, representing medical providers, with a preference for pediatricians, who have experience in diagnosing and treating injuries related to abuse and neglect.

Kay Ekstrom, Founder, Retired CEO, Christian Family Care, representing a faith based organization, with experience in the child welfare system.

Denise Ensdorff, President and CEO, Arizona’s Children Association, representing child welfare agencies that directly provide contracted services to children and their families.

Emily Jenkins, President and CEO Arizona Council of Human Service Providers, Arizona council of Human Service Providers, representing child welfare agencies that directly provide contracted services to children and their families and child advocacy organizations that deal with child welfare system policy issues.

Robin Pearson, Executive Director, Voices for CASA Children, representing volunteers with the foster care review board or court appointed special advocate program.

Nicole Roskens, Clinical Director of Cradle to Crayons Program, Superior Court of Maricopa County Juvenile Division, and Independent Private Practice, Counselor, representing the courts involved in child welfare issues.

Peter Gentala, J.D., General Counsel and Vice President for Government Affairs and Public Policy with Childhelp. A child advocacy organization that advocates for or represents children who are victims of crime.

Judy Krysik, Ph.D., MSW, Associate Professor, ASU School of Social Work. Representing persons with an academic appointment to a state university who conduct research in child welfare services, child maltreatment or child abuse or neglect.

Cody Conklin-Aguilera, MD., FAAP, Medical Director, Department of Public Health Yavapai County, Pediatric Program Manager, Verde Valley. Medical providers, with a preference for pediatricians, who have experience in diagnosing and treating injuries related to abuse and neglect.

Sergeant Matthew Lawes, Special Victim's Unit, Mesa Police Department. A law enforcement agency. The representative must have experience with the department on cases that involve criminal conduct allegations.

Rita Marie Wright, LMSW, Assistant Clinical Professor, Child Welfare Training Project Coordinator, Department of Sociology and Social Work, Northern Arizona University. Represents a rural area in this state and has experience with the child welfare system.

Tiffany Gavazzo, has experienced with children with special needs and the child Welfare System

Elisa Manuel, President Three Precious Miracles - Native American Organization that has experience with the Child Welfare System

As required by A.R.S. §8-459, representatives were appointed by the Department of Child Safety's Director and did not receive compensation for their service on the Committee. The statutory requirements of the Committee are to meet at least quarterly, and produce a report of Committee activities and recommendations each fiscal year.

Stakeholder Collaboration and Improved Communication

The Committee focused year four on the three roles of the Committee: To inform the department, analyze current law and policy and make recommendations to improve the ability of the department to increase the safety of children, respond to child maltreatment and ensure the well-being of and timely permanency for children who are referred to and involved in the child welfare system; for collaboration among state, local, community, tribal, public and private stakeholders in child welfare programs and services that are administered by the department; and to improve communication between mandatory reporters and the department. The Committee continued to focus on the areas of the Department of Child Safety FY 18 Strategic Plan and the goals and objectives of the DCS Strategic Plan that had previously been determined by the Committee to align with the sector representation of the stakeholders on the Committee. The focus of the Committee for FY 19 was on advising DCS in the area of child well-being. The Committee also heard presentations on: Departmental efforts with regard to integration of Behavioral Health into CMDP which currently oversees the physical health of children in DCS custody; the Arizona Ombudsman Citizens-Aide and their role versus the role of the DCS Office of the Ombudsman; the Federal Families First Act; DCS FY 19 Strategic Plan; Court Authorized Removals; and ASU Morrison Institute Report for Public Policy on Neglect

Actions and Recommendations

In accordance with A.R.S. §8-459, the Committee has summarized several key activities and recommendations that came from the five meetings that were held. The activities and recommendations are organized into the three areas for which the Committee is charged with providing a community forum.

Inform the department, analyze current law and policy and make recommendations to improve the ability of the department to increase the safety of children, respond to child maltreatment and ensure the well-being of and timely permanency for children who are referred to and involved in the child welfare system.

The Committee was asked to become one of the three Citizen Review Panels along with the Committee's role as the Community Advisory Committee. The functional role of the DCS Community Advisory Committee as a Citizens Review Panel was discussed and questions were answered in regard to differences and similarities, CAPTA requirements, and reporting requirements. Information was provided in regard to Citizen Review Panels and action was taken to confirm the Community Advisory Committee taking on the role of one of the Citizen Review Panels.

The Committee heard presentations from the Arizona Ombudsman Citizens-Aide and the DCS Office of the Ombudsman to understand differences and similarities. It was recommended that the committee members could help to inform the public and each member's represented sector regarding the Ombudsman's role and how a member of the public could access each of the Ombudsman Offices.

The Committee was presented information on the Department's FY 19 Strategic Plan and has continued to identify ways in which the Committee can support and advise the Department in regard to the strategic plan by gathering and presenting information from each of the represented sectors.

The Committee formed a subcommittee that met with the DCS General Council to gather information regarding the rules and regulations of public comment and then make a recommendation to the Committee regarding a process for public comment. It was recommended and determined that public comment would occur at the beginning of each meeting in order to determine if there were items from public comment that the Committee would like to put on the agenda for the next meeting. It was also recommended and determined that there would be comment cards available prior to and during the meeting for the members of the public to complete and give to the Committee if they wanted to provide comment during the Public Comment portion of the meeting. It was also recommended and determined that the Committee would hear public comment for 20 minutes and each member of the public would have two minutes for the comment. The public was also reminded that they could email the Committee at communityadvisorycommittee@azdcs.gov for additional public comment or agenda suggestions.

A more detailed description of committee activity regarding the focus areas is described in the report below of committee meetings.

Collaboration among state, local, community, tribal, public and private stakeholders in child welfare programs and services that are administered by the department

The Committee was provided information regarding the Department's process of integrating behavioral health into the Comprehensive Medical and Dental Program (CMDP). A presentation was provided on the Behavioral Health Request for Information (RFI) and the tentative timeline and identified steps to the process for integrating behavioral health into CMDP. It was recommended that the Committee could provide information through the RFI, receive updates throughout the process and make recommendations from the sector each member represents.

The Committee was provided information regarding the DCS plan for the Federal Families First Act and their current plan to opt in on October 1, 2021. DCS has been working with the contracted providers for Arizona Families FIRST (substance abuse treatment), Family Preservation and Substance Exposed Newborn Safe Environment (SENSE) programs which are services available to prevent children from entering the Foster Care System. DCS has also held community meetings to provide and gather information to/from community agencies and systems. It was recommended that the Committee could assist with input and feedback into service needs and best-practices in regard to evidence-based services in Child Welfare.

Through these presentations provided, it appears that DCS is collaborating with other stakeholders.

Improve communication between mandatory reporters and the department

This is an area of focus that has been identified by the Committee; however, it was not on the agenda for meetings held in FY 18-19. This is an area that the Committee members believe their sectors could engage and will be a focus for FY 19-20.

Recommendations for Committee and Department collaboration for the upcoming year

The Committee members will continue the area of focus on improving communication between mandatory reporters and the department and with providing recommendations in regard to the implementation of the Federal Families First Act and the integration of behavioral health into CMDP in the upcoming year.

Committee Meeting Dates and Activities

The Committee met five times in SFY 2019 to receive information about current law and policy and review data relevant to the Committee's three statutory requirements. In addition to the call to public and option for executive session, the meeting agendas included a variety of topics aimed at educating and informing committee members:

August 3, 2018

- **Finalize Annual Report**

The committee reviewed, discussed and took action on the Committee's FY 18 annual report that was due in August of 2018. One change was suggested and the report was approved as amended.

- **Discuss Public Comment Process**

The Committee discussed and developed a subcommittee to review public comment rules and regulations and identify a process/procedure for public comment to be presented to the Committee.

- **Behavioral Health Request for Information (RFI)**

A presentation was provided by Mike Faust on the Request for Information (RFI) that will be released in regard to moving behavioral health for children in DCS custody from AHCCCS to CMDP for integrated health. It was presented that DCS has worked with AHCCCS regarding recommendation for a model, they are looking to change the model to focus on what the Department can do well and what the private network can do well. They are looking to follow an Administrative Service Model where the Department would enter into a contract with a private network who would then contract with providers. With the RFI the Department is looking for information on a development stand point in regard to what is necessary and where are the gaps. The Department is looking to award the contract in January 2020 with a tentative “go live date” of October 2020.

- **Call for Public Comments**

The committee allowed public comment. Each comment was limited to 2 minutes. Pursuant to A.R.S. § 38-431.01(H), the committee did not take action on any public comment only on matters listed on the agenda.

- **Develop Meeting Schedule for 2018-2019**

The Committee discussed and confirmed meeting dates and times for Fiscal Year 19. It was determined to continue the meeting schedule as the first Friday of every other month beginning in August. There was a discussion held regarding the time of the meeting and it was determined that the discussion regarding meeting time would be tabled until the next meeting.

- **Set Agenda for Next Meeting**

Agenda items for the next meeting included: Presentations from the state and DCS Ombudsman offices and also a presentation on the Families First Act. Other agenda items for the year were discussed such as: A presentation on procedures for talking to children at schools, a presentation from the ASU Morrison Institute and a presentation on the DCS FY 19 Strategic Plan.

October 5, 2018

- **Arizona Ombudsman Citizens - Aide**

The Committee was provided a presentation from the Arizona Ombudsman Citizens-Aide on their role in working with individuals from the public. It was presented that the Arizona Ombudsman Citizen’s Aide Office is a classical ombudsman meaning that it is a legislative branch, independent, nonpartisan, and has jurisdiction over many governmental agencies. It was reported that they deal with 6000 cases per year and about 34% are DCS case related. The process of reviewing and

investigating complaints was presented along with areas the Ombudsman does not handle or may decline. The investigative process was reviewed. The Ombudsman helps with education of the processes associated with the Courts and the DCS System.

- **Office of the DCS Ombudsman**

The Committee was provided a presentation from the DCS office of the Ombudsman on their role in working with individuals from the public. The number of complaints received for September and August was reported and that the majority of the complaints come from the advocacy line, email or through the website. Response times are under one day for initial contact. The most frequent complaint is not being able to get ahold of the case manager or not receiving a call back. The focus of the DCS Ombudsman's office was described as getting to a resolution and trying to explain the process, helping to inform people, and the ultimate goal is to resolve the issue and resolve it as quickly as possible. It was explained that they do not look into issues that are already in front of the Court or that have been resolved by the Court. The primary goal of the Ombudsman's office is the safety of children but the Ombudsman does not make safety decision, instead will elevate the concern about a safety issue. Questions asked by Committee members were: If the Ombudsman's office keeps data on types of issues and do they have a report – the response was that there are weekly huddles to discuss trends and issues and there is a lot of contact with the Director and leadership to talk about staff decisions and behaviors to address issues. Another question raised by the Committee was how often the Ombudsman's office is able to resolve the complaint to satisfaction – the response was that it varies but the majority of the time. There were additional questions about capacity, response times, triage to prioritize, and background of staff. It was determined that the Committee can assist by clearing up any miscommunications in the community.

- **Report from Subcommittee on Public Comment Process**

Sergeant Matthew Lawes provided an update on the Subcommittee meeting. The statement read at the beginning of the meeting reflected the outcome of the meeting. It is intended to educate the public on the role and the abilities of the Committee to respond to issues. The Open Meeting Laws requires the Committee to only discuss published agenda items. A request was made for Legal Advice provided at the Subcommittee meeting to be provided to the entire Committee. A motion was made to table the discussion until the return of the Committee Chair at the next meeting.

- **Call for Public Comment**

The committee allowed public comment. Each comment was limited to 2 minutes. Pursuant to A.R.S. § 38-431.01(H), the committee did not take action on any public comment only on matters listed on the agenda.

- **Set Agenda for Next Meeting**

The following agenda items were suggested for the next meeting: Families First Act, School Safety, DCS FY 19 Strategic Plan, and a report from the Subcommittee on public comment.

February 1, 2019

- **Review Role as a Citizens Review Panel**

Katherine Guffey was present to answer the Committee's questions regarding the Committee's role as a Citizen Review Panel. It was reported that the Committee could be viewed as both a Community Advisory Committee and a Citizen's Review Panel under CAPTA. Reporting was discussed and determined that the reports could be combined and the Committee could use the same report that currently has a due date in August.

- **Family First Act**

DCS Representative Mike Faust presented on the impact of the Families First Act. It was explained that Prevention Services under the Families First Act is not primary prevention, it is services to prevent children from entering the foster care system. Services being looked at are Arizona Families FIRST, Family Preservation Services, and the SENSE program. It was reported that the services must be evidence-based and that there are very few services listed on the Federal website that qualify. It was reported that DCS is working to get programs qualified and that they will conduct a randomized study so Arizona Families FIRST can be evidenced-based. It was reported that there are 21 providers for Family Preservation Services and they are looking to have one common curricula/model. DCS is currently surveying programs and will design an Arizona specific model. DCS is allowed up to a two year delay to October 1, 2021 and they will have to opt into both congregate care and prevention at the same time. There will be a 50/50 match for Kinship Navigators and there is no current evidence-based Kinship Navigator programs. It was recommended by the Committee that DCS receive input into service needs.

- **DCS Strategic Plan**

DCS Representative Mike Faust presented on the DCS Strategic Plan with a brief overview on the future Request for Proposal (RFP) for CMDP. Mr. Faust presented the elements of the FY 19 Strategic Plan as: Improving timeliness to permanency with the In-Home case management process and transferring the case from investigations to In-Home before deciding what services are necessary for the family; and Ongoing case management practice by standardizing what case management looks like, creation of semi-independent living placements and changing the philosophy when talking to youth who are aging out of the system to opt-in instead of opting out of remaining in care. Increasing the percentage of children in Family-like settings by increasing the kinship stipend, creating an equivalent of a licensing worker for kinship placements, working to come up with a statewide standard for placement in HCTC, trying to get foster care subsystems to work together, and continuing to work on Fostering Connections. Improving employee turnover by increasing accountability, improving on-boarding and initial training, working to increase field staff pay, increasing supervisory skill sets and implementing supervision coaches and mentors. Replacement of CHILDS system and Integration of behavioral health into the foster care Medicaid program. The foster care population will transition in October 2020 and they are working on an RFP to be released by summer 2019. When asked what the Committee can do the following suggestions

were made: Feedback to improve cross-system placement and also children in juvenile justice and provider expertise for multi-diagnosed children.

- **Public Comment Process & the Community Advisory Committee DCS Email In-Box**

The Committee Chair opened discussion on the Public Comment process and the Community Advisory Committee DCS Email In-Box. She noted that Public comments must be consistent with and are subject to the open meeting law requirements. There was discussion on the email box versus having public comments. It was requested that the Committee utilize the Executive Session to review the legal advice provided on this subject as recommended on the previous meeting.

- **DCS General Counsel's Role to Committee**

The DCS General Counsel presented on the Counsel's role to the Committee. It was explained that the DCS Counsel's role statutorily is to give advice to the DCS Director as DCS is the client. In regard to the Committee the General Counsel can give advice in regard to open meeting law and can help with public comment.

- **Call for Public Comments**

The committee allowed public comment. Each comment was limited to 2 minutes. Pursuant to A.R.S. § 38-431.01(H), the committee did not take action on any public comment only on matters listed on the agenda. During public comment issues were raised such as there are no residential facilities where fathers can reside with their children, there is no statute that you cannot have a jury in a juvenile court matter, and children who have disappeared from foster care.

- **Set Agenda for next Meeting**

The following agenda items were suggested for the next meeting: A report on the Court Authorized Removals, an update on children lost in the system (how are they tracked and disclosed by DCS), a discussion on the new chair of the committee and a review of the Committee Annual Report.

April 5, 2019

- **CommunityAdvisoryCommittee@azdcs.gov**

The Committee discussed the result of the Executive Session regarding public comment and announced that it was determined that it is necessary to continue using the email in-box CommunityAdvisoryCommittee@azdcs.gov as a means for the public to provide comment to the Committee and suggest agenda topics.

- **Call for Public Comments**

The committee allowed public comment. Each comment was limited to 2 minutes. Pursuant to A.R.S. § 38-431.01(H), the committee did not take action on any public comment only on matters listed on the agenda.

- **Court Approved Removals**

Mark Ewy from DCS presented data illustrating the activity of the Court Authorized Removals process. The process for DCS to request a Court Authorized Removal was presented. Information on

timeframes and possible court responses were also presented. The Court has a 20-30 minute response time and can respond in the following ways: Granted (partial or full), Deny (partial or full) or request more information. Data on the number of Authorized removals and the outcomes of the requests was also presented.

- **ASU Morrison Institute Report for Public Policy on Neglect**

Erica Quintana from the ASU Morrison Institute presented an overview of the report on Neglect. She shared the neglect types: Supervisory, physical, medical, substance exposed newborns, and emotion. Next steps were discussed such as gathering data about current services provided across Arizona and compare this to the demand for services to make recommendations where services could be recommended. Committee members made the following recommendations: To look at, are the services being provided where the need is, thinking about a scan for child care, and looking at how services are defined.

- **Annual Report**

A Subcommittee was formed to work on the annual report, a draft of the report will be presented to the Committee during the June meeting.

- **Transition of Committee Chair**

Chair Jenkins announced that she will be retiring and a new Committee Chair will have to be appointed starting September 1, 2019 as Chair Jenkins last meeting will be the August 2019 meeting. A Subcommittee was formed to nominate Committee members for the Committee Chair position and to make a recommendation to the Director of Child Safety for appointment.

- **Set Agenda for Next Meeting**

The following agenda items were suggested for the next meeting: Review of the Annual Report, review the approach the Committee took for FY 19 with looking at the DCS Strategic Plan and aligning the Committee meeting agenda's and Committee's work with the DCS Strategic Plan to determine if the same approach should be taken for FY 20, report and data on missing and absconded children, and behavioral health work in the schools, the Department of Education's work to incorporate initiatives around behavioral health in the schools with a trauma focus.