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A Performance Audit Pursuant to House Resolution 426

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Summary and Recommendations

House Resolution 426 of 1998 (see Appendix A) calls for the Legislative Budget and Finance Committee to conduct a performance audit of the Commonwealth's children and youth system. This system is a joint responsibility of the Department of Public Welfare and county government.

Federal and State Laws and Regulations

The Child Abuse Prevention and Treatment Act is the primary federal legislation governing state child abuse programs. This act, first passed in 1974, provides funds to states to meet national standards for identifying, reporting, and responding to child abuse and neglect. This act was reauthorized and extended several times, most recently in 1996. The Adoption Assistance and Child Welfare Act of 1980 and the Family Preservation and Family Support Act of 1993 provide federal funds to states for child welfare services.

In November 1997, Congress enacted the Adoption and Safe Families Act (ASFA), the most significant change in federal child protection policy since 1980. Under ASFA, the health and safety of the child is to be of paramount concern and, in certain cases, may override the previous requirement that states make "reasonable efforts" to preserve biological families before placing a child in foster care or freeing a child for adoption. ASFA also imposes significant new administrative and reporting requirements on states.

In Pennsylvania, the primary laws governing child welfare services are the Juvenile Act and the Child Protective Services Law. The Juvenile Act defines the circumstances under which a child can be found dependent and thus removed from the home and defines the involvement of juvenile court. The Child Protective Services Law outlines state and county responsibilities for reporting, investigating, and providing child abuse services. Both acts have undergone several major amendments, most recently in 1998. These amendments (Acts 126 and 127) brought the Juvenile Act and the CPSL into compliance with the federal Adoption and Safe Families Act, thus allowing Pennsylvania to continue receiving federal funds.

New Department of Public Welfare regulations, reflecting pre-1998 changes to the CPSL and making various other changes, are expected to be published in final form in late spring 1999. The new regulations specify the risk assessment tools to be used by the counties, training requirements for county caseworkers, and procedures for reporting and investigating suspected student abuse. For children found to be at high risk of abuse or neglect, child contacts are increased from at least once every 30 days to a face-to-face contact at least once a week. The Department plans to issue a Bulletin to address the additional changes mandated by Act 127.

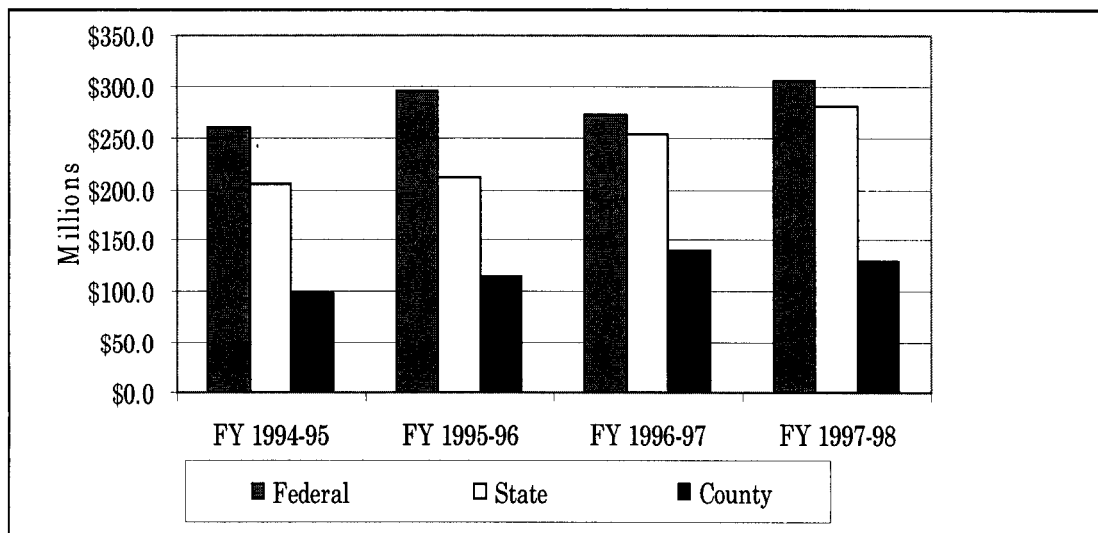
Fiscal Trends

In FY 1997-98, federal funds provided 43 percent of all funds available to provide services to dependent children in the Commonwealth. The largest source of federal funds is Title IV-E of the Social Security Act. Title IV-E funds are specifically designated for children under the care of state or county child welfare agencies. Title IV-E is an open-ended (i.e., states are not capped) entitlement program for foster care, transitional independent living programs, adoption placement, and for the training and administration related to these services. Title IV-E comprised 27 percent of all FY 1997-98 funding for the Commonwealth's children and youth services program. The second largest federal funding stream—the Temporary Assistance for Needy Families program—contributed 13 percent of total funding.

State general funds, provided through Act 148, comprised 39 percent of all funding. Under Act 148, as amended by Act 1991-30, the state reimburses counties for 60 percent of qualified expenditures for children and youth administrative costs and, depending on the service provided, 75 percent to 90 percent for child welfare services. County adoption services are 100 percent reimbursable.

County funds, which in FY 1997-98 comprised 18 percent of all funding, are primarily the county's match for services provided under Act 148. The following graph shows total funds for Commonwealth and county children and youth services since FY 1994-95 by source of funds.

Funding for Children and Youth Services
(Dependent Children Only)



State and County Administration of Children and Youth Services

Pennsylvania's children and youth system is undergoing significant changes as a result of new federal and state legislation and DPW initiatives. The Adoption and Safe Families Act, in particular, emphasizes the health and safety of children and establishes time frames for children remaining in foster care without permanency planning. Additionally, a federally required information system emphasizing outcomes, DPW's results-oriented management initiative, needs-based budgeting reforms, and new practice standards for caseworkers and county management were all underway during this review.

As a result of our interviews, questionnaires, site visits to county children and youth service agencies, and data analysis, we identified the following issues regarding the operation and management of the children and youth service delivery system at the state and county level:

- ***Unlike most states, in Pennsylvania responsibility for children and youth services is divided between state and county governments.*** Pennsylvania is one of 15 states that operate a state-supervised/county-administered children and youth system. Such a system gives counties a relatively high degree of autonomy, but makes it difficult for the state to ensure that all children and families receive appropriate, high-quality services. The Department of Public Welfare licenses all county children and youth agencies and provider organizations and conducts annual on-site reviews, which helps ensure that these agencies meet certain minimum standards. Nevertheless, we found substantial variation among counties on key factors such as the percent of suspected child abuse reports substantiated, the ratio of child protective service to general protective service cases, percent of children placed in institutional care, and caseworker caseloads and turnover rates. A new statewide management information system, discussed below, should greatly improve the Department's ability to determine why such variances exist and what corrective action, if any, might be needed. The Department is also developing new practice standards for county children and youth agencies, a major effort that should help standardize county practices.
- ***Fiscal issues appear to consume an inordinate amount of state and county managerial effort.*** Attending to fiscal matters is an integral part of every manager's job. However, if such concerns become predominate, they can affect the ability to focus on the organization's core mission. The Commonwealth's children and youth system appears to be at, or at least very near, this point. Key concerns and issues include:

- *County needs-based budgets.* Act 1991-30 established the Commonwealth's needs-based budgeting process. Under needs-based budgeting, counties submit the budgets they believe necessary to meet their child welfare needs. The Department reviews these budgets and "certifies" what they determine to be the counties' need. Often the Department's certified needs are substantially below what the county believes are its needs. In FY 1997-98, 21 counties had certified needs that were more than 5 percent—including 11 that were more than 10 percent—below what they reported to the Department. Counties complain that the Department rarely explains or justifies these decreases. The Department attributes many of the reductions to problems with county plans, particularly insufficient data to justify the needs cited.
- *Tentative and final county allocation letters.* The Department's goal is to furnish tentative allocations, based on a county's certified needs, by May of the upcoming fiscal year and notice of final allocations by November or December of the fiscal year. The Department often does not meet this time frame. In FY 1996-97, tentative allocation letters were not sent until September 10, 1996, and counties were not informed of their final allocations until July 16, 1997, more than two weeks after the fiscal year ended. In some cases, the final allocations were substantially below the tentative allocations, placing the county in the untenable position of having their funds cut after the close of the fiscal year. The Department did better in FY 1997-98 and FY 1998-99, but still did not meet its goals.
- *Title IV-E funding.* The federal Title IV-E program funds about 25 percent of the Commonwealth's children and youth system. To receive these funds, the child receiving services must be Title IV-E eligible. The Department estimates the number of Title IV-E eligible children in each county and then proportionately reduces the amount of state funds allocated to that county. Several county administrators believe that, in an attempt to save state funds, the Department has set unrealistically high goals for the number of children that can be served through the Title IV-E program. The Department points out, however, that often counties have been able to qualify for more Title IV-E funds than originally projected.
- *Advanced payments.* The Department makes quarterly advanced payments to the counties totaling 50 percent of their certified needs. Although the advanced payments for the first and second quarters are generally made on time, the advanced payments for the third and fourth quarters are frequently 90 or more days late. This is because the Department does not release the third and fourth quarter advanced payments until it approves the counties' first and second

quarterly expenditure reports. Several factors, both within and outside the Department's control, can delay the approval of these reports.

- *Payments for incurred expenses.* Several counties we visited complained that the Department is frequently late in reimbursing counties for their quarterly expenses. Erie, Allegheny, Lycoming, and Philadelphia Counties all cited recent instances in which their quarterly payments were delayed for three or more months, creating cash flow problems for these counties. The Department attributes the delays to several factors, including insufficient staff in the Bureau of Financial Operations, insufficient documentation of expenses, and the Department's policy of not reimbursing counties until outstanding issues from prior billings are resolved.
- *Delays in needs-based budgeting appeals.* Counties that are not satisfied with their needs-based budget can appeal to the Department's Bureau of Hearings and Appeals. For various reasons, including delays on the counties' part, such appeals may take extensive time to resolve. Eleven appeals have been filed in the last three years. One was filed too late and two were withdrawn. None of the remaining cases had yet proceeded to the hearing stage. (The Bureau of Hearings and Appeals is in the Department of Public Welfare but is not within the Office of Children, Youth and Families.)
- *SWAN funding.* Due to the success of the SWAN program in promoting special needs adoptions, the counties spent about \$3.6 million more in FY 1998-99 than the Department had budgeted. For several months it was unclear who would pay these additional costs. The Department was eventually able to cover these costs with federal and state funds.
- ***County children and youth agencies are likely to come under increasing pressure as ASFA and welfare reforms are implemented.*** Resolving the outstanding fiscal issues cited above is particularly important because state and county children and youth agencies will encounter increased pressure for services resulting from new demands placed on them by the Adoption and Safe Families Act and welfare reform. ASFA shortens deadlines, imposes new requirements, and requires additional efforts to place foster care children in permanent living arrangements. Welfare reform may result in families that are removed from the welfare rolls migrating to county children and youth agencies for services.
- ***The number of children in out-of-home care has increased dramatically in recent years, and counties face a scarcity of foster care homes in which to place these children.*** The number of children in out-of-home care has increased by 87 percent since 1980, from 12,640 to 23,653. Finding qualified foster care homes for these children is a major

problem for many children and youth agencies. Often children are placed in out-of-county foster homes, which makes family and caseworker visits difficult. Children may also be placed in foster homes where there is a poor match between the child and the foster parents simply because it is the only home available. Such mismatches can lead to children being moved from one foster home to another. To address some of these problems and to maintain family links, many counties now promote “kinship care,” where friends or relatives care for children who can no longer live with their immediate families. However, federal financial assistance is not available for kinship custodianship, which would remove the child from the county children and youth service system. Although some states have received a waiver from this limitation, the federal government has indicated that further waivers may be unlikely.

- ***In Pennsylvania, like many states, children often remain in foster care for two or more years.*** The length of time children remain in foster care has been a major concern and was a key factor in passage of the federal Adoption and Safe Families Act. In Pennsylvania, about half (46 percent) of the children in foster care remain in foster care for two or more years. Many children “age out” of the foster care system without ever finding a permanent living arrangement. ASFA now requires states to conduct permanency-planning hearings within 12 months. If a child is in out-of-home placement for 15 of the most recent 22 months, generally steps must be taken to initiate the termination of parental rights. The intent of this law is to reduce the amount of time children spend in foster care placements. However, reducing the length of time in placement requires more than passing a law; the Department and counties need to put in place policies and practices to implement the law effectively.
- ***Due in large part to the SWAN program, many more special needs children are now being placed in adoptive homes.*** In FY 1992-93, 731 special needs adoptions were finalized; in FY 1997-98, this number had increased to 1,795. Much of this increase can be attributed to the efforts of the Statewide Adoption Network.
- ***Pennsylvania’s Adoption Act does not complement changes made to the Juvenile Act resulting from federal ASFA requirements.*** The Pennsylvania Adoption Act, which establishes the procedures and requirements for adoptions in Pennsylvania, has not yet been amended to recognize federal ASFA requirements. The Joint State Government Commission is conducting a comprehensive review of the Commonwealth’s adoption laws and plans to release a report with recommended amendments within the next year.

- ***The Department conducts thorough annual inspections of both county children and youth agencies and private providers.*** We found the Department's inspections of county children and youth agencies and private providers to be thorough and comprehensive. Our review of these inspection reports found the large majority of counties and private providers do a good job in adhering to Department regulations. However, for those relatively few counties that have had difficulty meeting the regulatory requirements, the Department has little choice but to continue granting provisional licenses and, if necessary, working with the counties to improve their operations.
- ***County caseload regulations are overly simplistic.*** Department of Public Welfare regulations require that county caseworkers be assigned no more than 30 families. Although some counties may contract with private providers for virtually all direct services, they are not permitted to increase county caseloads beyond 30. In other counties, where caseworkers provide many services directly, caseloads of 30 may be too high and not provide adequate safeguards for children.
- ***Child abuse substantiation rates vary widely from county to county.*** In 1998, 24 percent of all reports of suspected child abuse were found to be substantiated, meaning that either child abuse occurred or the investigation found substantial evidence of such abuse. County substantiation rates varied from 9.5 percent in Chester County to 47.7 percent in Snyder County. However, as the counties with the highest substantiation rates are all small counties with populations of less than 50,000, this variation may not be as significant as first appears. We also found a weak, but statistically significant, relationship between county substantiation rates and the number of reports of child abuse received per caseworker. This suggests that counties with higher workloads may be slightly less inclined to substantiate new reports of abuse than counties where workloads are more moderate.
- ***The ratio of child protective services to general protective services varies widely from county to county.*** Counties provide child protective services when children are found to have been abused. Counties are also required to provide general protective services in less severe cases that do not fall under the legal definition of child abuse. We found that six counties reported spending more on CPS expenditures than GPS, while 31 counties reported spending more than twice as much on GPS as CPS services. The Department is in the process of implementing a standard risk assessment tool that should allow valid comparisons between counties. Such benchmarking should help identify counties that may not be providing appropriate levels of service.

- ***In 1996, Pennsylvania had the second lowest rate of substantiated reports of abuse and neglect in the nation.*** In 1996, Pennsylvania substantiated only 2.1 reports of abuse and neglect per 1,000 children, the second lowest rate in the nation. Pennsylvania's rate is low, in part, because Pennsylvania includes only severe cases of abuse and neglect in its figures, whereas most other states have broader definitions of abuse and neglect. Even if these less severe cases are included, Pennsylvania's rate of substantiated abuse is still below the national average. However, the Child Welfare League of America, which compiled this data, notes many differences in state policies and reporting practices and warns against such direct state-to-state comparisons.
- ***Many, but not all, counties are experiencing high caseworker turnover rates.*** High caseworker turnover rates mean that cases must continually be reassigned and county children and youth agencies must undergo the expense and uncertainty of hiring and training new employees. Statewide, in 1997 the turnover rate for the entry-level Caseworker I position in the county children and youth agencies was 33 percent, varying from 0 percent in 25 counties to 100 percent in 4 counties. Turnover rates for the Caseworker II position were better, averaging 19 percent statewide. Low salaries (the average salary for a Caseworker I was \$20,008 as of June 1998), high stress, large caseloads, and excessive paperwork were some of the factors cited for high turnover. "Not treated like a professional," particularly by the county commissioners, was another reason caseworkers cited for high turnover in some counties. Recruitment and retention problems resulting from the civil service system are also contributing factors.
- ***PACWIS, a new statewide management information system, should be a more effective tool to monitor county performance than licensing inspections and child death reports.*** The Department is implementing a new computerized information system called PACWIS (Pennsylvania Child Welfare Information System). This system, expected to be operational in late 1999, is an automated case management system that all counties will be required to use. In addition to automating routine clerical functions and providing operational information to state and county managers, PACWIS will also collect outcome information that should provide the basis for a results-based, rather than process-based, management system.
- ***Act 1995-29 (Special Session #1) requires that schools refer habitually truant students to county C&Y agencies, but neither DPW nor PDE has provided guidance to implement this requirement.*** Act 29 requires that school districts refer habitually truant students to the county children and youth agency. Neither the Department of Public Welfare nor Education has issued any regulations or policy statements to

provide guidance on when such students should be referred to the county children and youth agency or what these agencies should do once they receive such referrals. As a result, practices vary widely from county to county and from school district to school district.

- ***Pennsylvania does not have a penalty for false reporting and provides no additional punishments for assaults on children and youth workers.*** Intentionally submitting a false report of child abuse wastes county resources and is upsetting and potentially embarrassing to those who are accused. Assaults on children and youth workers--such as the one that occurred a few days prior to our visit to the Northampton County Children and Youth Agency--are not uncommon. Persons who assault teachers and police officers are subject to additional punishments, which may help deter such attacks.

Recommendations

1. The Department should take steps to resolve, or at least diminish, the fiscal issues that separate it and the counties. Major changes have occurred in recent years in how the state funds county children and youth agencies. Inevitably, such changes cause a degree of turmoil and consternation. To help resolve some of the outstanding fiscal issues, we recommend the Department of Public Welfare:

- improve communications with the counties, especially on how it arrives at a county's certified need figure. The Department took a substantial step toward this goal in December 1998 when it held a retreat with key participants at both the state and county level to identify ways to improve the needs-based budgeting process. The FY1999-2000 budgeting process will begin to reflect at least some of these efforts.
- hire sufficient staff to process tentative and final allocation letters, quarterly advance payments, and quarterly reimbursement payments in a timely manner. Although the counties shoulder some of the responsibilities for these delays, the Department acknowledges that improvements are also needed at the state level.
- establish realistic Title IV-E reimbursement goals. While maximizing federal funds is a desirable goal, recent communications between the Department and federal auditors suggest the Department may have been overly aggressive in its efforts. The Department has implemented a new process for FY 2000-01 based on the counties' capacity to generate Title IV-E revenue, which it believes will help resolve this issue.

- modernize and streamline the needs-based budgeting appeals process. The Bureau of Hearings and Appeals uses a 1970s-era computer system that makes it difficult to manage the appeals process. DPW also needs to develop procedures to improve communications between the Bureau, OCYF, and the appealing counties.
 - continue its efforts to obtain federal CAPTA monies, estimated to be about \$800,000 per year. These grants are quite flexible and could be used for a variety of child abuse prevention and outreach efforts.
2. **The Department should consider allowing counties to receive quarterly advanced payments of 20 to 25 percent, rather than 12.5 percent, of their certified needs.** County mental health and mental retardation programs receive quarterly payments of 25 percent of their certified needs. Given the delays county children and youth agencies experience in receiving their payments, the Department should consider amending its regulations to increase the amount it pays in advanced payments to county children and youth agencies.
 3. **The Department should modify its regulations governing caseload size to reflect the type of service being rendered.** Department regulations require that counties provide case management services directly and that caseloads be no greater than 30 families. Such “one-size-fits-all” regulations may allow counties too little--or too much--management flexibility. For example, caseloads of 30 are unreasonably high for caseworkers involved in intensive family counseling. In counties where private providers assign their own case managers to clients and have sophisticated case management information systems, caseloads of greater than 30 might be acceptable. We recommend the Department develop caseload regulations that reflect such differences in the types of service being rendered.
 4. **The Department should use the PACWIS system to “benchmark” counties.** The Department is nearing completion of a sophisticated child welfare management information system that should provide much better information than is currently available to assess and compare county performance. We recommend the Department use this data to identify counties which appear to be underperforming (or performing exceptionally well) against these measures to identify potential problems (or best practices). We also recommend the Department include key comparative performance information in its annual Child Abuse Report as an incentive for counties to improve.
 5. **The Department should develop a policy for child death reviews.** Fifty-two children died due to abuse in 1998. Unlike many states, Pennsylvania does not require in statute, regulation, or by formal policy a formal review when such an event occurs. The Department is currently in the process of developing such

a policy for when and how to conduct a child death review and what should be included in the resulting report. House Bill 519 would mandate such reviews in all cases where child abuse is suspected.

6. **The Department should review its regional office staffing needs.** DPW's four regional offices, with a total staff of 49, conduct licensing inspections and provide technical assistance to counties. Recent legislation and new Department policies will increase workloads at the regional offices. County C&Y administrators commented that DPW regional offices, which they believe are already understaffed, will be key to successful implementation of these new requirements.
7. **The Department should provide additional guidance to its regional offices regarding provisional licenses.** The Department has not clearly articulated the steps to be taken when a county receives two or more consecutive provisional licenses. The Department is in the process of drafting a policy regarding provisional licenses that will address this issue. As part of this policy, we recommend the Department consider what options, if any, it has to impose sanctions on counties that repeatedly violate caseload and other important state regulations.
8. **The Department should develop a program to assist the counties in recruiting foster parents.** Half of the counties we surveyed cited a lack of foster parents as a major problem. We recommend the Department work with the counties to develop a plan or program to help address this need.
9. **The Department should report to the General Assembly about the feasibility and merits of a subsidized custodianship program.** A custodianship (guardianship) arrangement removes the child from the custody of the CYS agency. Although some view custodianships as less desirable than an adoptive home, in some situations it may be the best alternative available for the child. However, subsidized custodianships--and particularly kinship custodianships--raise difficult policy, legal, and financial questions. The Department has undertaken several studies on this topic, and it should report to the pertinent standing committees of the House and Senate on the results of its review. The Department should consider a federal Title IV-E waiver request to fund such a custodianship program; or, in the alternative, assess the costs to the Commonwealth of such a state-funded (Act 148) program.
10. **The Department should expand the drug and alcohol training included in a county caseworker's core certification training.** Drug and alcohol problems are common causes of child abuse and neglect, yet drug and alcohol training is not a significant part of the core training required of county children and youth workers.

11. **The Department should explore the need for additional mental health services for children.** Although the Department's Office of Mental Health and Substance Abuse Services was not aware of particular problems with regard to a lack of adolescent services, many county children and youth workers told us more programs are needed to serve children with mental health problems.
12. **The Departments of Public Welfare and Education should develop a joint policy statement regarding truancy referrals.** Act 1995-29 (Special Session #1) requires school districts to refer habitually truant students to the county C&Y agency. Practices vary widely across the state, in part, because neither DPW nor PDE has issued any regulations or policy statements governing such referrals.
13. **The Department should work with the Juvenile Court Judges' Commission and the Conference of State Trial Judges to develop a training program for judges and court masters.** Additional training could serve to strengthen cooperation and collaboration between the Commonwealth's juvenile courts and child welfare officials. New federal funds may soon be available to support such training.
14. **County C&Y officials should consider conducting follow-up visits.** We recommend counties conduct at least one follow-up visit to families after all the assessed risks have been addressed and the case is closed. Foster parents, in particular, expressed concerns about the need to follow-up once children are returned home to ensure the continued safety of the children. Such follow-up visits would also give counties and juvenile court judges an opportunity to assess the effectiveness of various intervention strategies.
15. **County C&Y officials should begin to implement relevant recommendations contained in this report.** Several recommendations in this report call for DPW regulatory or policy changes. Rather than wait for such action, we recommend counties begin now to implement recommendations such as expanded drug and alcohol training for caseworkers, developing policies for habitually truant students with school districts, conducting follow-up visits, and modifying caseload sizes to reflect the types of service being rendered.
16. **The General Assembly should consider imposing penalties for false reporting and additional punishments for assaults on children and youth workers.** Pennsylvania law currently imposes penalties for false reports to law enforcement authorities. Senate Bill 624 would impose similar penalties for false reports of child abuse. Pennsylvania law also increases the penalty for assaults on teachers and police officers. County children and youth workers would appear to deserve the same protections. House Bill 457 would increase the penalties for assaults on children and youth caseworkers.

- 17. The General Assembly should amend the Pennsylvania Adoption Act to complement changes in the Juvenile Act resulting from federal ASFA requirements.** The Commonwealth's Juvenile Act and Child Protective Services Law were recently amended to bring it into compliance with the federal Adoption and Safe Families Act. The Joint State Government Commission is in the process of reviewing Pennsylvania's Adoption Act and will be making recommendations for amendments.

- 18. The General Assembly should consider raising the age at which children can refuse mental health services.** Under the Mental Health Procedures Act, children aged 14 and older can refuse mental health services. Act 1997-53 raised to 18 the age at which children can refuse drug and alcohol services; House Bill 342 would do the same for mental health services.

I. Introduction

House Resolution 426 of 1998 (see Appendix A) requests the Legislative Budget and Finance Committee to conduct a performance audit of the Commonwealth's children and youth agencies.

Scope and Objectives

The programs and services reviewed include:

- services designed to keep children in their own home; prevent abuse, neglect and exploitation; and help overcome problems that result in dependency and delinquency;
- temporary, substitute placement in foster homes and residential child care facilities for a child in need of such care;
- services designed to reunite children and their families when children are in temporary, substitute placement; and
- services to provide a permanent legally assured family for a child in temporary, substitute placement.

Programs and services for children whom the courts have adjudicated as delinquent are not included within the scope of this study.¹

The objectives of this study were:

1. To determine the primary statutory and regulatory responsibilities of county children and youth agencies for at-risk children and families, and how these responsibilities have evolved over time.
2. To determine the costs to operate county children and youth agencies and the programs and services they offer, what funding streams are used, how the funds are allocated, and how many children and families are being served.
3. To determine how well the county children and youth agencies are meeting their statutory and regulatory responsibilities.
4. To determine if the Commonwealth's existing statutes, regulations, and practices meet the key needs of today's at-risk children and families and, if not, what changes could be made to better meet these needs.

¹The LB&FC report entitled *A Review of Juvenile Justice Programs and Services in Pennsylvania*, January 1996, assesses court-ordered programs and services for adjudicated delinquents.

Methodology

To determine the primary statutory and regulatory responsibility of children and youth agencies and whether or not they are meeting the key needs of today's at-risk children, we reviewed pertinent statutes and regulations, received input from legislators and staff, discussed issues with the Department of Public Welfare (DPW) staff, and received county and advocate comments. We also discussed recent federal and state statutory changes with the U.S. Department of Health and Human Services, and reviewed pertinent draft DPW regulations. We also analyzed DPW county and private provider licensure, death reviews, and performance reports, and observed DPW county and private provider annual license renewal reviews. See Appendix B which provides a glossary of terms related to the children and youth system.

To determine the costs, funding streams, and methods used to allocate funds to the counties, we met with OCYF central office officials and regional directors and DPW's Bureau of Hearings and Appeals. We asked the 67 county administrators to comment on needs-based budgeting issues as part of a questionnaire process and discussed the needs-based budgeting process with county administrators, fiscal staff, and, in some cases, county commissioners, as part of our field visits. We attended the Pennsylvania Children and Youth Administrators (PCYA) quarterly meetings and met with PCYA officials. We also met with officials of the Department of the Auditor General and federal regional officials.

We visited and spoke with county commissioners, human service administrators, and caseworkers in 11 counties. We also visited private providers in facilities in Allegheny, Erie, Dauphin, Philadelphia, and Montgomery Counties and a charter school in Erie.

We sent questionnaires to children and youth administrators, caseworkers, juvenile court judges, chief juvenile probation officers, and private service providers. Appendix C includes information on the number of surveys sent, the number returned, and summary information on selected responses.

We used data and statistics on child welfare from the Child Welfare League of America, DPW's AFCARS information reporting system, the needs-based budgeting reporting systems, the Office of Administration, and the Urban Institute.

Acknowledgments

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Important Note

This report was developed by Legislative Budget and Finance Committee staff. The release of this report should not be construed as indicating that the Committee's members endorse all the report's findings and recommendations.

Any questions or comments regarding the contents of this report should be directed to Philip R. Durgin, Executive Director, Legislative Budget and Finance Committee, P.O. Box 8737, Harrisburg, Pennsylvania 17105-8737.

II. Statutory and Regulatory Requirements and Funding Streams for PA's Children and Youth System

A. Statutory and Regulatory Requirements

Pennsylvania's children and youth services system is a shared county and state responsibility guided by federal statutes and funding requirements. County children and youth agencies are jointly responsible with the Department of Public Welfare (DPW) to ensure that each child in the Commonwealth has a safe, permanent family and that adequate services are available to children who are at risk of abuse or neglect. Recent amendments to federal and Commonwealth child welfare laws provide greater recognition that preserving family unity may not be possible and that an alternative permanent family may need to be provided.

Federal Requirements

In 1974 the federal government became involved in directing states' child protection policies by enacting the Child Abuse Prevention and Treatment Act, Pub.L. 93-247. This law provided federal funding to states to develop child abuse laws and policies and created the National Center on Child Abuse and Neglect. To receive funding, states were required to meet national standards for identifying, reporting, and responding to child abuse and neglect. Public Law 93-247 has been reauthorized and extended several times, most recently in 1996. The 1996 amendments include grants to states for community-based family resource and support programs and to support innovative responses to reports of abuse and neglect.

The next major piece of federal legislation enacted was the Adoption Assistance and Child Welfare Act of 1980, Pub.L. 96-272. This act was passed in response to concerns about the number of children in foster care and the poor quality of many child placements. This statute conditioned federal foster care funding on the implementation of family preservation and permanency planning policies and required states to make reasonable efforts to avoid out-of-home placements.

In the late 1980s, states experienced dramatic increases in child abuse and foster care caseloads. To assist states to meet the need for additional family-centered services, Congress, in 1993, passed the Family Preservation and Family Support Act, Pub.L. 103-66. This act made \$930 million available to states over five years for family preservation and support services. To receive these funds, states were required to submit a grant application in 1994 and a five-year plan in 1995 detailing goals and methods for measuring outcomes.

In November 1997, Congress enacted the Adoption and Safe Families Act (ASFA), Pub.L. 105-89. This is the most significant change in federal child protection policy in almost 20 years. This law shifts the emphasis of the child welfare policy set in 1980 which required states to make “reasonable efforts” to preserve biological families before placing a child in foster care or freeing a child for adoption. ASFA now specifically states that the paramount concern of all child protection efforts must be the health and safety of children, overriding the “reasonable efforts” requirement in certain cases, especially if parents have grossly abused or abandoned a child. See Exhibit 1 for key ASFA provisions.

Pennsylvania State Requirements

Juvenile Act. In 1972 Pennsylvania enacted the Juvenile Act, 42 Pa.C.S. §6301 et seq., in reaction to the general trends toward granting children constitutional protections. This act is the main vehicle for intervening in the lives of children who need state protection and seeks to balance the right of children to be protected against the right of families to be free of state intrusion. The act enables the state to intervene when a child is alleged to be “dependent.” A juvenile judge may adjudicate a child as dependent under the Juvenile Act (42 Pa.C.S.A. §6301 et seq.) if the child:¹

- is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental or emotional health or morals. A determination that there is a lack of proper parental care or control may be based upon evidence of conduct by the parent, guardian or other custodian that places the health, safety or welfare of the child at risk, including evidence of the parent’s, guardian’s, or other custodian’s use of alcohol or a controlled substance that places the health, safety or welfare of the child at risk;
- has been placed for care or adoption in violation of law;
- has been abandoned by his parents, guardian or other custodian;
- is without a parent, guardian or legal custodian;
- while subject to compulsory school attendance is habitually and without justification truant from school;
- has committed a specific act or acts of habitual disobedience of the reasonable and lawful commands of his parent, guardian or other custodian and who is ungovernable and found to be in need of care, treatment or supervision;
- is under the age of ten years and has committed a delinquent act;
- has been formerly adjudicated dependent, and is under the jurisdiction of the court, subject to its conditions or placements and who commits an act which is defined as ungovernable;
- has been referred to informal adjustment and who commits an act defined as ungovernable; or

¹The Juvenile Act also defines a “delinquent” child and sets out the procedures required for having a child declared delinquent.

Exhibit 1

Key ASFA Provisions

Promote the Safety of Children

- Clarifies that a child's health and safety are paramount in decisions about the removal of a child from, and a child's return to, his or her home.
- Clarifies that reasonable efforts to preserve a family or reunify a family are not required in cases where a court determines that a child's health or safety would be endangered.
- Requires attention to the child's safety in case plans and case reviews.
- Requires criminal record checks for final approval of foster parents and adoptive parents but allows states to opt out of this requirement.
- Acknowledges the importance of services to prevent child abuse and neglect and assist families in crisis, be they birth, foster, or adoptive families, by re-authorizing for three years the Family Preservation and Support Services Program (newly named the Promoting Safe and Stable Families Program) and increasing funding slightly each year.

Promote Adoption and Other Permanency Options

- Establishes a program of adoption incentive payments to states that increase the number of adoptions of foster children in a given fiscal year over a base year, with higher payments for children who have special needs.
- Specifies that reasonable efforts toward adoption and other permanency options must be made when reunification is no longer the plan for a child, provides for concurrent planning of reunification and adoption, and requires that a child's case plan must include steps being taken to achieve permanence.
- Requires states, as a condition of funding for IV-E Adoption Assistance, to provide health insurance coverage (with a benefits package similar to Medicaid) for any child with special needs for whom there is an adoption assistance agreement and who cannot be placed for adoption without health insurance because of the child's need for medical, mental health, or rehabilitative services.
- Moves up the permanency planning hearing to 12 months, at which time there must be a determination of when the child will be returned home or placed for adoption and termination of parental rights will be pursued, or legal guardianship or some other planned permanent living arrangement will be sought.
- Requires the initiation of a termination of parental rights proceeding when a child is under the responsibility of the state for 15 of the most recent 22 months.
- Addresses geographic barriers to adoption by prohibiting states from delaying or denying an adoption of a child when an approved adoptive parent from out-of-state is available.
- Continues federal adoption assistance for an adopted child whose previous adoption dissolved or whose adoptive parents died.

Enhance Capacity and Accountability for Both Safety and Permanence

- Gives foster parents, preadoptive parents, and relatives the right of notice and the opportunity to be heard at any hearing or review involving a child in their care.
- Requires the Secretary of Health and Human Services (HHS) to establish outcome measures to track state performance in protecting children, to issue an annual report on state performance, and to develop a performance-based incentive system to provide federal child welfare, foster care, and adoption assistance payments.
- Requires states to develop and implement standards to ensure that children in foster care in public and private agencies are provided quality services to protect their health and safety.
- Allows up to 10 states a year to be granted child welfare demonstration waivers.
- Requires reports by the HHS Secretary on children placed in foster care with relatives and on improving services for families with substance abuse problems in the child welfare system.

Source: Adoption and Safe Families Act of 1997, Pub. L. 105-89.

- is born to a parent whose parental rights with regard to another child have been involuntarily terminated within three years immediately preceding the date of birth of the child and conduct of the parent poses a risk to the health, safety or welfare of the child.

If a child is adjudicated dependent, the child may be separated from the parents only if there is a “clear necessity” for this action.

Adoption Act. Pennsylvania’s Adoption Act, 23 Pa.C.S.A. § 2101 *et seq.*, was enacted by Act 1980-163. Although amended several times over the years, the purpose of the Adoption Act has remained the same--to provide a stable home for those children whose birth parents are unable or unwilling to care for them. The Adoption Act sets forth the processes for terminating parental rights, home studies, court hearings, and other steps leading to the adoption of a child.

Needs-Based Budgeting. Act 1991-30, which amended Act 148, requires an annual needs-based budgeting process for county child welfare services. Chapter II-B provides a detailed description of the needs-based budgeting process.

The Child Protective Services Law (CPSL). The CPSL, 23 Pa.C.S. §6301 *et seq.*, was enacted in 1975 in response to a national effort to increase reporting of child abuse. The CPSL attempts to protect children from serious physical or mental injury, sexual abuse or exploitation, and serious physical neglect by integrating the reporting, investigating, and recording of child abuse and providing for the swift delivery of protective services. This act establishes a statewide toll-free telephone number (ChildLine) for the reporting of suspected child abuse and a central registry which includes information on all investigated reports of child abuse. Chapter IV-C further discusses ChildLine.

The Public Welfare Code. 62 P.S. §701 *et seq.*, and §901 *et seq.*, requires DPW to “assure within the Commonwealth the availability and equitable provision of adequate public child welfare services for all children who need them regardless of religion, race, settlement, residence, or economic or social status.”

The County Code. 16 P.S. §2168, directs the county commissioners “. . . to provide those child welfare services designed to keep children in their own homes, prevent neglect, abuse and exploitation, help overcome problems that result in dependency, neglect or delinquency, to provide in foster family homes and child caring institutions adequate substitute care for any child in need of such care and upon the request of the court, to provide such services and care for children and youth who have been adjudicated dependent, neglected, or delinquent.”

The Statewide Register includes the information presented in Exhibit 2:²

Exhibit 2

Statewide Register Information

1. The names, social security numbers, ages, and sex of the subjects of the report.
 2. The date or dates, and the nature and extent of the alleged instances of suspected child abuse.
 3. The home addresses of the subjects of the report.
 4. The county in which the suspected abuse occurred.
 5. Family composition.
 6. The name and relationship to the abused child of other persons named in the report.
 7. Factors contributing to the abuse.
 8. The source of the report.
 9. Services planned or provided.
 10. Whether the report is a founded report or an indicated report.
 11. Information obtained by the Department in relation to a perpetrator's or school employee's request to release, amend, or expunge information retained by the Department or the county agency.
 12. The progress of any legal proceedings brought on the basis of the report of suspected child abuse.
 13. Whether a criminal investigation has been undertaken and the result of the investigation, and any criminal prosecution.
-

The Statewide Register is used to provide clearance statements for certain job applicants, e.g., school employees.

Act 1994-151 amended the CPSL to require counties to provide general protective services for conduct not included in the definition of child abuse, such as less severe forms of neglect and parenting deficiencies. The Act also amended the definition of child abuse to include the imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child. Act 151 changed the standard for required reporters to report from "reasonable cause to believe" to "reasonable cause to suspect" child abuse. The amendments also added provisions to require school employees who have reason to suspect that a student is the victim of sexual abuse or serious bodily injury perpetrated by another school employee to report such suspected abuse to the administrator. Additionally, persons seeking employment in public schools must have an official clearance statement as to whether or not the applicant is named as the perpetrator in an indicated or founded report of child abuse.

Act 1995-10 of the First Special Session also amended the Child Protective Services Law. This act amended the grounds for denying employment to child care personnel to include those persons convicted of sexual assault and statutory sexual assault.

²Similar information is maintained for student abuse.

Proposed Regulations Resulting From 1994 Amendment. Regulations proposed by DPW in February 1998 and expected to be published as final in late spring 1999 will significantly amend the requirements for both general protective services and the protective services for abuse. The proposed regulations combine the requirements for both into one chapter of regulations and bring the regulations into compliance with the 1994 amendments to the CPSL. For example, the new regulations include the risk assessment model to be used by the counties, training requirements for county direct service workers, and procedures for reporting and investigating suspected student abuse. Other regulatory provisions include increasing child contacts from at least once every 30 days to a face-to-face contact at least once a week in those cases designated to be at high risk of abuse or neglect and requiring an assessment for general protective services to determine whether the child is dependent.

These regulations also establish a procedure for transferring cases between counties. When a case is under investigation or a family has been accepted for services and the family moves to another county, if the new address is known, the county agency is to contact the receiving agency immediately and is to confirm the referral with a fax transmission within 24 hours. In a high-risk case, the receiving agency is to reassess the risk of abuse and neglect and see the child at the new address within 24 hours of the initial transfer telephone call. The prior agency is to be notified about the status of the referral upon completion of the investigation or assessment. Regardless of whether the new address is known, within 72 hours of the referral the referring agency is to send the receiving agency the case files. When the address is unknown, both agencies are to make reasonable efforts to locate the family, including contacting the schools and known relatives.

These regulatory changes do not address the changes made to the CPSL by Act 1998-127 (discussed below). DPW plans to issue a Bulletin to address the implementation of those requirements.³ Please refer to Appendix D for a grouping of children and youth statutes and associated regulations.

1998 Statutory Amendments⁴. The Juvenile Act and the CPSL were amended at the end of 1998 to bring Pennsylvania law into compliance with the requirements of ASFA. Amendments to the Juvenile Act require permanency hearings to be held within six months of removal from the home or prior permanency hearings or within 30 days of an adjudication of dependency involving aggravated circumstances or when necessary to protect the physical, mental, or moral welfare of the dependent child. Specified findings are required to be made by the court at permanency hearings including whether the child is safe, those services needed to

³In one case, the length of time an unfounded report of suspected abuse is to be maintained, the new regulatory requirement is in direct conflict with the new statutory requirement (120 days from the date the report is received by the Department versus one year and 120 days from that date).

⁴Appendix E lists legislation pending as of May 31, 1999.

assist a child who is 16+ years of age transition to independent living, and, if the child has been in placement for 15 of the last 22 months, whether the county has filed or sought to join a petition to terminate parental rights unless certain circumstances exist.⁵

Amendments to the CPSL require unfounded reports of suspected child abuse to be maintained for one year after the report is received by the Department. The report must be expunged no later than 120 days after the one-year period. The types of criminal investigations for which report disclosure may occur are expanded. Additionally, administrators of child care services, such as foster homes and group homes, are prohibited from hiring applicants whose criminal history record information indicates a conviction for enumerated offenses in the Crimes Code or an equivalent crime under federal or another state's laws. Counties are also required to establish an investigative team for cases of child abuse involving certain identified crimes against children. The team is to consist of those individuals and agencies responsible for investigating the abuse of children and for providing services to children. At a minimum, the team is to include a health care provider, county caseworker, and law enforcement official.

County Requirements

County children and youth responsibilities are shared between the children and youth agency, whose director reports to the county commissioners, and juvenile court judges and officials under the aegis of the County President Judge. The county children and youth agency serves as the sole civil agency responsible for receiving and assessing all reports of children in need of protective services.⁶ DPW regulations require that the county provide or arrange for the provision of:

- placement prevention and reunification services;⁷
- adoption services;
- emergency and planned temporary placement services;⁸ and
- other required services, including services or care ordered by the court.

⁵These circumstances include if the child is being cared for by a relative best suited to the welfare of the child, the county has documented a compelling reason why termination of parental rights would not serve the welfare of the child, or the child's family has not been provided with necessary services to achieve the safe return to the home within the time frames set forth in the permanency plan.

⁶Appendix F flow charts the children and youth service system process from intake through permanency or service termination.

⁷These services include counseling, parent education, homemaker/caretaker service, and part-day service.

⁸Emergency placement service is residential care and supervision in a nonsecure setting not to exceed 30 consecutive days for a child whose well-being requires removal from the home or would present a danger to himself or others or would abscond from his home. Planned temporary placement services are foster family care and residential childcare.

Child Protection Services. Counties are responsible for investigating child abuse reports and delivering services to those children accepted for service.⁹ Child abuse is defined by the CPSL to mean any of the following:

- Any recent act or failure to act by a perpetrator¹⁰ which causes nonaccidental serious physical injury to a child under 18 years of age.
- An act or failure to act by a perpetrator which causes nonaccidental serious mental injury to or sexual abuse or sexual exploitation of a child under 18 years of age.
- Any recent act, failure to act, or series of such acts or failures to act by a perpetrator which creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child under 18 years of age.
- Serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide essentials of life, including adequate medical care, which endangers a child's life or development or impairs the child's functioning.

A finding of abuse cannot be based on injuries resulting solely from environmental factors beyond the control of the parent or person responsible for the child, such as inadequate housing. Additionally, failure to provide medical care due to parents' seriously held religious beliefs consistent with a bona fide religion is not deemed physical or mental abuse.

State-defined county goals are to protect abused children from further abuse, preserve and stabilize families, and implement the CPSL. Counties must provide 24-hour/7-days-per-week coverage; in cases of reported abuse, an investigation must begin within 24 hours or immediately if circumstances warrant. The investigation is to include: notification to ChildLine, interviews of appropriate individuals, written records of investigation, color photograph of injury, and medical evidence if possible.

Child protective services supervisors are to review the report within ten days to determine the safety of the child and progress in determining status. Once a case is accepted for service, a Family Service Plan (FSP) is developed which includes:

- identifying information for the child and family members;
- description of circumstances under which the case was accepted;
- service objectives;
- services to be provided;
- actions to be taken by children, family, agencies, etc., and dates for the completion of those actions;

⁹The law defines certain "required reporters" who in the course of their employment, occupation, or practice of their profession come into contact with children. Examples include licensed physicians, clergy, school teachers, and law enforcement officials.

¹⁰Perpetrator is defined as a person who has committed child abuse and is a parent of a child, a person responsible for the welfare of a child, an individual residing in the same home as a child, or a paramour of a child's parent.

- placement amendments, as needed; and
- results of FSP reviews.

The FSPs are to be reviewed at least every six months with the review results recorded in the plan. The review is to include:

- an assessment of the progress toward alleviating the conditions necessitating service;
- an assessment of whether planned actions have occurred and services have been provided;
- an assessment of whether the children remain safe in the home; and
- an amendment to the plan as determined by the review.

The child must be seen by a county caseworker no less than once a month for six months if the child is in the home where the abuse occurred or once a month until the next case review if the child is out of the home where the abuse occurred. The county may petition the courts if necessary to provide services to the child.

General Protective Services. The CPSL also requires counties to provide general protective services to address less severe circumstances that do not fall within the law's definition of abuse. County children and youth agencies are required to provide services intended to keep children in their homes, whenever possible. As with child protective services cases, counties are to develop a Family Service Plan and ensure that needed services are provided to the family.

Counties are required to provide for both general protective services and child protective services which include the following services:

- services designed to keep children in their own homes; prevent abuse, neglect, and exploitation; and help overcome problems that result in dependency and delinquency;
- temporary, substitute placement in foster family homes and residential child care facilities for a child in need of care;
- services designed to reunite children and their families when children are in temporary, substitute placement;
- services to provide a permanent legally assured family for a child in temporary, substitute care who cannot be returned to his own home; and
- service and care ordered by the court for children who have been adjudicated dependent or delinquent.

II. Statutory and Regulatory Requirements and Funding Streams for PA's Children and Youth System (Continued)

B. Funding for Children and Youth Services

Funding for the Commonwealth's children and youth services program, which includes both juvenile dependency and delinquency services, was over \$1.0 billion for FY 1997-98. Federal and state funding streams typically do not distinguish between dependency and delinquency services. We, therefore, estimated, based on work with the Department of Public Welfare (DPW) staff, that approximately 66 percent of total revenues were available for dependency services, amounting to \$717.4 million in FY 1997-98 (\$306.5 million federal, \$280.5 million state, and \$130.4 million local). Table 1 shows our estimated county expenditures by revenue category for children and youth dependency services. Exhibit 3 depicts revenues by funding source.

Federal Funding Sources

There are five sources of federal funds for services to dependent children.¹ The majority of these funds are authorized by the Social Security Act, with funds also available from the Medical Assistance program and other grant programs.

Child Welfare Services—Title IV-E. The Social Security Act Title IV-E is the federal funding source designated specifically for children who are under the care and supervision of the state or county child welfare agency. Title IV-E is an open-ended entitlement program that provides funds to states for the maintenance of children in foster care and transitional independent living programs, for adoption placement, and for the training and administration related to these services. States must match the federal funds, with the percentage of federal participation varying as shown below:

Foster Care Maintenance Payments Program. (54 percent federal participation) With this program, federal funds are provided for foster care maintenance payments to individuals who become foster parents or to a child-care institution. The payments cover the cost of food, clothing, shelter, daily supervision, school supplies, personal incidentals, liability insurance with respect to the child, and reasonable travel to the child's home for visitation.

¹In addition to these five federal revenue sources, DPW received a variety of federal pilot project and discretionary grants. For example, DPW received federal funding for the At-Risk Family Program, the Crisis Nursery Program, and the Medically Fragile Program in the past.

Table 1

**Funding for Children and Youth Services
(Estimated)***

Source	FY 1994-95		FY 1995-96		FY 1996-97		FY 1997-98	
	Amount for Dependents	Percent of Total	Amount for Dependents	Percent of Total	Amount for Dependents	Percent of Total	Amount for Dependents	Percent of Total
Federal Funds:								
Child Welfare--Title IV-E.....	\$127,782,079	23%	\$136,168,240	22%	\$158,215,408	24%	\$193,192,330	27%
TANFBG-Child Welfare--IV-A.....	112,372,781	20	136,606,118	22	92,538,299	14	90,288,473	13
SSBG-Child Welfare--Title XX.....	9,584,973	2	12,939,872	2	11,411,159	2	11,089,143	2
Child Welfare Services--Title IV-B ^a	9,416,334	2	9,497,154	2	9,500,000	1	9,505,406	1
Medical Assistance--Child Welfare.....	311,979	b	544,926	b	512,596	b	1,436,283	b
Other Federal Funds.....	<u>275,813</u>	b	<u>53,481</u>	b	<u>14,000</u>	b	<u>993,808</u>	b
Total Federal Funds.....	\$259,743,959	46%	\$295,809,791	47%	\$272,191,462	41%	\$306,505,443	43%
State Funds:								
Act 148.....	<u>\$206,021,841</u>	37%	<u>\$212,211,910</u>	34%	<u>\$253,514,902</u>	38%	<u>\$280,521,270</u>	39%
Total State Funds.....	\$206,021,841	37%	\$212,211,910	34%	\$253,514,902	38%	\$280,521,270	39%
Local Funds:								
County Match.....	\$ 76,502,337	14%	\$ 88,856,976	14%	\$107,305,778	16%	\$102,837,186	14%
County Non-reimbursable.....	6,751,584	1	9,588,622	2	12,748,655	2	8,222,638	1
Program Income.....	<u>15,213,884</u>	3	<u>17,008,470</u>	3	<u>21,014,253</u>	3	<u>19,345,186</u>	3
Total Local Funds.....	\$ 98,467,805	17%	\$115,454,068	19%	\$141,068,686	21%	\$130,405,010	18%
Grand Total.....	\$564,233,605	100%	\$623,475,769	100%	\$666,775,050	100%	\$717,431,723	100%

*Please note: Revenue categories vary as to the percentage of funds that are available for dependency services. Most funding streams combine funding for delinquent and dependent children. The figures in this table are an estimate of county expenditures for dependent children only.

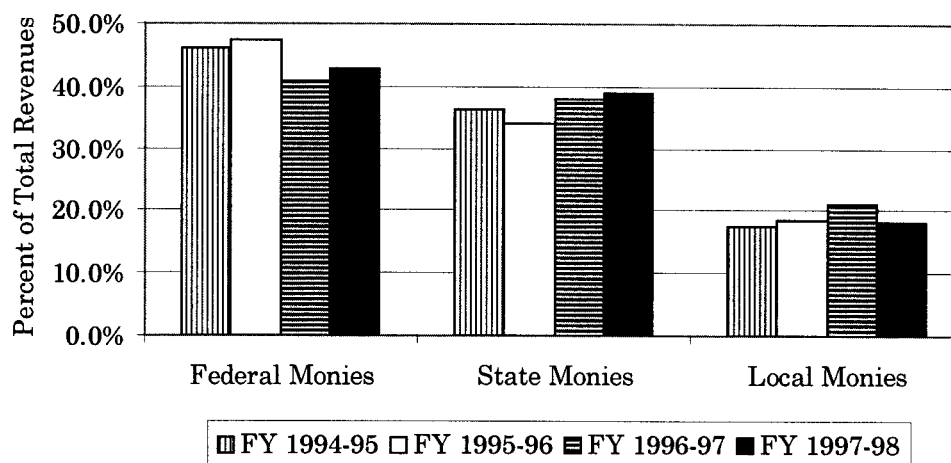
^aTitle IV-B (Part I) funds. Additionally, approximately \$8.5 million in Title IV-B (Part II) funds has also been available in recent years through a grant application process.

^bLess than .5 percent.

Source: Developed in collaboration with DPW from children and youth financial documents.

Exhibit 3

Percent of All Revenues, by Funding Source



Source: Developed by LF&FC staff from information obtained from DPW.

Adoption Assistance Program. (54 percent federal participation) Under this program, federal funds are used to make ongoing payments to the adoptive parents of children with special needs. These payments cannot exceed the amount of money that would be paid in foster care maintenance payments if the child were in foster care. The federal funds are also used to reimburse adoptive parents of children with special needs for nonrecurring adoption expenses, such as adoption fees, court costs, and attorney fees. These funds are used to fund the Statewide Adoption Network (SWAN) Program.

Adoption and Safe Families Act. (No match required) With its passage in 1997, an adoption incentive payment program encourages more adoptions out of the foster care system. A one-time payment of \$4,000 is made to the state for each foster child adoption over the base number of foster child adoptions, and another \$2,000 is paid to the state for each special needs adoption that exceeds the base number of special needs foster child adoptions.

Independent Living Initiatives Program. (54 percent federal participation) Federal funds are used to establish and carry out programs to assist children aged 16 to 18 make the transition from foster care to independent living with the skills and resources necessary to make them independent and productive members of society. Activities include enabling participants to seek a high school diploma or its equivalent or to take part in vocational training. Participants also receive training in daily living skills, such as budgeting, locating and maintaining housing, and career planning as well as individual and group therapy.

Administration. (50 percent federal participation) States receive Title IV-E program reimbursement for the costs of agency staff who administer the foster care, independent living, and adoption systems.² Examples of eligible activities include collecting family information; filling out and processing forms; arranging for medical, behavioral health, or health services; case management; and general recruitment of foster care homes.

Training. (75 percent federal participation) Such training includes any pre-planned educational, instructional, or practice activities which support state and county child welfare programs. Participants in the training include county employees, persons preparing to become county child welfare employees, current and prospective foster or adoptive parents, and staff of licensed or approved child care institutions. DPW contracts with the University of Pittsburgh to administer the Child Welfare Education for Leadership (CWEL) program which provides funding for currently employed public child welfare agency workers to obtain a master's degree in social work at any of Pennsylvania's accredited graduate schools of social work: Pitt, Marywood, Temple, University of Pennsylvania, Bryn Mawr, Widener, and soon, West Chester University.

DPW officials expect to receive \$284.2 million in Title IV-E funds in FY 1998-99, with an estimated \$206.1 million available for dependency services.

Temporary Assistance for Needy Families—Child Welfare (TANF). (75 percent federal participation) This federal block grant provides monies to the states for a variety of programs intended to assist families and their children. These monies provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives. Through FY 1995-96, this money was channeled to the state through Title IV-A of the Social Security Act for Emergency Assistance Program. While the monies are now provided through a block grant, they are still used for "emergency assistance," which is defined by DPW officials as those activities that prevent children from being placed in the foster care system.

DPW officials expect to receive \$120.0 million in TANF block grant funds in FY 1998-99, with \$88.4 million available for dependency services.

Child Welfare Services—Title IV-B (Parts I and II). (75 percent federal participation) Title IV-B of the Social Security Act provides funds to states to establish, extend, and strengthen child welfare services. Title IV-B funds are also provided to the states for the development, expansion, and operation of family preservation services, community-based family support services, time-limited family reunification services, and adoption promotion and support services.

²In order to determine what activities are eligible, each county conducts random-moment time studies each quarter. Such studies allow the counties to characterize activities carried out by their staff without keeping minute-by-minute records of activities during the day.

Child Welfare Services. Title IV-B (Part I) funds are available for in-home services and treatment services. These services include counseling, day care, day treatment, life skills education, homemaker/caretaker services, and adoption assistance.

Promoting Safe and Stable Families. Title IV-B (Part II) funds are used to establish and carry out programs designed to help children at risk of foster care placement remain safely with their families. Services are also provided to help children, where safe and appropriate, return to families from which they have been removed and to provide follow-up care to those families. Additionally, services are also provided to improve parenting skills with respect to child development, family budgeting, stress management, and health and nutrition.

The counties are using these monies for the Family Services System Reform (FSSR) and Family Centers programs designed to promote a collaborative, comprehensive child and family services system. (See Chapter IV-D for more information on the FSSR program.)

Time-Limited Family Reunification Services. Title IV-B (Part II) funds are used to offer services and activities provided to a child removed from the child's home and to the child's parents with the goal of reunifying the family. Services and activities include individual, group, and family counseling; inpatient, residential, or outpatient substance abuse treatment services; mental health services; domestic violence assistance; and transportation to and from the provided services.

DPW officials expect to receive \$9.5 million in Title IV-B (Part I) funds that will be available for children and youth services through the needs-based budget process in FY 1998-99, with \$9.0 million available for dependency services. An additional \$8.3 million in Title IV-B (Part II) funds are also expected.

Social Services Block Grant—Title XX. (No state match required) The Office of Children, Youth and Families receives a small portion of the total block grant amount given to DPW. The money is used to provide child welfare services, which are often the same as those provided under Title IV-B of the Social Security Act. The monies are also used for drug and alcohol programs at the county level since it has been found that the use of drugs and alcohol often leads to cases of child abuse.

DPW officials expect to receive \$11.1 million in Title XX monies in FY 1998-99 for dependency services.

Medical Assistance—Child Welfare. Under Subchapter XIX of the Social Security Act, grants are made to states to provide Medical Assistance programs. The Office of Children, Youth and Families receives a small portion of these federal funds. These monies are used for the administrative costs associated with ensuring that dependent children receive medical services.

DPW officials expect to receive \$2.5 million in Medical Assistance for child welfare in FY 1998-99, with \$1.8 million available for dependency services.

State Funding Sources

Act 1976-148 establishes the procedures used to allocate state General Fund monies to counties for dependency and juvenile delinquency programs. Under Act 1976-148, as amended, Pennsylvania counties are reimbursed a portion of the costs of certain services to dependents and delinquents.

Needs-Based Budget and Plan Requirements.³ Act 1991-30, which amended Act 148, established the annual needs-based budgeting process counties must use to obtain Act 148 funds. This act requires counties to submit a needs-based budget plan to DPW by August 15, requires the Department to meet with the counties to discuss their needs-based budgets, and authorizes the Department to determine (certify) the counties' needs.

The needs-based budgeting process includes face-to-face meetings with counties to discuss their needs-based budgets. Department regulations require it to consider projected costs, service levels and trends, staffing levels, other regulatory requirements, salary and benefit levels, turnover rates, cost-of-living increases, new service needs and initiatives, and other sources of revenue when determining a county's certified needs.

The FY 1999-00 county children and youth plans (to be submitted by August 1, 1998) serve as: (1) a report of expenditures incurred by the county in FY 1997-98; (2) the FY 1998-99 implementation plan, which will be reviewed and approved through a separate approval letter; and (3) a detailed plan and budget for FY 1999-00 children and youth services based on projected needs and costs. (See Exhibit 4 for the steps performed by DPW, the county children and youth agency, and the Juvenile Probation Office in preparing the plan and budget.)

The plan must describe how the county children and youth agency has involved:

- the county Children and Youth Advisory Committee;
- the Juvenile Court and Juvenile Probation Office;
- the Juvenile Detention Center;

³See also Chapter V-A for issues and concerns about the needs-based budgeting process.

Exhibit 4

FY 1998-99 Needs-Based Plan/Budget Development Process

County Children and Youth Agency	Needs-Based Process Activity	County Juvenile Probation Office (JPO)
	<p>1. Pre-Planning</p> <ul style="list-style-type: none"> • Final FY 1999-00 bulletin • Tentative FY 1998-99 allocations issued • Regional training sessions held • Technical assistance to children and youth agencies and JPO staff by regional program and fiscal staff 	
<ul style="list-style-type: none"> • Demographic data • Child abuse and neglect data • Service trend data (in-home and placement) • Expenditure data (in-home and placement) • Resources available • Resources needed 	<p>2. Data Gathering – Using various available sources, gather and present data to support the need for children and youth and JPO services. Each agency gathers data and special circumstances that identify the need for intervention in the plan year or that require a change of focus for the implementation year.</p>	<ul style="list-style-type: none"> • Demographic data • Crime/arrest/disposition data • Service trend data (placement) • Expenditure data (purchased services) • Resources available • Resources needed
	<p>3. Plan and Budget Document Development – Using the need and resource data gathered in the previous step, the agencies then jointly develop the preliminary budget and narrative to support that budget according to the needs-based guidelines. OCYF regional program and fiscal staff will be available to both the children and youth agency and the JPO to assist in plan and budget development that will be presented to the commissioners and to the public for review and comment.</p>	
	<p>4. Joint Public Hearing – The jointly developed plan that has been approved by the commissioners is presented at a public hearing co-chaired by the children and youth agency and the JPO.</p>	
<ul style="list-style-type: none"> • Children and Youth Administrator signs the Assurance of Compliance form indicating review of the plan as submitted. 	<p>5. Final Plan and Budget – Based on public comments received, the plan is revised and a final document is submitted to the county commissioners for approval, signature, and submission to DPW.</p>	<ul style="list-style-type: none"> • Judge signs the CY 92 Documentation of Participation by the Juvenile Court. • Chief Juvenile Probation Officer or Juvenile Court Administrator signs the Assurance of Compliance indicating review of the plan as submitted.
	<p>6. DPW Review – Regional program and fiscal staff will review the plan and budget. Additional information requests will be directed to both the children and youth agency and the JPO. When meetings regarding the plan are scheduled, both agencies will be invited to participate. The JPO will be added to the cc list for plan approval letters.</p>	

Source: DPW OCYF Bulletin, April 13, 1998.

- the county Mental Health/Mental Retardation Office;
- county collaborative boards responsible for Family Service System Reform, Family Centers, or Communities that Care local initiatives;
- law enforcement agencies; and
- school districts.

In addition to mandating a budget process to identify county needs, Act 30 also specifies reimbursement rates for child welfare services. The reimbursement formulas are shown in Exhibit 5.

Exhibit 5

Children and Youth Services Reimbursement Formula

- 100 percent for adoption services.
- 90 percent for emergency shelter care.
- 80 percent for adoption assistance payments, community residential and group home services, foster family service, supervised independent living service, and alternative treatment programs.
- 75-90 percent for child protective services—general and child abuse, counseling/intervention services, day care services, day treatment services, homemaker/caretaker service, information and referral service, life skills education, and service planning.
- 60 percent for administrative costs to manage the county children and youth social service agency, secure residential service and nonsecure residential services not meeting the definition above.
- 50 percent for juvenile detention services.

Source: Developed by LB&FC staff from Act 1991-30.

Reimbursement Procedures and Payments to the Counties.

- After a county’s plan and budget estimate are approved, DPW makes an advance payment to the county, for the first quarter, of 12.5 percent of the state’s share of the county’s plan and budget estimate. Within 45 days of the beginning of the second quarter, DPW makes a second 12.5 percent advance payment for the second quarter. The county submits, within 45 days of the end of each quarter, a quarterly report of expenditures. The county must submit for DPW approval a request for a plan and budget amendment if it becomes apparent to the county that actual cumulative expenditures in one of the four major service categories will exceed by more than \$10,000 the approved total annual budget amount for that category.
- At the end of the first quarter, the county submits a report of actual expenditures. Upon approval of that report, DPW makes a payment to the county which combines reimbursement of the state’s share of any additional actual expenses for the first quarter and the advance payment of 12.5 percent for the third quarter. Reimbursement for the first quarter actual expenses cannot exceed 25

- percent of the state's share of the approved plan and budget. Reimbursements are also reduced by the excess of any major service category expenditure which exceeds the approved annual budget amount for that category by more than 10 percent or \$10,000, whichever is greater.
- Upon approval of the report of actual expenditures for the second quarter, DPW makes a payment to the county, which combines reimbursement of the state's share of actual expenditures for the second quarter and the 12.5 percent advance for the fourth quarter. Quarterly reports are cumulative; therefore, reimbursements will be adjusted depending on previous payments so that the second quarter payments will not exceed 50 percent of the state's share of the approved plan and budget. Reimbursements are reduced by the excess of cumulative expenditures for any major service category which exceeds the annual budget for that category by more than 10 percent or \$10,000, whichever is greater. Upon approval of the county's third quarter report, DPW again makes a payment for the state's share adjusted by previous payments to ensure that payments do not exceed 75 percent of the state's share of the approved plan and budget. Reimbursements are adjusted as in the second quarterly payment for excess expenditures in a major service category.
 - Upon approval of the quarterly expenditures report for the fourth quarter, DPW makes a payment for the state's share adjusted by previous payments so that the total cost does not exceed 100 percent of the county's allocation. Reimbursements are also adjusted as in the other quarters for excess expenditures in a major service category. Adjustments required as a result of the audit of the final quarterly report of expenditures or audit conducted by state or federal officials are made against payments in a succeeding year.

Local Funding Sources

The counties pay a percentage of the costs of child welfare services provided to children and youth. They must pay for these services when the service is not fully reimbursable under Act 148, when the service is not eligible for reimbursement under Act 148, or when the cost of a service exceeds the Act 148 allocation amount.

County Match. Revenues generated through local tax collections, as well as other county general fund monies, are allocated by county elected officials to the county's child welfare agency for children and youth programs. While the costs of some services are fully reimbursed with state and federal funds, other costs are not fully reimbursable or may exceed the amount the Department allocates to the county. In such cases, the county must cover the nonreimbursable costs of the services, often referred to as an "overmatch."

DPW documents show that the counties expect to use \$155.3 million for reimbursable children and youth services in FY 1998-99 for both delinquency and dependency, with \$104.9 million available for dependency services.

County-Non-Reimbursable. Counties may provide services to dependent children and youth that are not reimbursable under Act 148. These services may include: mental health and mental retardation treatment services, basic education

programs, and medical and dental services when the youth is eligible for other funding or has private insurance.

DPW documents indicate that the counties expect to use \$2.5 million for non-reimbursable children and youth services in FY 1998-99 for both delinquency and dependency, with \$1.6 million for dependency services.

Program Income. The counties also receive funding for children and youth services from a variety of other sources. These miscellaneous sources are considered program income. Sources of program income include:

- Human Services Development Fund. A line item from the Commonwealth's General Fund that is appropriated to the Department's Office of Social Programs for allocation to county agencies for human services needs. Some counties opt to use this money for child welfare services, which is considered a human services need.
- Child Support (Title IV-D). Domestic Relations Offices collect child support monies, and for those children whom child support is paid and the child is in foster care, the child support payment is paid to the county in which the child is receiving services.
- Social Security Insurance Benefits. For those children to whom social security benefits are paid and are in foster care, the social security income is paid to the county in which the child is receiving services.
- Third Party Income. Any income that the child is entitled to, such as an inheritance, is paid to the county whenever the child is in foster care.
- Donations. Anyone at any time may make a donation to a county child welfare agency.
- Fees. Some counties charge fees for services on a sliding scale basis. In some instances, the family's income level mandates that they must pay a fee for the services provided.

DPW documents indicate that the counties expect to receive \$34.4 million in program income in FY 1998-99 for both delinquency and dependency services, with \$24.4 million available for dependent children.

Expenditure Trends

We included only dependency expenditures, based on selected service areas as shown in Appendices G.3-G.5 in this analysis.⁴ Philadelphia and Allegheny Counties account for 53 percent of all county dependency expenditures for FY 1997-98. (Appendix G.1 includes county breakouts for the top 12 counties). In FY 1997-98, expenditures ranged from \$261.8 million in Philadelphia County to \$243,086 in Sullivan County with a statewide total of \$665.6 million. Over the three-year period from FY 1995-96 to FY 1997-98, total expenditures increased 15.6 percent statewide, with the largest percentage increases occurring for in-home expenditures. See Table 2 and Exhibit 6.

⁴We identified with OCYF officials those service categories that are wholly or primarily funding dependency services.

Table 2

County Children and Youth Services Dependency Expenditures, by County

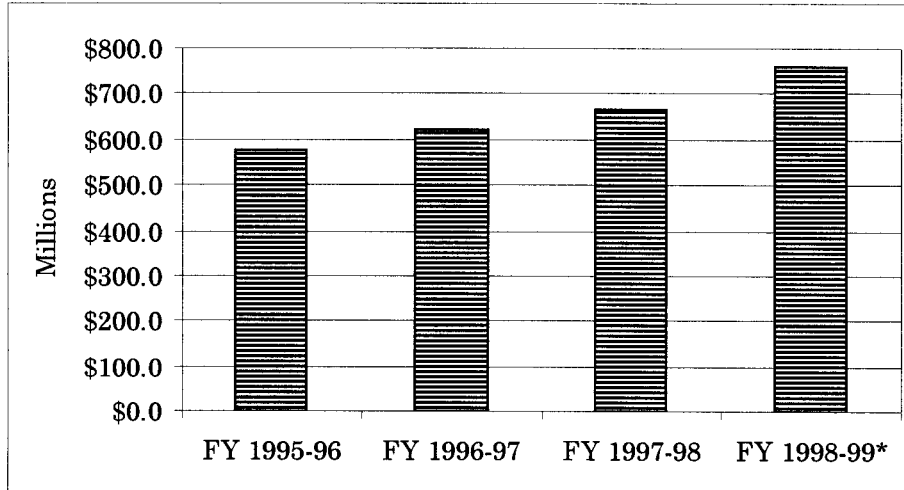
(FY 1995-96 Through FY 1997-98)

County	FY 1995-96		FY 1996-97		FY 1997-98		County		FY 1995-96		FY 1996-97		FY 1997-98	
	\$		\$		\$				\$		\$		\$	
Adams	2,010,070		2,527,727		2,251,207		Lancaster		8,752,822		9,662,408		11,251,273	
Allegheny	76,593,738		84,505,980		88,232,714		Lawrence		2,727,541		2,391,665		2,980,867	
Armstrong	2,196,755		3,069,316		2,918,067		Lebanon		2,393,449		2,483,337		2,469,429	
Beaver	3,601,372		4,406,185		4,970,470		Lehigh		12,156,481		12,752,111		13,348,605	
Bedford	1,205,486		953,938		1,224,884		Luzerne		11,179,958		12,504,212		12,801,601	
Berks	21,014,261		20,965,901		24,176,736		Lycoming		4,669,455		4,695,255		4,945,557	
Blair	2,513,779		3,197,219		3,720,704		McKean		1,644,245		1,668,752		1,761,028	
Bradford	1,963,749		2,103,333		2,720,728		Mercer		2,895,360		2,810,942		2,804,293	
Bucks	11,064,479		12,826,869		13,367,079		Mifflin		861,863		1,085,097		1,165,096	
Butler	2,367,874		2,542,819		2,860,216		Monroe		6,025,936		4,964,329		4,446,368	
Cambria	4,559,325		4,973,524		5,534,414		Montgomery		9,761,728		9,557,197		11,695,563	
Cameron	447,554		329,876		615,279		Montour		408,162		492,627		495,132	
Carbon	1,129,931		1,434,749		1,470,135		Northampton		12,462,459		14,029,399		15,748,383	
Centre	3,358,901		3,606,007		4,403,429		Northumberland		2,934,358		3,190,606		3,694,829	
Chester	10,678,354		11,131,452		10,594,175		Perry		708,719		755,166		977,696	
Clarion	975,068		948,494		993,621		Philadelphia		228,190,167		244,321,211		261,839,999	
Clearfield	1,586,356		1,869,684		1,693,811		Pike		493,061		470,045		498,171	
Clinton	1,115,829		1,125,404		1,334,023		Potter		479,862		603,000		534,280	
Columbia	1,341,860		1,313,999		1,349,370		Schuylkill		5,769,200		6,352,150		6,381,100	
Crawford	4,045,872		4,979,064		4,272,094		Snyder		1,049,500		1,004,277		806,744	
Cumberland	2,660,795		3,239,911		3,905,518		Somerset		2,490,535		2,905,675		3,346,326	
Dauphin	9,299,023		10,236,134		11,821,266		Sullivan		210,361		193,097		243,086	
Delaware	17,669,172		19,880,000		21,575,000		Susquehanna		1,165,844		1,010,770		1,096,084	
Elk	672,076		730,727		745,074		Tioga		2,300,072		2,486,276		2,601,546	
Erie	13,738,763		13,964,760		13,956,532		Union		617,415		838,921		965,590	
Fayette	1,760,052		2,394,638		2,493,888		Venango		1,049,869		1,075,902		1,378,021	
Forest	254,804		318,051		252,951		Warren		2,171,347		2,251,671		2,267,420	
Franklin	1,491,264		1,650,283		2,040,794		Washington		7,330,449		7,961,480		9,159,515	
Fulton	304,015		255,104		294,311		Wayne		2,058,188		2,176,511		2,088,846	
Greene	812,978		1,056,390		1,357,332		Westmoreland		16,076,064		14,744,614		16,896,311	
Huntingdon	1,364,997		1,336,264		1,676,279		Wyoming		824,134		771,158		777,081	
Indiana	1,449,214		1,391,800		1,486,248		York		10,638,593		13,405,054		15,453,925	
Jefferson	964,314		1,059,474		1,127,142									
Junata	248,337		291,670		342,247									
Lackawanna	6,796,629		6,887,224		6,947,533		Total		\$575,754,243		\$619,118,885		\$665,644,136	

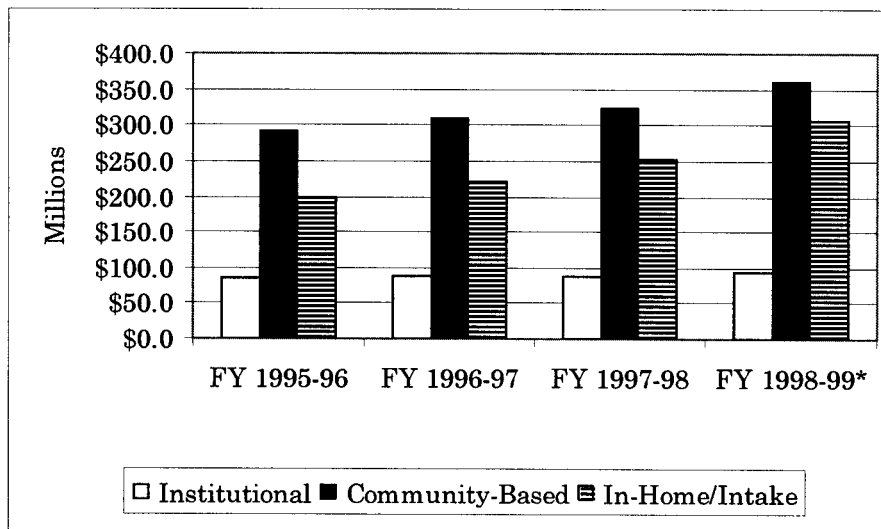
Source: Developed by LB&FC staff from CY 855 Budget Requests for FY 1996-97 through FY 1999-00.

Exhibit 6

Total County Expenditures for Dependent Children



Expenditures for Institutional, Community-Based, and In-Home/Intake Services (Dependents Only)



*Estimated.

Source: Developed by LB&FC staff based on DPW CY 855 Budget Requests for FY 1996-97 through FY 1999-00.

In-Home Expenditures. In-home expenditures include adoption service and assistance, counseling/intervention, day care, day treatment, homemaker/caretaker service, intake and referral, life skills education, child abuse and general protective services, and service planning. In FY 1997-98 expenditures ranged from \$84.5 million in Philadelphia County to \$128,935 in Sullivan County, with a statewide total of \$253.0 million. Over the referenced three-year period, expenditures increased 27.9 percent statewide.

In-Home Cost Per Child. In FY 1997-98 cost per child for in-home services ranged from \$1,180 in Allegheny County to \$91 in Juniata County, with a statewide average of \$427. Allegheny County cost per child is much higher than the other counties. According to their CYD Director, they have dramatically reduced placements and focused on adoption and prevention, which is a DPW goal. Thus in-home costs are high. Over the referenced three-year period, cost per child increased 11.8 percent. Table 3 shows cost per child for FY 1997-98.

Community-Based Placement Expenditures. Community-based placement expenditures include alternative treatment, community residential, emergency shelter service, foster family service, and supervised independent living. Over the referenced three-year period, expenditures increased 11.2 percent statewide.

Community-Based Placement Cost Per Day. In FY 1997-98 cost per day ranged from \$86 in Juniata County to \$22 in Potter County, with a statewide average of \$50. Over the referenced three-year period, cost per day increased 8.7 percent. Table 3 shows cost per day for FY 1997-98.

Institutional Placement Expenditures Over the referenced three-year period, expenditures increased 2.4 percent statewide.

Institutional Placement Cost Per Day. In FY 1997-98 cost per day ranged from \$284 in Monroe County to \$0 in Forest and Tioga Counties, with a statewide average of \$135. Over the referenced three-year period, cost per day decreased .7 percent. Table 3 shows cost per day for FY 1997-98.

Appendix G.2 provides information comparing dependency and delinquency expenditures by type of service. Dependency expenditures are approximately 66 percent of all child welfare expenditures.

Table 3

In-Home and Intake, Community-Based, and Institutional Cost Per Child Dependents Only (FY 1997-98)

County	In-Home (Cost/Child)	Community Based (Cost/Day)	Institutional (Cost/Day)	In-Home (Cost/Child)	Community Based (Cost/Day)	Institutional (Cost/Day)
Adams.....	\$ 442	\$ 41	\$ 105	Lancaster.....	\$ 40	\$ 130
Allegheny.....	1,180	45	126	Lawrence.....	59	71
Armstrong.....	601	61	43	Lebanon.....	25	83
Beaver.....	159	51	106	Lehigh.....	54	126
Bedford.....	420	67	88	Luzerne.....	39	127
Berks.....	343	66	145	Lycoming.....	45	128
Blair.....	303	58	113	McKean.....	39	76
Bradford.....	119	48	138	Mercer.....	49	86
Bucks.....	352	48	99	Mifflin.....	44	117
Butler.....	606	45	74	Monroe.....	65	284
Cambria.....	572	41	117	Montgomery.....	59	81
Cameron.....	658	39	95	Montour.....	57	48
Carbon.....	414	48	87	Northampton.....	60	134
Centre.....	465	49	88	Northumberland.....	40	67
Chester.....	575	66	117	Perry.....	44	131
Clarion.....	149	48	49	Philadelphia.....	50	145
Clearfield.....	208	32	150	Pike.....	39	149
Clinton.....	220	37	147	Potter.....	22	5
Columbia.....	323	54	155	Schuylkill.....	56	126
Crawford.....	754	59	204	Snyder.....	68	236
Cumberland.....	250	68	146	Somerset.....	78	34
Dauphin.....	400	70	125	Sullivan.....	39	148
Delaware.....	318	47	103	Susquehanna.....	33	229
Elk.....	165	58	104	Tioga.....	78	0
Erie.....	630	32	30	Union.....	62	141
Fayette.....	308	45	102	Venango.....	68	132
Forest.....	398	41	0	Warren.....	80	98
Franklin.....	319	59	209	Washington.....	75	118
Fulton.....	396	59	97	Wayne.....	62	150
Greene.....	174	33	22	Westmoreland.....	54	137
Huntingdon.....	322	52	32	Wyoming.....	28	250
Indiana.....	266	58	55	York.....	57	157
Jefferson.....	295	51	136			
Junata.....	91	86	133			
Lackawanna.....	244	35	141			
				Average (unweighted).....	\$ 427	\$ 135
					\$ 50	\$ 135

Source: Developed by LB&FC staff from CY 855 Budget Requests for FY 1996-97 through FY 1999-00.

Purchased Service Expenditures⁵ (FY 1997-98)

Statewide total purchased service expenditures were 71 percent of total expenditures in FY 1996-97 and FY 1997-98. Most of the purchased service costs were for institutional placements. All counties contracted for at least half of their institutional costs and five contracted for all institutional expenditures; statewide, 93 percent of institutional placements were purchased. In-home purchased service expenditures were 39.6 percent of total in-home expenditures, while community-based placement purchased service expenditures were 87.3 percent of total community-based placement expenditures. Fifty counties had no contracted administrative costs. See Table 4.

Administrative Expenditures⁶

The percentage of administrative expenditures to total expenditures statewide for FY 1995-96, FY 1996-97, and FY 1997-98 was 6.0 percent, 6.1 percent, and 6.5 percent, respectively. For FY 1997-98 the percent ranged from 17.3 percent in Forest County to 1.3 percent in Cambria County. See Table 5.

⁵DPW does not separate dependency and delinquency purchased service expenditures. Rather than using the estimated 66 percent dependency calculation on each county's purchased service expenditures, we included both dependency and delinquency expenditures in our analysis.

⁶ DPW does not separate dependency and delinquency administrative expenditures. See previous footnote.

Table 4

Dependency and Delinquency Services Purchased, by Service Category (FY 1997-98)

County	Percent by Type of Service Rendered				Percent by Type of Service Rendered						
	Purchased		Community		Purchased		Community				
	Overall ^a	In-Home ^b	Based ^b	Institutional ^b	Admin ^b	County	Overall ^a	In-Home ^b	Based ^b	Institutional ^b	Admin ^b
Blair	84.2%	54.5%	91.5%	98.8%	2.0%	Clearfield	66.3%	31.4%	83.0%	99.2%	0.0%
Cameron	82.6	77.8	90.2	95.9	9.0	Lackawanna	65.9	13.3	89.5	99.9	0.0
Washington	82.5	63.7	90.7	99.0	0.0	Clinton	64.7	42.6	80.2	91.4	0.0
Allegheny	82.1	53.7	96.1	99.1	69.4	Elk	64.7	0.0	90.8	98.7	0.0
Lawrence	81.5	52.4	92.8	98.3	0.0	Snyder	64.5	37.2	70.4	99.0	0.0
York	80.3	43.9	90.7	98.6	0.0	Bedford	63.5	24.0	83.5	97.8	0.0
Dauphin	79.5	44.7	84.0	98.3	0.0	Wyoming	63.5	20.7	73.2	92.5	0.1
Carbon	78.0	59.6	87.1	97.5	0.0	Columbia	62.6	29.3	82.1	95.1	0.0
Lehigh	77.9	41.7	96.7	99.9	1.1	Beaver	62.4	23.6	77.2	98.6	0.0
Crawford	77.8	63.2	85.2	96.5	5.3	Perry	62.0	27.5	70.2	95.8	0.0
Westmoreland	77.5	47.0	90.1	97.1	0.0	Monroe	60.0	13.6	79.1	99.2	0.0
Mercer	76.9	50.8	92.0	98.0	0.0	Delaware	57.8	23.1	74.9	100.0	4.5
Schuylkill	76.9	20.8	94.9	99.3	0.0	Cumberland	57.6	12.4	58.4	97.5	0.0
Montgomery	76.5	53.0	86.2	99.4	0.0	McKean	57.4	0.5	85.3	100.0	0.0
Franklin	76.0	36.1	87.9	97.0	0.0	Chester	56.6	26.2	76.1	98.0	0.0
Cambria	75.8	61.3	86.1	98.8	0.0	Susquehanna	55.8	46.8	64.8	95.3	0.0
Huntingdon	75.1	38.0	86.1	98.2	0.0	Erie	55.6	32.0	74.0	84.0	0.0
Pike	74.8	29.0	86.3	94.2	0.0	Lycoming	53.9	22.6	64.7	99.1	0.0
Fayette	74.6	58.5	85.9	98.2	0.4	Indiana	53.1	31.3	89.3	93.9	13.1
Bucks	74.0	50.4	90.3	100.0	0.0	Luzerne	52.3	5.6	89.3	98.8	0.0
Wayne	73.1	27.1	97.4	99.5	1.0	Greene	51.3	12.3	76.4	89.2	0.1
Armstrong	73.0	66.4	88.5	91.1	0.2	Montour	50.2	21.5	79.3	100.0	0.0
Jefferson	72.5	59.1	87.6	95.5	0.3	Juniata	49.2	1.1	91.5	96.9	0.0
Venango	72.3	18.6	90.2	98.4	0.0	Fulton	47.8	24.4	61.5	99.0	0.0
Lancaster	70.8	32.9	80.6	99.5	0.0	Somerset	43.6	16.8	66.0	56.1	0.0
Adams	70.7	34.3	83.1	97.5	0.0	Sullivan	42.1	4.2	68.0	96.3	0.0
Mifflin	70.5	27.4	80.7	97.0	0.0	Potter	41.4	6.0	80.9	89.5	7.4
Philadelphia	70.0	43.6	89.0	87.5	2.3	Clarion	29.8	2.3	48.3	96.3	0.3
Butler	69.9	40.5	82.4	98.5	0.0	Northumberland	28.5	7.5	53.8	97.0	0.0
Northampton	69.6	33.5	89.2	99.9	0.0	Forest	28.1	4.1	76.0	100.0	0.0
Lebanon	69.5	9.1	71.5	99.0	0.0	Warren	24.5	0.5	31.2	99.6	0.0
Union	69.2	50.0	86.3	91.9	0.0	Tioga	18.0	2.4	16.6	99.5	0.0
Centre	67.0	58.7	77.0	95.7	1.9						
Berks	66.7	0.1	89.7	98.6	0.0	Average (unweighted)	70.6%	39.6%	87.3%	93.0%	8.5%
Bradford	66.3	4.3	72.4	98.5	0.0	(FY96-97 Averages)	70.6%	40.2%	86.1%	91.2%	5.7%

^aPercent purchased services to total expenditures.

^bPercent of purchased service expenditures to total expenditures for each type of service.

Table 5

Dependency and Delinquency Administrative Expenses

County	Percent of Total Expenditures			County	Percent of Total Expenditures		
	FY 1995-96	FY 1996-97	FY 1997-98		FY 1995-96	FY 1996-97	FY 1997-98
Forest	17.8%	15.4%	17.3%	Centre	6.2%	5.9%	5.0%
Sullivan	15.2	16.1	16.3	Armstrong	6.6	5.5	4.8
Indiana	7.8	10.4	12.0	Fayette	4.4	4.6	4.7
Warren	9.7	10.0	11.6	Lehigh	3.5	3.9	4.7
McKean	8.1	8.7	10.9	Northumberland...	8.7	3.1	4.7
Fulton	3.9	9.2	9.7	Luzerne	5.5	5.1	4.6
Philadelphia	7.1	8.0	9.0	Lycoming	4.1	4.7	4.5
Chester	8.2	10.2	8.9	Washington	3.8	4.4	4.5
Susquehanna	6.6	8.1	8.9	Somerset	5.0	4.8	4.3
Greene	13.2	9.7	8.5	Westmoreland	5.1	5.1	4.3
Clarion	6.3	8.6	8.3	Bucks	4.8	4.3	4.2
Lebanon	7.5	7.4	8.3	Cameron	6.1	10.7	4.2
Adams	7.4	7.8	8.0	Cumberland	8.8	4.7	4.2
Delaware	10.8	9.0	7.6	Union	7.2	5.8	4.2
Elk	7.2	10.3	7.3	Mifflin	3.2	4.4	4.0
Wyoming	5.6	6.3	7.3	Beaver	4.6	4.7	3.7
Butler	8.5	8.7	7.1	Monroe	2.3	3.0	3.6
Clinton	6.2	7.7	7.0	Huntingdon	3.7	4.3	3.5
Potter	6.9	6.0	7.0	Lawrence	4.1	3.8	3.4
Montour	2.9	4.7	6.9	Schuylkill	2.9	3.1	3.4
Lackawanna	4.5	4.0	6.8	Columbia	4.4	3.7	3.3
Pike	2.7	6.8	6.7	York	2.3	2.3	3.2
Tioga	6.1	7.0	6.7	Bradford	4.8	3.8	3.1
Clearfield	7.3	5.2	6.6	Bradford	3.4	4.7	3.1
Franklin	5.7	6.5	6.6	Blair	4.9	4.2	3.0
Erie	5.8	5.0	6.0	Dauphin	3.0	2.8	2.7
Jefferson	4.9	5.6	5.9	Bedford	2.9	2.8	2.6
Perry	5.1	5.8	5.8	Carbon	2.9	2.4	2.4
Wayne	3.2	3.9	5.8	Mercer	5.1	3.9	2.4
Montgomery	5.1	4.8	5.6	Berks	2.3	1.7	2.2
Juniata	6.3	7.4	5.4	Northampton	3.5	2.8	2.0
Lancaster	5.5	5.1	5.4	Cambria	1.6	1.4	1.3
Snyder	5.1	4.8	5.2				
Allegheny	6.1	4.9	5.1				
Venango	7.4	6.3	5.1	Total	6.0%	6.1%	6.5%

Source: Developed by LB&FC staff from CY 855 Budget Requests for FY 1996-97 through FY 1999-00.

III. Statutory and Regulatory Compliance Reviews

A. Licensing of County and Private Child Welfare Agencies

The Public Welfare Code, at 62 P.S. §701, requires the Department of Public Welfare to make and enforce all rules and regulations necessary for the counties' child welfare duties and functions. The Department annually reviews county (public) and private children and youth services agencies to evaluate compliance with statutory and regulatory requirements and issues certificates of compliance.¹

Licensing Process

DPW staff in its four regional offices carries out the licensing function. The regulatory requirements for these reviews are found at 55 Pa. Code Chapters:

- §3130 - administration and fiscal management of county administered services
- §3140 - planning and financial reimbursements for county administered programs
- §3350 - adoption services
- §3480 - general child protective services²
- §3490 - child protective services – child abuse²
- §3680 - administration and operation of private children and youth services agencies
- §3700 - foster family care agencies
- §3810 - residential child care facilities³

The licensing process involves a review of agency case files⁴ from categories of open and closed cases that are drawn from each of the agency's individual functions or service categories (such as intake, general protective services, in-home services, child protective services, and foster family care). DPW staff also reviews personnel records of all persons hired since the last review and interviews caseworkers, supervisors, and other staff and conducts home visits to foster and adoptive families' homes.

A regular certificate of compliance is issued if the agency is in compliance with the applicable statutes, regulations, and guidelines. A provisional certificate of

¹The terms "certificates of compliance" and "licenses" are used interchangeably in this chapter.

²Chapter 3480 is being repealed by DPW. Chapter 3490 is being amended to include general protective services. Proposed amendments were published in the *Pennsylvania Bulletin* on February 21, 1998. Final rulemaking was approved May 6, 1999.

³Proposed amendments to these regulations were published in the PA Bulletin on February 14, 1998. Final rulemaking was approved May 6, 1999.

⁴Case files are reviewed against regulatory checklists to determine compliance with regulatory requirements.

compliance is issued if the facility is in substantial, but not complete, compliance.⁵ Regulations define a provisional certificate of compliance as indicating substantial, but not complete, compliance with program licensure or approval regulations. A maximum of four consecutive provisional certificates of compliance may be issued to the agency, for up to six months each.

If DPW finds violations in the compliance review, i.e., noncompliance with statutory or regulatory requirements that are not corrected at the time of the review, such is noted on the compliance checklists and summarized on a license inspection summary, which is presented to the agency. For each violation, the agency must respond with a corrective action plan with targeted dates for making the necessary corrections, which must be approved by DPW. DPW is to monitor the agency's implementation of the corrective action plans.

DPW may deny, refuse to renew, or revoke a certificate of compliance for failure to comply with applicable regulations, failure to submit an acceptable plan to correct noncompliance items, or failure to comply with the correction plan. In this instance, DPW is authorized to assume the administration of an agency. DPW, however, has never taken over a county agency because of licensing deficiencies.⁶ DPW has revoked the licenses of private children and youth agencies.

File Reviews – County Agencies

During our county visits, we reviewed a sample of case files and found that the files were generally well organized and contained forms, releases, and notifications as required. We also checked the case files against the compliance checklists used during the licensing review and found that the files contained the required documents and noted the activities as required. We also observed one county agency licensing review. We did not, however, conduct a review equivalent in scope and detail to the licensing process.

Also, as part of our review, we examined each county's licensing file for the three most recent licensing years available. Twenty-one of the counties had no violations for at least one of the last three licensing years, and Bucks, Chester, and Elk counties had no violations in any of the three most recent licensing years. (Please

⁵If violations of regulatory requirements are found, e.g., documents missing from the file or required signatures not obtained, the DPW regional staff gives the agency an opportunity to correct the violation at the time of the review.

⁶The Public Welfare Code, at 62 P.S. §708, provides that the Department shall take charge of and direct the operation of the county's child welfare services if the county is not complying with the regulations prescribing the minimum services standards, and the needs of the children and youth are not being adequately served. If DPW would take charge of an agency, the county shall be charged and is required to pay the cost of such services, including reasonable administrative expenditures incurred by the Department. The Public Welfare Code, at 62 P.S. §1026, provides that DPW shall refuse to issue a license or shall revoke a license for: violation of or noncompliance with the act or applicable regulations, among others. [Emphasis added.]

see Exhibit 7 for the license status for each county agency and Exhibit 8 for a list of counties that had at least one year of no violations.)

The most common regulatory violation related to requirements for medical and dental visits for children in foster care. For example, in the 1996/97 license cycle, 16 counties were cited for not ensuring that foster family care agencies had a written policy and procedure regarding medical and dental care for foster children. In the 1997/98 license cycle, 11 violations were found for children in foster family care who did not have a medical appraisal within 60 days of admission or within 90 days prior to admission. There were 22 violations for lack of dental appraisals as required in regulations. Regulations also require medical visits at certain intervals according to the child's age. Twelve counties were cited for foster family care agencies that failed to comply with this requirement. See Exhibit 9 for a list of all regulations which counties violated ten or more times.

File Reviews - Private Agencies

We reviewed the foster care, adoption, and administration licensing information for 10 percent of the private providers in each region.⁷ We also observed the licensing process for the largest private children and youth services provider in the Southeast Region. In general, the private agency licensing files showed violations similar to that of the public agencies. For example, regulations requiring periodic dental visits and regulations relating to staffing, such as no references and required clearances in the personnel file were not adhered to. In one instance, the agency's corrective action plan was not accepted, and DPW regional staff further monitored the agency.

However, private agencies appear to have fewer violations overall when compared to the county agencies. For example, the 12 Southeast Region agencies each had ten or fewer violations in the past three license years. Of the six Northeast Region agency files we reviewed, four had no violations for the last three years. In the Western Region, of the 13 agencies, 5 had no violations for the past three years. The other agencies had seven or fewer violations. In the Central Region, of the 12 agency files, one agency had 10 violations in 1996; most others were cited for three or fewer violations.

⁷Central Region, 12 files; Western Region, 13 files; Northeast Region, 6 files; and Southeast Region, 12 files. Most of these agencies had multiple licenses.

Exhibit 7

**County Children and Youth
Agency License Status*/****

<u>County</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>County</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>
Adams	NA	R	R	R	Lackawanna	R	R	R	R
Allegheny	P3	P1	R	P1	Lancaster	R	R	R	R
Armstrong	P1	R	R	R	Lawrence	P1	R	R	R
Beaver	R	R	R	R	Lebanon	NA	R	R	R
Bedford	R	R	R	R	Lehigh	R	R	R	R
Berks	R	R	P1/P2	R	Luzerne	R	R	R	R
Blair	R	R	R	R	Lycoming	NA	R	R	R
Bradford	R	R	R	R	McKean	P4	P1	R	R
Bucks	NA	R	R	R	Mercer	P1	R	R	R
Butler	R	R	R	R	Mifflin	NA	P1	R	R
Cambria	NA	R	R	R	Monroe	R	P1	R	R
Cameron	R	R	P1	P2	Montgomery	R	R	R	NA
Carbon	R	R	R	R	Montour	NA	P1	R	R
Centre	NA	R	R	R	Northampton	R	R	R	R
Chester	NA	R	R	R	Northumberland	NA	R	R	R
Clarion	R	R	R	R	Perry	NA	R	R	R
Clearfield	R	R	R	R	Philadelphia	NA	R	R	R
Clinton	NA	R	R	R	Pike	R	R	R	R
Columbia	NA	R	P1	R	Potter	R	R	R	R
Crawford	R	R	P1	P1	Schuylkill	R	R	R	R
Cumberland	NA	R	R	R	Snyder	NA	R	R	R
Dauphin	NA	R	R	R	Somerset	NA	R	R	R
Delaware	R	R	R	NA	Sullivan	R	R	R	R
Elk	R	R	R	R	Susquehanna	R	R	R	R
Erie	R	R	R	R	Tioga	R	R	R	R
Fayette	P1	P1	R	R	Union	NA	R	R	R
Forest	R	R	R	R	Venango	R	R	P1	R
Franklin	NA	R	R	R	Warren	R	R	R	R
Fulton	NA	R	R	R	Washington	P1	P2/P3	P4	R
Greene	R	R	R	R	Wayne	R	R	R	R
Huntingdon	R	R	R	R	Westmoreland	R	R	R	R
Indiana	R	R	R	R	Wyoming	R	R	R	R
Jefferson	R	P1	P1	R	York	NA	R	R	R
Juniata	R	R	R	R					

NA = License information not available. We requested information for the three most recent license years available.

R = Regular full license.

P = Provisional license, first, second, third, fourth.

*These license reviews are conducted on a staggered basis, not on a strict calendar or fiscal year basis. License information placed in year where license is in effect the longest.

**Washington and York Counties are the only counties operating on a provisional license in 1999.

Source: DPW license reviews.

Exhibit 8

List of “No Violation” Counties*

<u>County</u>	<u>FY 1995-96</u>	<u>FY 1996-97</u>	<u>FY 1997-98</u>	<u>FY 1998-99</u>
<u>Southeast Region</u>				
Bucks	No Violations	No Violations	No Violations	V
Chester.....	NA	No Violations	No Violations	No Violations
Montgomery.....	V	No Violations	No Violations	NA
<u>Central Region</u>				
Fulton.....	V	No Violations	No Violations	NA
Union	V	No Violations	V	NA
<u>Northeast Region</u>				
Bradford.....	No Violations	V	V	NA
Lackawanna	V	No Violations	V	NA
Luzerne	V	V	No Violations	NA
Northampton.....	V	V	No Violations	NA
Pike	No Violations	No Violations	V	NA
Schuylkill.....	No Violations	No Violations	V	NA
Sullivan.....	No Violations	No Violations	V	NA
Tioga	V	No Violations	No Violations	NA
Wayne	V	No Violations	V	NA
<u>Western Region</u>				
Elk.....	No Violations	No Violations	No Violations	NA
Greene.....	NA	V	No Violations	No Violations
Potter	NA	V	V	No Violations
Fayette	NA	V	V	No Violations
Indiana.....	NA	V	V	No Violations
Beaver	V	No Violations	No Violations	NA
Clarion	NA	No Violations	V	V

NA = Not available. We requested information for the three most recent licensing years available.

V = The county had violations during this year even though it had no violations in other years we reviewed.

*Any counties not listed did not have a year with “No Violations” during the years we reviewed.

Source: DPW license files.

Exhibit 9

**Regulations That Were Violated by County Children and Youth Agencies
Ten or More Times, Per Fiscal Year**
(FY 1995-96 Through FY 1998-99)

<u>Section</u>	<u>Regulation Description^a</u>	Number of Counties			
		<u>FY 1995-96</u>	<u>FY 1996-97</u>	<u>FY 1997-98</u>	<u>FY 1998-99</u>
Ch. 3130	County Children & Youth				
3130.43(b)(7)	Appropriate medical information on file for family.	1	6	11	6
3130.61(a)	FSP prepared within 60 days.	4	14	11	10
3130.61(b)	FSP a discrete part of case record; FSP has identifying information on child and other family members; FSP has description of specific circumstances under which case was accepted; FSP identifies needed service objectives and services needed to achieve objectives; FSP records actions to be taken by parent, child, agency, and dates when action to be complete.	6	8	12	8
3130.61(c)	FSP signed by case manager, parent/guardian, and child if over 14-years-old given the opportunity to sign FSP; FSP contains statement indicating signing FSP constitutes agreement.	7	15	12	7
3130.61(d)	If child's safety is not jeopardized, family, child/family representatives, and providers are given the opportunity to participate in FSP development and amendments.	4	9	10	6
3130.61(e)	Copies of FSP given to family, their legal counsel, representatives, and agencies providing services.	4	11	7	5
3130.63	FSP reviewed by agency at least every six months; review of FSP recorded in FSP; review contains assessment of progress made and FSP amended as needed.	7	10	12	7
3130.67(b)	PA describes: circumstances that make placement necessary; health and education information; services provided to child and family; type of facility where child is placed and anticipated duration of placement; goals for child; goals for child's parents; visitation schedule for parents; PA review and results of review.	7	16	20	9
3130.68(g)	Within 15 calendar days of placing a child, parents are provided with address of child's location and the name of the person or agency responsible for child's care (unless the child's safety is a concern).	3	10	9	5

Exhibit 9 (Continued)

Section	Regulation Description ^a	Number of Counties			
		FY 1995-96	FY 1996-97	FY 1997-98	FY 1998-99
Ch. 3790	Child Protective Services Agency				
3490.55(g)	Medical evidence and/or consultation obtained and in record.	4	9	10	6
3490.58(a)	Within 72 hours of the report, the agency notifies the subjects of the report of the existence of the report and their right to obtain a copy of the report, that the report will be expunged within 12 months if unfounded; purpose of CPSL and implications of status, effects of a substantiated report in seeking a childcare position.	6	10	7	4
3490.67(a)	CPS report sent to ChildLine within 30 days of receipt.	7	11	14	11
Ch. 3700	Foster Family Care Agency				
3700.51	Agency has written policy and procedure with regard to medical and dental care for foster children.	8	16	9	3
3700.51(a)	Child had a medical appraisal within 60 days of admission or had one within 90 days prior to admission and results are available.	5	8	11	5
3700.51(c)	Child has contact with physician after initial appraisal as follows: birth to 6 months--every six weeks; 7 months to 23 months--every three months; 23 months and older--once yearly.	5	8	12	6
3700.51(d)	If over three-years-old, child had a dental appraisal within 60 days of admission or had one within 60 months prior to admission and results are available.	7	22	14	7
Ch.3140	Fiscal				
3140.111	The county agency is the sole authority for certifying a child's eligibility for placement maintenance. The county agency shall, in accordance with procedures established by DPW, certify for placement maintenance children who meet criteria set in regulation. The county agency must request the Office of Income Maintenance to determine a child's AFDC eligibility, authorize payment of costs; submit quarterly invoices to DPW for allowable expenditures; and terminate placement maintenance payments when the child is no longer eligible.	2	20	4	1

^aDoes not include all regulations--only those for which there were ten or more violations.

Source: Developed by LB&FC staff from a review of DPW licensing documents.

Consequences of Licensure Reviews

The Department's licensing inspections are thorough, but the Department appears to be limited in its ability to compel counties to comply with the regulations. We found, for example, that Washington County had received four provisional licenses (with 175 violations in 1996; 62 violations in 1997) and then was issued a regular license in 1998 with 52 violations. Additionally, 60 of Washington County's 62 violations in FY 1997-98 were the same as those cited in the previous license year, even though the county prepared a corrective action plan which was approved by the regional office.⁸ For the FY 1998-99 license cycle, 26 of the 52 violations were the same as in the previous licensing cycle, and 25 violations had been cited for three years in succession.

In February 1995, DPW issued a bulletin that provides guidance to DPW regional staff in the issuance of regular and provisional certificates of compliance.⁹ The bulletin provides that a regular certificate of compliance is issued when one or more of the following conditions are met:

- a. The results of the on-site survey documents that the agency is in compliance with all applicable regulations surveyed. No violations are cited.
- b. The results of the on-site survey documents violations but the violations have been corrected since the survey was conducted.
- c. The results of the on-site survey documents violations which do not affect the health, safety, quality of child care, or receipt of state or federal funds and the agency has submitted an acceptable plan to correct the violations.

A provisional certificate of compliance is issued when the results of the on-site survey document violations and, one or more of the following applies:

- a. The violations cited affect the health, safety, and care of the children but do not place them in imminent danger.
- b. The violations cited do not immediately jeopardize the receipt of state or federal funds or violate existing statutes.
- c. The violations have been cited previously and the violations were not corrected within the time frame specified.
- d. Violations have been cited and the agency has a history of regulatory violations.

⁸ This county was cited for three consecutive years for failing to review the family service plan at six-month intervals. For its provisional license review in December 1996, the agency stated that "a comprehensive tracking system will be developed to assure future compliance." The agency was given four months to implement the corrective action plan. However, during its next license review, when it was issued a regular certificate of compliance, the agency was cited for the same violation, gave the same corrective action plan, and was given an additional two months to implement the plan. In its most recent license review, the agency was again cited for the same violation but was again issued a regular certificate of compliance.

⁹All new providers and new services are given a provisional certificate until such time as all applicable regulations can be applied to the new program.

DPW believes that by following these guidelines and others set out in the bulletin, there is as much consistency as possible among the regions and the licensing staff. DPW is also drafting a protocol relating to issuing provisional licenses. DPW believes this protocol will standardize the decision-making process among the regions when it comes to issuing provisional licenses.

Initiatives Impacting DPW's Licensing Activities

Cross-System Licensing Project.¹⁰ The Office of Policy Development in DPW is developing the Pennsylvania Cross-System Licensing Project. The objective of the project is to “improve existing human service licensing functions within state government, involving DPW, Health and Aging, by identifying and reducing duplication, inefficiency, and inconsistency within the licensing process and by improving coordination of human service licensing functions within state government.” Human service disciplines represented include mental retardation, mental health, drug and alcohol, child welfare, child day care, personal care, and adult daily living.

The project initiatives include:

- Develop and implement a new Human Service Licensing Statute.
- Revise existing regulations to: (a) eliminate or reduce duplication and inconsistency, (b) incorporate state-of-the-art health and safety concepts, (c) consolidate regulations where possible, and (d) relocate program quality items to more appropriate mechanisms.
- Develop and implement inferential inspections throughout various facility types, where appropriate.
- Develop and implement an ongoing orientation and training program, for both new and veteran licensing staff at all levels, in basic licensing principles, regulation areas, skills and techniques.
- Develop and implement the automation of field licensing functions and central data base functions.
- Develop policies and procedures to ensure consistent application of the new licensing statute.

As of February 1999, DPW had begun promulgating new regulations and providing training on the new license process to its staff. However, this project will only affect private agencies. County agencies administered under 55 Pa. Code Ch. 3130 will not be affected.

¹⁰This project will combine the licensing functions of the three agencies, so that one license covering all services offered will be issued to each facility instead of multiple licenses issued by each department for each type of service offered.

B. Child Death Reviews, Performance Reviews, and Multidisciplinary Team Reviews

This section describes examples of types of reviews that the regional offices and the county agencies perform to improve their operations and the services they provide. This may not be all the reviews that have been done in recent years.

Child Death Reviews¹¹

There is no statutory requirement that DPW conduct death reviews of children who die as a result of child abuse.¹² However, regulations at 55 Pa. Code §3130.24 require county agencies to make a written report to the regional offices within 10 days following the death of a child that was in the custody of the county agency. Additionally, DPW issued an informal Child Death Review Policy in July 1989 that requires child death reviews when a child dies and the suspected cause of death is abuse and/or neglect. This review has several purposes:

- To evaluate the agency's service quality; to identify management/systems issues which may have contributed to the fatality; to make recommendations.
- To reinforce that protective service is a community responsibility.
- To assess compliance with regulations and agency policy.
- To provide information to the county to verify service quality and to assist in improving service quality.
- To improve the child protection system.
- To provide data for ongoing analysis of child abuse fatalities.

During such a review, the DPW regional office staff determines if the child was known to the agency prior to the death, if the child was receiving services at the time of death, or if there was an inactive or closed case file with the agency. If the child/family was not known to the CYS agency prior to the child's death, the CYS agency determines whether the death was due to abuse and whether or not the family needs services to deal with the death. If, however, the child/family was known to the CYS agency prior to the child's death, either as an active, inactive, or closed case, the regional office staff gathers information from the CYS agency regarding the child and family; the coroner's report; police files; and interviews with

¹¹House Resolution 1997-127 created a select subcommittee to look into a child's death that occurred in Reading, PA, and certain other issues concerning child protective services. In a report prepared by the subcommittee, there are several recommendations relating to child death reviews. These are: the General Assembly should statutorily require DPW to conduct death reviews; DPW should periodically report to the General Assembly on these reviews; DPW should centralize the child death review so that it can ensure that reports are being done as required and so that it can monitor the quality and consistency of the reviews and reports; and DPW should standardize the child death reviews. Please see Appendix H for a summary of all the report's recommendations.

¹²During the current 1999-2000 legislative session, the General Assembly is considering House Bill 519, which would, if enacted, require DPW to conduct child death reviews and provide written reports for those children who had prior contact with a county children and youth services agency. DPW would also be required to promulgate regulations to implement this process and report annually to the General Assembly on child death reviews.

agency personnel, service providers, family members, and any other person/entity which had contact with the child prior to the death. Based on this information, the regional office prepares a written report outlining the case and, if warranted, makes recommendations for CYS agency improvement. In response to the recommendations in the report, the CYS agency must prepare a corrective action plan. The regional office then monitors the CYS agency's implementation of the plan.

Report Review Results. We examined death review reports provided to us by the regional offices.¹³ Of the 54 reports reviewed, 29 of the families had prior contact with the agency and 25 families were not known to the CYS agency prior to the child's death. The reports did not, however, contain recommendations for change or corrective action plans as provided for in DPW's informal policy. However, during the review of the Southeast Region's child death review files, we noted that at least two of the reviews resulted in an inspection summary being completed and corrective action plans being prepared and implemented.

The regional directors believe the current process for child death reviews is not particularly productive, is time consuming, and involves too much paperwork. In order to improve the process, a committee made up of regional office directors and others is examining this process and DPW's informal policy. According to DPW staff, the committee would like to see the following changes:

- Make the system more responsive to the community to improve prevention efforts.
- Make different levels of reporting; i.e., have the county CYS agency prepare the death review report instead of the regional office.
- Include in the review process everyone who had contact with the child, including contracted service providers, judges, and other community agencies who are not currently involved under the current process.

As of April 1999, the committee was drafting a revised policy for DPW's review. With the new process, the committee is also hoping to develop a meaningful use for the statistics compiled from the death reviews. Specifically, they hope to find common denominators in the cases that might identify future cases in hopes of preventing a child's death. To accomplish this, the child death information will be added to the PACWIS system.

¹³The number of reports we reviewed were: Northeast Region, 1; Western Region, 12 (1994 – 1996); and Central Region, 41 (1995 – June 1998). The total was 54. In the Southeast Region we reviewed the files but did not analyze in depth each child death review. The Southeast Region reported that it conducted 23 reviews in 1997 and 30 in 1996.

Performance Reviews and Multidisciplinary Team Reviews

In addition to child death reviews, DPW conducts multidisciplinary team agency case reviews.¹⁴ The reviews are to assess the scope and level of services provided by the agency and identify strengths and areas where improvement is needed.

As part of such a review, DPW staff examines case files, compliance with licensing regulations, personnel information, general policies, practices and procedures, and staffing, among other items. The DPW staff produces a report that identifies strengths and weaknesses and makes recommendations for improvements.

We reviewed three performance reviews and two multidisciplinary team reviews for the years 1996 through 1998. The agencies that were the subject of the reviews were in Blair, Westmoreland, Berks, Philadelphia, Lancaster, and Monroe Counties.

We identified several issues¹⁵ that were addressed in more than one of these reviews:

- Staff Training – (Philadelphia, Monroe, Blair, Lancaster)
- Follow-up/Verification of Referral Information – (Philadelphia, Monroe, Berks)
- Intake – (Monroe, Blair)
- Staffing Levels – (Lancaster, Blair, Berks)
- DPW Regulations – (Philadelphia, Lancaster)
- Supervision of Caseworkers – (Lancaster, Blair)
- Policies/Practices Review – (Philadelphia, Monroe, Blair, Lancaster, Berks)

In response to these issues, the counties changed policies, implemented policies, amended forms and procedures, and in two instances were issued provisional licenses until problems were corrected. See Appendix I for a summary of several of the performance reviews and multidisciplinary team reviews.

¹⁴DPW is authorized in the Child Protective Services Law to conduct a performance audit of any county agency activity. 23 Pa. C.S. §6343.

¹⁵Other items cited in the individual reports included: (a) child was in the system too long (Philadelphia); (b) placement decision didn't take child's needs into account (Philadelphia); (c) placement review committee function (Monroe); (d) use of student interns (Blair); (e) advisory board membership (Lancaster, Berks); and (f) guardian ad litem (Lancaster).

IV. Program and Service Delivery Issues and Concerns

A. Foster Care and Adoption Issues

Foster care is a living arrangement where a child resides outside his/her own home, under the case management and planning responsibility of a county child welfare agency. A child is placed in foster care when a court determines that their family cannot provide a safe environment, following an investigation by county child protective services workers. Placement often occurs because of physical or sexual abuse by a member of the household or because a child's caretaker has severely neglected the child. Because state and federal laws have historically discouraged the removal of children from their families unless necessary to ensure the child's wellbeing, placement has been viewed as an extreme step brought about by imminent danger or when attempts to provide a safe environment have failed.

More families in crisis are contributing to a shortage of foster care families.

The U.S. Department of Health and Human Services (DHHS) reported in 1997 that, nationwide, the number of children in foster care rose from 262,000 in 1982 to 462,000 in 1994, an increase of 76 percent. The rate of children living in foster care (i.e., the number of children in foster care per one thousand children under age 18) rose from 4.2 in 1982 to 6.8 in 1994, an increase of 62 percent.¹ Table 6 compares nationwide out-of-home placements for 1990 and 1995.

Pennsylvania is following national trends. The Department of Public Welfare (DPW) reported to DHHS that foster care placements increased 48 percent--from 12,640 in 1980 to 18,760 in 1993. Family instability, inadequate parenting, domestic violence, substance abuse, mental and physical illness, poverty, and homelessness all contributed to the need for foster care.

¹1994 is the last year in which data on foster care was collected through the Voluntary Cooperative Information System (VCIS). The Adoption and Foster Care Analysis and Reporting System (AFCARS) was implemented as a replacement for VCIS. While VCIS was a voluntary reporting system, states are required to participate in AFCARS and must use uniform definitions. Most importantly, AFCARS collects case-level foster care data. Thus, the new system may bring about a significant change in estimates of children in foster care. However, the first release from AFCARS showed no significant change in estimates of children in foster care according to DHHS.

Table 6

Children in Out-of-Home Care, 1990 and 1995*

State	Children Under 18, in 1990	Children in Out-of-Home Care, 1990	Children in Out-of-Home Care Per 1,000 Children in the Population, 1990	Children Under 18, in 1995	Children in Out-of-Home Care, 1995	Children in Out-of-Home Care Per 1,000 Children in the Population, 1995	Percent Change in Children in Out-of-Home Care, 1990-1995 (19)%
Alabama	1,060,000	4,420	4.2	1,236,000	3,593	2.9	(51)
Alaska	172,000	3,852	22.4	215,000	1,881	8.7	77
Arizona	981,000	3,379	3.4	1,213,000	5,979	4.9	86
Arkansas	520,000	1,351	2.6	694,000	2,507	3.6	(6)
California	7,751,000	79,482	10.3	9,176,000	74,364	8.1	85
Colorado	861,000	3,892	4.5	1,015,000	7,186	7.1	90
Connecticut	750,000	4,121	5.5	869,000	7,839	9.0	NA
Delaware	164,000	NA	NA	179,000	851	4.8	14
Florida	2,866,000	9,502	3.3	3,512,000	10,789	3.1	(4)
Georgia	1,727,000	15,179	8.8	1,941,000	14,582	7.5	a
Hawaii	280,000	1,659	5.9	318,000	1,652	5.2	67
Idaho	308,000	548	1.8	320,000	913	2.9	157
Illinois	2,946,000	20,753	7.0	3,128,000	53,342	17.1	29
Indiana	1,456,000	7,492	5.1	1,403,000	9,649	6.9	22
Iowa	719,000	3,425	4.8	844,000	4,195	5.0	60
Kansas	662,000	3,976	6.0	698,000	6,345	9.1	a
Kentucky	954,000	3,810	4.0	1,016,000	3,800	3.7	12
Louisiana	1,227,000	5,379	4.4	1,178,000	6,034	5.1	32
Maine	309,000	1,745	5.6	293,000	2,312	7.9	83
Maryland	1,163,000	6,473	5.6	1,349,000	11,818	8.8	12
Massachusetts	1,353,000	11,856	8.8	1,455,000	13,241	9.1	67
Michigan	2,459,000	9,000	3.7	2,700,000	14,987	5.6	16
Minnesota	1,167,000	7,310	6.3	1,319,000	8,452	6.4	4
Mississippi	747,000	2,832	3.8	770,000	2,945	3.8	14
Missouri	1,314,000	8,241	6.3	1,226,000	9,423	7.7	31
Montana	222,000	1,224	5.5	222,000	1,606	7.2	29
Nebraska	429,000	2,573	6.0	474,000	3,326	7.0	(3)
Nevada	297,000	2,566	8.6	399,000	2,486	6.2	1
New Hampshire	279,000	1,505	5.4	289,000	1,527	5.3	(10)
New Jersey	1,799,000	8,879	4.9	1,947,000	8,014	4.1	

Table 6 (Continued)

State	Children Under 18, in 1990	Children in Out-of-Home Care, 1990	Children in Out-of-Home Care Per 1,000 Children in the Population, 1990	Children Under 18, in 1995	Children in Out-of-Home Care, 1995	Children in Out-of-Home Care Per 1,000 Children in the Population, 1995	Percent Change in Children in Out-of-Home Care, 1990-1995 (4)%
New Mexico.....	447,000	2,141	4.8	605,000	2,064	3.4	(15)
New York.....	4,260,000	63,371	14.9	4,768,000	53,562	11.2	77
North Carolina.....	1,606,000	7,170	4.5	1,542,000	12,692	8.2	180
North Dakota.....	175,000	393	2.2	176,000	1,102	6.3	(5)
Ohio.....	2,800,000	18,062	6.5	3,004,000	17,134	5.7	47
Oklahoma.....	837,000	3,435	4.1	840,000	5,063	6.0	39
Oregon.....	724,000	4,261	5.9	839,000	5,937	7.1	42
Pennsylvania.....	2,795,000	16,665	6.0	3,042,000	23,653	7.8	23
Rhode Island.....	226,000	2,680	11.9	234,000	3,284	14.0	58
South Carolina.....	920,000	3,286	3.6	1,050,000	5,181	4.9	63
South Dakota.....	198,000	567	2.9	201,000	922	4.6	91
Tennessee.....	1,217,000	4,971	4.1	1,474,000	9,511	6.5	135
Texas.....	4,836,000	6,698	1.4	5,455,000	15,734	2.9	80
Utah.....	627,000	1,174	1.9	712,000	2,118	3.0	40
Vermont.....	143,000	1,063	7.4	162,000	1,483	9.2	12
Virginia.....	1,505,000	6,217	4.1	1,478,000	6,973	4.7	(27)
Washington.....	1,261,000	13,302	10.5	1,405,000	9,715	6.9	48
West Virginia.....	444,000	1,997	4.5	380,000	2,954	7.8	30
Wisconsin.....	1,289,000	6,037	4.7	1,587,000	7,875	5.0	114
Wyoming.....	136,000	484	3.6	134,000	1,034	7.7	21%
Total.....	63,388,000	400,398	4.9	70,486,000	483,629	6.3	

*The wide variances among states in the number of children in out-of-home care reflect differing state policies that were in effect, different spending levels, economic conditions, the rate of drug and alcohol abuse, and other factors.

^aLess than 0.5 percent.

Source: American Public Welfare Association.

DPW statewide placement statistics show that at the end of 1997, 20,880 dependent children were in placement in Pennsylvania. As shown in Table 7, approximately 47 percent of these children are in their early or late teens, an age group for which it is difficult to find adoptive parents. Appendix J presents the age distribution for children in foster care in selected states.

Table 7

PA Placement Data
(12/31/97)

- Dependent and Non-adjudicated Children in Placement 20,880
- Delinquent and Dependent/Delinquent Children in Placement 4,474

Locations Where Children Were Placed

- Children Placed in Foster Care by Counties Statewide..... 15,749
- Children Placed in Other Community Placements 3,179
- Children Placed in Shared/Non-Shared Institutional Placements 5,482
- Children Placed in YDCs/YFCs 944

Ages of Children in Placement and as a Percent of Total Placements

Ages 0 - 5.....	4,521	18%
Ages 5 - 12.....	7,343	29%
Ages 12 - 18.....	11,868	47%
Ages 18 and over	1,622	6%

Source: DPW CY-28 Reports for 1997.

As shown in Table 8, foster care placements increased most in urban and mixed population counties, while rural counties have remained relatively fixed.

Table 8

Foster Care Placement by County Type

<u>Counties</u>	<u>Year</u>	<u>Total</u>	<u>Rate</u>	<u>% Change in Rate</u>
Urban.....	1990	11,989	8.04	
	1995	15,208	9.95	23.8%
Rural.....	1990	1,692	3.76	
	1995	1,756	3.81	1.4%
Mixed.....	1990	3,056	3.58	
	1995	3,694	4.18	16.7%

Source: *State of the Child in Pennsylvania Fact Book Series (1997)*.

We obtained DPW data showing the number of out-of-home placements and the costs to the counties for such placements in FY 1997-98. The Department, however, does not collect data on the number of children by county who received in-home services, even though it is reported in the FY 1999-00 Governor's Executive Budget that 151,125 children statewide received child welfare services at home in FY 1997-98. Appendix K presents the available placement data and costs for each county. The Appendix shows that 62 percent of expenditures by county children and youth agencies went toward placement.

Reasons Why Families Are in Crisis. The national trend in child abuse and neglect reporting shows a dramatic increase between 1976 and 1993. In 1976 there were 670,000 child abuse and neglect reports received nationwide, a rate of 10 per 1,000 children. By 1993, there were 2,936,554 reports, representing 2,603,955 individual children, a rate of 43 per 1,000 children.

There is widespread belief that a significant portion of the increase in child abuse and neglect and foster care placements resulted from the introduction of crack cocaine during the mid-1980s, in particular, and an overall increase in substance abuse in general. The availability of crack has been linked to the abuse of children of all ages. Perhaps the greatest impact that crack has had on the child welfare system reportedly are the large increases in very young infants entering the foster care system at birth as a result of prenatal drug use, drug toxicity at birth, or abandonment at the time of birth in the hospital (boarder babies).²

We tried to obtain data from DPW and other sources that would show the reasons children were in placement. While we were unable to obtain sufficient information from earlier years, DPW was able to provide data for each county beginning in October 1997. Table 9 presents statewide information which was prepared as part of Pennsylvania's federal reporting obligation to the DHHS. It shows that there are often multiple reasons why a child must be removed from his/her home. The top three conditions associated with the removal of a child from its home were the caretaker's inability to cope, neglect, and the abuse of drugs and alcohol by one or both parents.³

²The U.S. House of Representatives Committee on Ways and Means reported in 1996 that drug exposed infants also often enter substitute care shortly after they are born as a result of a diagnosed failure to thrive or because of parental abuse and neglect.

³A Planning Committee established by DPW to develop and implement the Title IV-B Child Welfare Services Plan, in conjunction with the Children's Coalition, conducted a Statewide Family Forum to gather information at the community level about what individuals consider to be the most serious problems within their community. Among the concerns expressed was the inability of many parents to function competently in their parental roles because of drug and alcohol abuse.

Table 9

**Conditions Associated With the
Removal of Children From Their Homes**
(October 1997 - March 1998)
(n=25,786^a)

Conditions Reported (Duplicated)	Physical/ Sexual Abuse	Neglect	Parent/ Child Drug/ Alcohol Abuse	Child's Disability	Child's Behavior Problem	Care- taker's Inability to Cope	Inade- quate Housing	Parent in Jail	Child Abandoned/ Relinquished
48,810	5,766 22%	8,617 33%	10,114 ^b 39%	1,438 6%	5,465 21%	10,481 41%	3,355 13%	1,605 6%	1,601 6%

^aOne case can have multiple conditions. Not included in the total placement count were 368 instances where the death of a parent was one factor which led to the removal of the child from their home.

^bParents = 8,814; child = 1,300.

Source: Department of Public Welfare.

Shortage of Foster Families. Over 62 percent of all children in placement in Pennsylvania in 1997 were placed in foster care homes, pointing to the need for a sufficient number of acceptable foster parents willing to open their homes and participate in the foster care system. However, the availability of adequate foster homes is a real concern for a number of counties. In response to our questionnaire, 51 percent of all county administrators noted that the number of foster homes available in their county was insufficient. They noted that children frequently have to be placed in group homes until a foster home becomes available. In response to a related question, 38 percent of caseworkers involved in placing children identified the lack of foster homes and the recruitment and retention of foster parents as a problem in their county.

Other concerns related to placement were the lack of special needs homes and other community programs and the lack of appropriate homes close to the child's home community. Children are often placed outside their home county, making it difficult for county caseworkers to visit. For example, in one county we visited approximately 52 percent of all children in placement were placed outside the county. An administrator in another county told us that they place two-thirds of their children in foster care out of the county, and that they cannot actively recruit foster families because of lack of staff. As of February 1999, Philadelphia County was placing approximately 40 percent of its foster care children outside of the county.

DPW has not, until recently, tried to determine how many foster homes or foster parents there are statewide. Most other states do track this information.⁴ Beginning in FY 1995-96, DPW established a foster parent central registry to provide information on the number of active foster parents. Such a registry was seen as one way for private foster care agencies to ensure that the persons applying to become foster parents had not been denied previously by another agency. If they had been, then the agency would have the opportunity to investigate the circumstances behind that denial before making their own decision. Private providers and counties were not mandated, however, to provide data to OCYF to complete this registry.

In its Annual Progress and Services Report for the period of FY 1997-98, DPW noted that during 1997 the number of approved foster families increased from 4,427 in 1996 to 5,368, with 263 agencies participating. The number of foster family homes disapproved by private agencies was 217.⁵ While it is too early to say whether the registry has worked in keeping inappropriate individuals from continuing to be foster parents by registering with another agency, the Department is taking steps that should make the registry more effective in this regard. DPW's FY 1998-99 state budget includes funding to expand and mandate the foster parent registry, as well as mandate that adoptive parent applicants known to public and private agencies also be registered with the program. As of May 1999, DPW staff were in the process of writing new guidelines by which the program will be governed. A draft of the guidelines will be sent to private agencies statewide for their comment. Regulations, however, would still need to be drafted to mandate program participation.⁶

Subsidized kinship custodianship may reduce children and youth system costs. Custodianship (guardianship) is a judicially created relationship between the child and relative caretaker that is intended to be permanent. Custodianship is authorized by the Juvenile Act as a disposition for a dependent child. Unlike for foster care or adoption, Pennsylvania does not provide a subsidy payment for custodianship arrangements.

The Office of Children, Youth and Families commissioned a subsidized legal guardianship cost benefit analysis in May 1997. This study concluded that subsidized legal guardianship would be cost beneficial to Pennsylvania if Pennsylvania had certain provisions of Title IV-E waived. Philadelphia and Allegheny Counties, with 85 percent of existing paid kinship placements, purchase most of their kinship care through vendor agencies. The conversion from purchased vendor kinship care

⁴The Child Welfare League of America in their 1997 *Stat Book* included a table showing the number of foster homes as of 1995 in each state. The only states not reported on were Pennsylvania, California, Kansas, Montana, Wisconsin and Wyoming.

⁵Disapproval of a foster parent applicant by an agency was not necessarily because of information provided by the foster parent central registry. For example, an agency might have had its own minimum eligibility requirements that the applicant failed to meet.

⁶While DPW anticipates that such draft regulations will be developed during FY 1999-2000, in the interim the Department might issue a Bulletin to encourage reporting of applicant information.

to subsidized legal guardianship would result in a substantial decrease in the per diem cost. The Office of Children, Youth and Families has also convened a kinship workgroup to gather information regarding the use of kinship care in Pennsylvania and to investigate the feasibility of legislation to establish a subsidized legal guardianship in Pennsylvania.

As of January 1999, six states (California, Delaware, Illinois, Maryland, Montana, and North Carolina) had proposed programs to the federal government to allow relatives who are providing care for children in the custody of the child welfare agency the opportunity to become the child's custodian. This option would be offered to relatives who have been providing a stable home for at least one year for a child for whom adoption or reunification is not an option. All states propose a monthly payment that is less than or equal to the current foster care payment. States expect additional savings to accrue from reduction in case management and court costs. Some child welfare stakeholders have recommended that Pennsylvania consider a similar program.

An Allegheny County family court judge noted that subsidized kinship custodianships may potentially drain fiscal resources and can act at cross-purposes to adoption efforts since custodianship does not involve a termination of parental rights. He also believes that subsidized kinship custodianship could result in a large number of family members coming forward for payments, even though a child may be in a safe environment.

The Department reports being in the initial planning stages of creating a kinship custodianship waiver project. DPW reports, however, that the federal government is reluctant to approve demonstration projects from additional states. As of April 1999, DPW was considering including such requests as part of a larger Title IV-E waiver proposal.

Approaches to foster care, including initiatives toward permanency planning, are changing, in part because of recent federal legislation.

The Adoption and Safe Families Act is intended to overcome children being "warehoused" in foster care homes or residential facilities for extended periods (see subsequent discussion on time in placement). In addition, the foster parent function is expected to change with the introduction of visitation standards for the biological parents of children in placement and a greater emphasis on a team approach that involves foster parents, C&Y staff, and private provider staff. DPW staff noted that counties will need to be more aggressive in implementing ASFA to ensure that the Commonwealth is in compliance with the act's requirements.

In July 1996 the OCYF began looking at technical and quality assurance tools that counties could use to improve case practices. There was a recognized

need to strengthen visitation practices at the county and private agency level since frequency and quality of visitations between children in placement and their birth parents have been linked to successful family reunification. A March 1999 draft report notes that visiting between children in care and their parents:

- enhances children's emotional well-being and adjustment while in care,
- improves parent's positive feelings about the placement and decreases their worries about their children while they are in care, and
- is strongly correlated with achieving the placement outcome of reunification, achieving other permanency planning outcomes, and decreasing time in care.⁷

ASFA also requires that foster parents be notified of all hearings involving their foster children and a right to be heard at these hearings.⁸ Recently certain foster parents have asserted through legal action that this right is being denied. A federal class action lawsuit was filed by foster parents of dependent children alleging violations of ASFA provisions requiring foster parents to be notified of all hearings involving their foster children and a right to be heard. In this case, two foster families seeking to adopt their foster children allege they were not notified of the hearing at which the judge ordered Department of Human Services (DHS) to remove the children from their foster families and return them immediately to their natural mother. The complaint alleges that neither DHS nor the Court of Common Pleas has a procedure for or practice of notifying foster parents of hearings as required by law. As of May 1999, Philadelphia had responded to the complaint and the case had not moved forward. The children remain with the foster parents.

Time in Placement. The problem of children remaining in foster care for many years has been a growing concern of federal, state, and county officials, as well as private advocates for children. While most children are eventually reunited with their parents, adopted, or placed with a guardian, others remain in foster care, possibly with relatives, until they "age out" of the system. For those who do make it out of foster care, the road to permanency can often take years, be extremely costly to the state, and have serious emotional consequences for the child. Current federal law (ASFA) requires states to conduct permanency planning hearings in 12 months, at which time there must be a determination of whether and, if applicable, when, the child will be returned home or placed for adoption and termination of parental rights will be pursued, or legal guardianship or some other planned permanent living arrangement will be sought. Federal law also requires the initiation of a termination of parental rights proceeding when a child in foster care is under the responsibility of the state for 15 of the most recent 22 months. This emphasis on speeding

⁷*Visitation: Promoting Positive Visitation Practices for Children and Their Families Through Leadership, Teamwork, and Collaboration*, March 1999.

⁸Foster parents are not, however, given standing in the hearings.

up permanency hearings and the termination of parental rights reflects concerns about children spending long periods of time in foster care.

In September 1996 the DHHS published data for 21 states showing the length of time children stayed in foster care. While this data did not include Pennsylvania, it shows that in many states a large percentage of children remain in foster care for long periods. Table 10 shows that for the states reported, on average only two were able to move children out of placement within one year, 14 others were able on average to move children out of placement within two years, and the remaining 5 states took between two to three years to move children out of foster

Table 10

Length of Time Children Were in Foster Care
(September 30, 1996)

State	Number of of Children	Under 6 Months	6 Months to 12 Months	1 Year to 2 Years	2 Years to 5 Years	Over 5 Years	Median Months in Placement
Illinois	53,493	9%	8%	19%	42%	21%	31.84
Vermont	1,778	15	12	17	26	30	29.37
California	103,007	15	13	20	29	25	26.64
South Carolina	4,110	14	13	22	33	18	24.49
Maine	2,546	14	13	22	35	16	24.11
Mississippi	2,968	19	11	22	30	18	23.06
Louisiana	6,016	18	14	19	29	19	22.98
Pennsylvania^a...	25,786	23	13	18	26	20	21.35
Massachusetts	14,763	20	13	22	30	15	20.34
Georgia	11,497	19	16	21	29	15	20.01
New Jersey	7,591	21	13	23	27	15	19.68
Washington	10,320	20	14	25	29	12	18.83
Florida	24,129	21	18	23	28	10	16.53
Idaho	937	25	15	23	27	9	16.03
Arizona	8,240	30	12	23	25	10	15.64
Tennessee	13,535	22	19	23	27	10	15.64
Oklahoma	4,115	27	17	22	24	10	14.59
Arkansas	1,745	32	17	18	26	7	12.58
North Carolina	11,464	32	17	21	23	8	12.55
Utah	2,035	29	20	26	21	4	12.39
Alaska	1,310	37	18	23	17	5	10.09
South Dakota	1,446	50	17	16	14	3	5.98

^aPennsylvania data for March 31, 1998.

Source: U.S. Department of Health and Human Services, AFCARS data for September 1996. Pennsylvania did not report time in placement data until 1998.

care placement. Within the table we have provided data from 1998 for Pennsylvania. While this data is for a later year, it does illustrate the fact that approximately half of the children in foster care in Pennsylvania are on average in placement for two or more years.⁹

Efforts to Improve Permanency Planning. On the state level, certain initiatives provide specific services to families and children that either help to prevent a crisis from developing or offer remediation services after the crisis in the family has occurred. OCYF has coordinated such efforts including:

- The development of family centers which are school-based or linked with schools and are designed to provide supportive services including child development and parenting skills training, early intervention, family preservation, healthy development and health care, adult education, training, and employment.
- The provision of short-term family preservation services to families with a child at imminent risk of out-of-home placement.
- A grant from the Annie E. Casey Foundation helped fund Family-to-Family program services. Among the goals of this program are the development of neighborhood based foster family care to keep children near their natural families, to expand the role of the foster parent in working to reunify children with their own families, the development of policies and programs that make foster parents an integral part of agency treatment teams and the coordination and involvement of other community service resources.

Allegheny County. In 1996 Allegheny County initiated a pilot project in one of their five regional offices to move a selected number of children through the child welfare system using a three-part intervention process.¹⁰ The expected outcomes from these interventions included:

- Reduction of average length of time in foster care for children with a goal of returning home.
- Increased number of children will achieve permanent goals and exit the system.
- Reductions in length of time cases are involved with the agency from time of dependency through goal achievement.
- Records will be complete for transfer to the adoption department.

⁹The total number of children in placement and the length of time these children were in placement as reported in Table 10 was derived from AFCARS data reported by Pennsylvania to the Department of Health and Human Services. Because LB&FC staff could not be certain, however, that placement time frames were in all cases accurate, we chose not to provide information for each county of the length of time children were in placement.

¹⁰The first point of intervention was to identify dependent children who had been residing in court ordered placements for more than 90 days and who were unlikely to be returned home within the next 90 days. A Permanency Planning Team (PPT) was formed to provide technical assistance, provide suggestions for treatment interventions, and help ensure that a full adoption petition was filed in time for the 18 month review required by ASFA. The second point of intervention was to identify all cases with children 12 and under that was at 11+ months of agency involvement. The PPT will review the placement status, provide technical assistance to achieve legal sufficiency, determine if a change in placement is necessary, and ensure records are complete to ensure the placement goal can be reached. The final intervention process involved utilizing existing caseworker positions as Independent Living Specialists.

- Increase in the number of adolescents who complete independent living programs.
- Increased number of completed adoptions.

As a result of this successful pilot, Permanency Planning Conferences were begun at each regional office in 1998 administered by the County Children and Youth Services Office. Permanency Planning Conferences bring together all interested parties early in the process to discuss the needs of the child and to solicit the desires of the family regarding their children. A written plan (not the Family Service Plan) is developed detailing what each participant's responsibilities are in the coming months to best move toward the established goals for a particular child. Goals might include eventually reuniting the child with their family, terminating parental rights, or placing a child in a foster home for a determined amount of time. After three months, a facilitator brings together the participants to review the progress that has been made and to revise the plan if necessary. Allegheny County reports seeing greater rates of reunification and fewer children in the system since Permanency Planning Conferences were begun.

Another way that permanency is encouraged in Allegheny County is through the judicial process. At the time of our visit an Allegheny Juvenile Court judge was meeting with the adoption caseworkers, court reporters, and child advocates each Monday to review each case to move it forward. In his role as a judge he can use the influence of his judicial office to encourage, and, if need be, to force the children and youth office to take actions to keep a particular case moving forward to closure, either through returning the child to their family or through the termination of parental rights.

Philadelphia County. Philadelphia's Department of Human Services, Children and Youth Division, issued a policy guide in August 1996 addressing the development of permanency goals and plans for children in placement. The policy established an order of precedence that staff were to follow in setting specific case goals to achieve permanency for children entering placement and that a plan for permanency be established no later than 18 months following a child's placement. This order of precedence was to be followed in most cases, but could be altered depending on the particular circumstances.

The order of precedence for establishing goals for a child was as follows:

- Return to own home
- Placement with a relative
- Adoption
- Placement with a legal guardian/custodian
- Permanent foster family home care
- Long term placement
- Independent living

Because of ASFA, in September 1998 the DHS highlighted some of the key changes that would have to be implemented to comply with the act. Among these changes was a reform of their permanency planning policy; specifically, permanency hearings must now be held no later than 12 months after a child enters care. In November 1998 DHS developed a preliminary social service guide for staff to utilize for implementing ASFA. Because of the large number of children already in placement, specific dates for filing permanent plans and, if necessary, termination of parental responsibility filings were provided.

The implementation of the Statewide Adoption Network has had a positive impact on special needs adoptions in Pennsylvania.

The Statewide Adoption Network (SWAN)¹¹ first started in FY 1992-93.¹² In FY 1992-93 only 1 percent (8 out of 731) of adoptions finalized statewide were through SWAN contracts. By FY 1997-98, SWAN affiliates assisted counties in 44 percent (797 of 1,795) of the adoptions finalized in Pennsylvania. (See Table 11.) County adoption workers told us that they could not process the current number of adoptions without the assistance of SWAN. Even when the county itself does the adoption, they often rely on SWAN for child and family profiles, home studies, and other technical assistance.

Table 11

Adoption of Children in Foster Care

<u>Fiscal Year</u>	<u>Statewide Finalizations</u>	<u>Finalizations Assisted by SWAN*</u>
1992-93	731	8
1993-94	676	86
1994-95	1,034	214
1995-96	1,094	423
1996-97	1,415	585
1997-98	1,795	797

*SWAN-assisted finalizations are included in the statewide finalization total.

Source: Information provided by DPW.

¹¹SWAN is made up of both public and private agencies, the court system, foster and adoptive families, and others. The daily operational management is the responsibility of the county children and youth agencies who have custody of the children and the private agencies who help recruit and prepare adoptive families. A private contractor operates the information lines, serves as a liaison, and manages subcontracts with adoption agencies that perform home studies, assessments, and other adoption related services. The prime contractor for SWAN is Common Sense Adoption Services, who links the services of private adoption agencies with the county children and youth agencies. The main activities of Common Sense include: (1) training, consultation, and technical assistance; (2) system supports; and (3) direct adoption services.

¹²The implementation of SWAN addressed two of the four major recommendations of the 1991 LB&FC report, the development of a statewide adoption network and increased training on adoption issues. A third recommendation is addressed by DPW's FSSR initiative that focuses on local collaborative efforts to provide service to children and includes MH/MR service providers as well as others. A 1998 amendment to the Juvenile Act addresses the fourth recommendation by requiring the Juvenile Court Judges' Commission to develop standards governing the qualifications and training of court-appointed special advocates (CASA).

Supports provided by the SWAN contractor, Common Sense, include facilitating the regular meeting of its advisory committee, an annual adoption conference, quarterly meetings of the network, professional institutes, and other meetings open to CYS agencies, adoption agencies, and others involved in the network. Common Sense runs the Helpline, which provides information and referral for those interested in adopting children with special needs. Common Sense also maintains a free legal consultation service through the Juvenile Law Center in Philadelphia, produces and distributes a quarterly newsletter, updates the Adoption Help Manual, and provides a media campaign to recruit new adoptive families.¹³ For FY 1998-99, Common Sense budgeted just over \$1 million to provide these support services.

Most of Common Sense's \$7.3 million budget for FY 1998-99 is earmarked for adoption services, including Child Profiles, Family Profiles, Placement Services, and Finalization Services. County children and youth agencies can request any or all of these services to assist them in finalizing the adoption of a child.

According to DPW officials, SWAN is a successful program. Although there have been some disputes with the contractors, the system is solid and getting stronger. SWAN is meeting its intended goal of combining private and public systems to find families for children who need them.

SWAN Adoption Funding Shortfall. Funding for Common Sense Adoption Services is based on the completion of key benchmarks, or units of service, in the adoption process. Toward the end of FY 1997-98, DPW became aware of a payment problem for SWAN services. The original budget for FY 1997-98 included \$3.7 million covering 2,926 units of service. However, DPW found Common Sense had payment obligations for 4,274 units of service which had not been forecasted. According to DPW officials, this occurred because: (1) agencies were allowed to bill the contractor for indirect referrals that were not budgeted; (2) the tracking and monitoring system did not track and obligate funds for accrued referrals that were stacking up over time; and (3) there was a lack of documentation to promptly identify the extent of the outstanding obligations.

DPW put a temporary hold on new referrals to the SWAN contract until the Department could assure funding to pay for all services. Activities continued for services already in process. DPW worked with the contractor to identify all outstanding referrals and to project when services were expected to come due for payment. By committing additional federal funds and identifying needs-based budget funds that were available to purchase adoption services, the Department was able to increase the SWAN contract to include \$5.8 million for units of service in FY 1997-98. The Department also committed to fully fund the \$7.3 million total projected budget for the FY 1998-99 SWAN contract.

¹³Marketing and Network Communications were removed from the contract for FY 1998-99 and FY 1999-2000.

DPW has required that Common Sense discontinue the practice of accepting and paying for unauthorized and indirect referrals to affiliates. DPW's tracking and monitoring systems are being redesigned to track referrals against funding and provide early warning when they do not match. DPW has also requested a contract audit to further assess the need for additional tracking and management controls. DPW believes that with these actions the situation surrounding the shortfall has been remedied.

PA's Adoption Exchange. Pennsylvania's Adoption Act, 23 Pa.C.S.A. §2101 *et seq.*, requires DPW to provide a Pennsylvania Adoption Exchange which registers children with special needs and attempts to match these children with adoptive parents who have expressed an interest in adopting such a child. In 1998, 629 new children with special needs registered with the Pennsylvania Adoption Exchange, as did 279 families. Almost 300 registered children had their adoptions finalized during 1998. The Exchange is a specialized component of the Statewide Adoption Network which provides a matching and referral service, a photo listing book of available waiting children, and access to a national adoption registry for special needs children. Although the contractor for the Statewide Adoption Network provides some similar types of services, DPW believes that the Adoption Exchange is unique in that it provides a necessary connection with other states and regional registries and is important in providing the authority of a state agency.

The Adoption Exchange is required to publish an annual report on the functions of the exchange and to provide statistical information regarding children registered with the exchange. This annual report has not been submitted for the past three years. The Exchange is currently preparing a report covering this three-year period.

ASFA Imposes Additional Requirements

DPW expects the impact of the Adoption and Safe Families Act on the number of adoptions to be gradual because of the phase-in timetable for children currently in the children and youth system. The first wave of children who have been in the system will require termination of parental rights under the new ASFA timelines beginning May 30, 1999. Some children will be returning to permanent placement with their families because of the ASFA emphasis on permanency through reunification or relative placement. DPW has indicated that they will be able to respond to the increase in the number of adoptions expected as a result of ASFA. However, they will also need to increase the recruitment of adoptive and foster families.

Increased Costs. Some counties expressed concern about the increased costs which they expect to result from ASFA requirements. Some county courts have told the counties that court resources are not available for the increased number of hearings expected to result from ASFA implementation. Allegheny County has been able to fund the increased court costs through funding from local

foundations. DPW indicated that it is not able to fund increased court costs and has been discussing this issue with the Juvenile Court Judges' Commission. DPW officials proposed that the increased use of court masters for these types of hearings could help to minimize costs. DPW officials also pointed out that a recently proposed federal Senate bill (S 708) would provide financial assistance for these increased court costs by providing grants to state or local courts to reduce backlogs of abuse and neglect cases.¹⁴

The Adoption Assistance Program (discussed further in Chapter V-B) will also affect costs.¹⁵ More children will be available for adoption and the need for adoption assistance will also increase (foster care costs for adopted children would, of course, no longer be needed). The Adoption Assistance Program varies greatly from county to county.¹⁶ For example, at least three counties reportedly have not provided adoption assistance, while others set limits or caps on the dollar amounts and length of time the payments will continue. According to a child welfare advocate group, adoptive parents are not necessarily aware of what adoption assistance is available and counties do not always provide this information.

DPW officials acknowledged that some counties have been reluctant to provide adoption assistance. Accordingly, the Department issued a Bulletin to clarify its position on Adoption Assistance in March 1999. Officials also told us that during their licensing reviews regional staff will look more closely at adoption cases for compliance with adoption assistance guidelines.

Adoption Act Review. According to the Juvenile Law Center, Pennsylvania's Adoption Act, 23 Pa.C.S.A. §2101 *et seq.*, may require amendments to complement changes made to the Juvenile Act resulting from federal ASFA requirements. The Joint State Government Commission is conducting a comprehensive review of Pennsylvania's adoption laws and plans to release a report with recommended amendments within the next year.¹⁷

In January 1999 draft guidelines were issued by an interdisciplinary expert work group that states nationwide were encouraged to consider when drafting legislation to ensure that every child in the public welfare system has a safe and

¹⁴This bill would also provide for grants to state and local courts for the development and implementation of an automated data collection and case tracking system for proceedings of an abuse and neglect court, for technical assistance and specialized training, and to expand the CASA program.

¹⁵The Federal Adoption Assistance and Child Welfare Act of 1980, Pub.L. 96-272, provides for adoption assistance to the states.

¹⁶A 1997 PCYA survey of the use of adoption assistance by its member agencies showed a wide variation in the understanding, use, and implementation of adoption assistance across the state.

¹⁷Senate Resolution 72 of 1995 directed the Joint State Government Commission to establish a task force and advisory committee to study issues relating to adoption law in Pennsylvania. A 28 member advisory committee is considering the following areas of Pennsylvania's Adoption Act: terminations, search and information, placement and costs, and special needs adoptions.

permanent home.¹⁸ The guidelines are intended to assist states as they focus on issues affecting child welfare practice and the courts and to facilitate clear policy choices to better achieve permanence. The guidelines identify several assumptions that states should consider when developing laws to promote permanent placements:

- Every child deserves a safe and permanent family.
- Children's health and safety is a paramount concern that must guide all child welfare services.
- Children deserve prompt and timely decision-making as to who their permanent caregivers will be.
- Permanency planning begins when a child enters foster care; foster care is a temporary setting.
- Adoption is one of the pathways to a permanent family.
- Adoptive families require supports after the child's adoption is legalized.
- The diversity and strengths of all communities must be tapped.
- Quality services must be provided as quickly as possible to enable families in crisis to address problems.

Among the areas the guidelines encouraged states to address through legislation were options for permanency, be that reunification with the birth family, adoption, permanent guardianship, stand-by guardianship, or long-term foster care with a permanent family. The guidelines also made specific recommendations that states should address legislatively when defining what "reasonable efforts" actually are and should include, how court processes should be handled, the need for non-adversarial case resolution, termination of parental rights, and standards for legal representation of children, parents, and the child welfare agency.

¹⁸Adoption 2002: the Presidents Initiative on Adoption and Foster Care, *Permanency for Children: Guidelines for State Legislation (Final Draft)*, January 1999.

IV. Program and Service Delivery Issues and Concerns (Continued)

B. Service Delivery Approaches

Table 4 in Chapter II-B shows the types and percent of children's services (dependency and delinquency) each county purchased in FY 1997-98. As the table shows, statewide 71 percent of total county expenditures in FY 1997-98 went to reimburse private contractors who provided in-home, community-based, institutional, and administrative services to the counties. For FY 1996-97, total county expenditures also amounted to 71 percent for reimbursement to private contractors. In many counties, virtually all direct services are provided through contract with private agencies. County officials reported that privatizing in-home services has permitted specialized and targeted programming and has allowed county caseworkers to more effectively manage case outcomes.

Counties are responsible for case management.

The federal Adoption Assistance and Child Welfare Act of 1980, Public Law 96-272, requires states to establish a system of case management.¹ Each child is to have a case plan designed to achieve placement in the least restrictive setting available consistent with the best interest and special needs of the child. Either a court or other appropriate panel must review the status of each child at least once every six months. Pennsylvania's Child Protective Services Law, at 23 Pa.C.S. §6375(g), requires the counties to monitor the provision of services, evaluate the effectiveness of the services, conduct in-home visits, and make a periodic assessment of the risk of harm to the child. County agency staff is required by DPW regulation, 55 Pa. Code §3130.31, to ensure direct case management of cases accepted for service by the county agency.²

Federal law permits contracting out the case management function, although according to DHHS officials, federal reimbursement is not provided if case management is conducted by a for-profit entity. Federal reimbursement is allowed if the case management function is delegated to a nonprofit entity. The public agency, however, would need to continue to have supervisory responsibilities for the contract with the nonprofit entity.

¹This is a statewide information system from which the status, demographic characteristics, location, and goals for the placement of every child in foster care or who has been in such care within the proceeding 12 months can readily be determined.

²This includes developing family service plans; responsibility for the child's placement and care and for assuring that services are provided as required in the family service plan; scheduling and conducting case reviews; filing petitions or motions with the court; and revising the service plans as required by the case review process. This function cannot be delegated by the county to a private provider.

DPW regulations preclude counties from contracting out the case management function to private agencies. Although DPW indicated the requirement could be waived, state and county officials cited four reasons for having counties perform case management functions under existing statute and regulation. First, the Family Service Plan attached to a court order is developed by the county worker, not a caseworker employed by a private provider that the county might be contracting with to provide services. Second, they believe county caseworkers are the most appropriate to present the plan, which is to be updated and its progress justified every six months, before a judge. The judge can then hold the county directly responsible for discrepancies or lack of attainment of the plan's goals and objectives. Third, a child often receives services from several service providers; it is the county caseworker's job to keep those records organized and monitor the providers. Finally, they believe county caseworkers are more likely than private contractors to provide additional assistance to families beyond the specific services called for in the Family Service Plan.

Some have argued, however, that requiring the case management function to be done by county employees is duplicative and inefficient. One large Philadelphia area private provider noted that the children and families in their program have two caseworkers--the private provider's caseworker and the county caseworker. They believe this to be duplicative, citing Philadelphia as an example. Although the city now contracts with private providers to deliver virtually all direct services, the city's casework staff has continued to increase rather than decrease. This provider believes, especially given Philadelphia's computerized contract management systems, the money spent on these caseworkers could be better used to fund direct services. (Philadelphia Department of Human Services officials explained to us that the number of caseworkers has increased in part because they are managing more complex and diverse services for an increasing number of children and their families.) Allowing private providers to conduct the case management function could also alleviate some of the problems cited in Chapter V of this report related to civil service and other personnel constraints often found in county government.

New Approaches to Service Delivery. *Lehigh County.* In October 1998, Lehigh County announced an intended relationship with Foster America planned to begin in July 1999 to "result in a separate foster and residential care placement component that would be supervised by the county and the courts." The goal was to increase the number of children receiving permanent placement and decrease the length of time required to achieve placements. Foster America was to be responsible for finding appropriate foster care or residential placements for children who the courts and the county C&Y had determined needed to be removed from their home. The county C&Y agency was to maintain case management responsibilities. By allowing a private agency to be responsible for placements, it was anticipated that case managers would have additional time to concentrate on investigations, family reunification/termination responsibilities, and monitoring the effect of services that

clients are receiving. However, because of federal, state, and local concerns about cost, the effect on nonprofit agencies, and the quality of care that would result, Lehigh County reported in late May 1999 that it would not proceed with the contract because it could not risk the loss of needed state and federal funds. Instead, the county expects to work with DPW to develop an alternative program which will still meet its needs.

Allegheny County. A pilot program involving 10 child welfare services agencies and the Allegheny County Department of Human Services, Division of Children, Youth and Families (CYF) is anticipated to begin in June 1999. The goal of the pilot "is to provide a continuum of coordinated services, resulting in improved outcomes at a cost that is the same as or less than that which is spent in the current system." Planning for the pilot, known as the Integrated Delivery Network for Youth and Families (IDN), began in 1994, but it was only in January 1998 that the final 10 child welfare services agencies were chosen to participate.

The pilot will cover a three-year period and will enroll no more than 10 children each year, for a total of 30 maximum. Children will be referred by Allegheny CYF and no referral may be refused by IDN. CYF will refer every seventh child that is being removed from their home to ensure that the pilot includes a random sample. Allegheny CYF will also identify and track a control group of children who will receive services in the manner that has traditionally been provided by the county. Over time, this will allow a comparison between the children who received services through the pilot and those who did not. The University of Pittsburgh will conduct an outcome-based study of the pilot as it proceeds looking at both programmatic and fiscal areas. In practice, after referral the IDN network team composed of two clinical representatives from each agency will meet to develop clinical protocols, review the case, and initiate any services that are needed in the first 20 days (a liaison from Allegheny CYS also will participate).

Managed Care Approaches in Other States. In October 1998, the General Accounting Office (GAO) released a report describing states' efforts to implement managed care in their child welfare systems.³ The GAO found that nationwide managed care is a new phenomenon; managed care programs had been implemented in 13 states, with new initiatives planned or being considered in over 20 more states. The two primary elements found in these programs are their emphasis on a prepaid, capitated payment system to control costs and discourage providers from providing unnecessary services and the coordination of service needs through a single entity to improve clients' access to quality care. They found that most ongoing initiatives involved those foster children with the most complex and costly service needs. Where these managed care programs have been adopted, public agencies

³*Child Welfare, Early Experiences Implementing a Managed Care Approach*, General Accounting Office, October 1998.

have established various quality assurance techniques to hold service providers accountable for outcomes.

The experiences of the initiatives GAO examined indicate that child welfare agencies face three principal challenges as they seek to implement a managed care approach. First, many public agencies need to find ways to maintain an adequate cash flow as they make prospective payments to service providers, especially given federal reimbursement restrictions. Second, accurate and timely information on services and outcomes is critical. The final challenge, according to the report, is the dramatic change in traditional roles and responsibilities. Public agency staff need to adjust to performing less direct client casework and focusing more attention on contract and system management, as private entities assume new responsibilities for managing child welfare services. Some public agencies have had to downsize the public workforce and retrain and move the remaining staff into new roles as contract managers or quality assurance workers. At the same time, private contractors have found themselves becoming quasi-governmental entities as they assume what were formerly public agency functions, such as direct responsibility for complying with federal and state procedural and paperwork requirements; hiring, training, and retaining qualified staff to perform new case management or administrative functions; and managing and monitoring a network of service providers.

A number of counties have instituted enhanced contract management practices/procedures, but further developments appear needed.⁴

As most child welfare services are provided through contracts with private agencies, effective monitoring and management of service contractors is essential. Several counties' approaches were brought to our attention during the course of this project. Additionally, PACWIS, the statewide child welfare computer project, should help counties monitor providers.

Philadelphia Experience With Contract Management. Philadelphia contracts out for most services and has a contract management unit staffed with individuals who perform annual inspections of providers. This is in addition to DPW's annual licensing review of private provider agencies. Philadelphia has a process whereby it qualifies contractors prior to a contract being awarded and services being provided. Philadelphia sends potential providers a packet of information telling them what they have to do to qualify.

Philadelphia has a standard professional services contract that is used with providers. The contract defines the role of the contractors specifying their responsibilities. Children and youth caseworkers/social workers are engaged in the

⁴PACWIS, the new child welfare case management system being implemented by DPW, is based on Philadelphia's FACTS system. The PACWIS system, when implemented, will afford most counties additional capabilities in managing contractors.

contracting process when necessary. The contract monitoring unit has six staff, although an addition of four staff and one supervisor is planned due to the volume of work. These employees are responsible for doing assessments of approximately 206 separate provider agencies. They cover a five-county area and are to make a site visit every year; however, this usually occurs only once every 14 months.

The county has developed contract monitoring tools that are used when staff performs their annual inspections of providers. Contract monitoring staff do not duplicate DPW's review of provider agencies; rather, they look at their own standards. Generally, they will select 20 files to review for compliance with DHS standards. Providers' services are clearly spelled out in the contract; however, it is difficult to know absolutely that these services are being provided and in the best way possible. Although the county can look at the number of times a provider saw a client, they do not have a method to evaluate the quality of those visits. Philadelphia DHS officials are trying to address outcomes in its contracts to provide this type of quality review.

Allegheny Initiative to Build Performance-Based Contracting. An Allegheny County initiative seeks to make a departure from the old way of assessing purchase of service effectiveness. In the past, the cost of the service purchased was analyzed, as was the use of the particular service. This information was a good starting point, but did not give program administrators an idea of program outcomes. The performance-based contracting process works to overcome this shortcoming by holding contractors responsible for providing services according to defined performance standards.

These standards have to be clearly set, definable, and measurable, and must define both process and outcome components. Once the standards are agreed upon, they must be written into contract language to be enforceable. Allegheny County has adopted a standard contract that sets general terms and conditions, establishes a certain baseline of service delivery, and uses work statements as a mechanism to allow providers to answer questions of service delivery. The development of performance standards through these contracts was not completed as of May 1999; county officials planned to implement the standards as soon as possible.

IV. Program and Service Delivery Issues and Concerns (Continued)

C. Suspected and Substantiated Reports of Child Abuse

Act 1994-151, which amended the Child Protective Services Law (CPSL), defines child abuse as any of the following when committed upon a child under 18 years of age by a perpetrator:¹

1. Any recent act or failure to act which causes nonaccidental serious physical injuries.
2. An act or failure to act which causes nonaccidental serious mental injury or sexual abuse or sexual exploitation.
3. Any recent act, failure to act or series of such acts or failures to act which causes an imminent risk of serious physical injury or sexual abuse or sexual exploitation.
4. Serious physical neglect constituting prolonged or repeated lack of supervision or the failure to provide essentials of life, including adequate medical care which endangers a child's life or development or impairs the child's functioning.

When ChildLine (800-932-0313), established by the CPSL, receives a call of suspected abuse, ChildLine staff notifies the pertinent county children and youth agency. These agencies must have staff on duty 24 hours each day or have "on-call" workers so that they may receive the forwarding call from ChildLine. If a call comes in directly to the county agency, they notify ChildLine so that DPW may set up a file in the pending complaint file. (Table 12 depicts ChildLine activity for 1995 through 1998.)

Any citizen may report suspected child abuse.² However, mandated reporters--persons who in the course of their employment come into contact with children--must report suspected abuse when seeing a child whom they have reasonable cause to suspect is being abused. Mandated reporters include, but are not limited to:

Licensed Physician	Osteopath
Medical Examiner	Coroner
Funeral Director	Dentist
Optometrist	Chiropractor
Podiatrist	RN and LPN
Member of the Clergy	School Administrator
School Teacher	School Nurse
Social Services Workers	Day Care Center Worker
Mental Health Professional	Law Enforcement Official

¹This definition is limiting in that the perpetrator must be a parent, paramour of a parent, or the person responsible for the welfare of the child or an individual residing in the same home as a child.

²Please see Appendix L relating to false and malicious reporting.

A person or official required to report who willfully fails to do so commits a summary offense for the first violation and a misdemeanor of the third degree for a second or subsequent violation.

Once a report has been made, child protective services staff of the county children and youth agency investigates to determine the status of the allegations of child abuse. The investigation must be completed in 30 days. The child abuse investigation must determine whether the report was founded, indicated, or unfounded. The Child Protective Services Law defines these terms as follows:

- **Founded** - there is judicial adjudication that the child was abused
- **Indicated** - the child protective staff finds that abuse has occurred based on medical evidence, the CPS investigation or by an admission of the perpetrator.
- **Unfounded** - there is lack of evidence that the child was abused.

Founded and indicated reports of abuse are considered substantiated. Amendments made to the Child Protective Services Law in 1994 require that substantiated reports of child abuse be kept on file in both the statewide central registry of child abuse and on file within local county children and youth agencies until the victim reaches 23 years of age. If the date of birth or social security number of the perpetrator is known, then ChildLine indefinitely keeps that person's information on file. Unfounded reports of child abuse until recently were required to be destroyed within 120 days of the receipt of the report by the Department. Act 1998-127 amended this requirement to require unfounded reports of suspected child abuse to be maintained for one year after the date the report was received by the Department. The report is to be expunged no later than 120 days after the expiration of one year. This amendment went into effect on March 1, 1999.

Table 12

ChildLine Statistics

<u>Item</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>
Total Number of Calls into ChildLine	83,112	84,294	85,245	86,971
Number of Reports of Suspected Child Abuse Received at ChildLine.....	24,109	23,666	22,688	22,589
Number of Suspected Reports That Are Substantiated ...	6,891	6,183	5,691	5,392
Number of Substantiated Reports in Abuse Registry.....	83,112	83,145	83,360	82,957
Number of Act 33 Clearance Requests	102,304 ^a	191,149 ^b	239,466 ^b	263,177 ^b
Number of Persons Seeking Clearance Who Are Perpetrators of Child Abuse	423	614	895	1,020
Average Time to Process Each Clearance Request.....	12 Days	14 Days	>4 Days	>4 Days
Expenditures for ChildLine	\$1,918,731	\$2,324,072	\$2,298,326	\$2,382,760
Expenditures for Act 33 Clearance Program.....	\$ 167,156	\$ 185,727	\$ 213,045	\$ 246,474
Number of Suspected Child Abuse Reports Made by Mandated Reporters.....	16,100	16,014	15,517	15,606
<u>Breakdown of Mandated Reporters:</u>				
Private Doctor/Nurse	630	593	663	600
Dentist.....	6	13	19	16
Private Psychiatrist/Psychologist.....	420	462	511	504
Public Health Department	49	45	42	59
Hospital.....	3,321	3,042	2,700	2,830
Law Enforcement	1,712	1,629	1,643	1,698
School	5,374	5,457	5,403	5,169
Day Care Staff.....	340	379	356	381
Clergy	45	29	47	39
Residential.....	512	580	502	608
Coroner	10	8	4	11
Courts.....	79	76	72	60
Public MH/MR Agency.....	721	728	685	757
Other Public/Private Social Service Agency.....	2,881	2,973	2,870	2,874

^aIncludes childcare workers and prospective adoptive and foster parents.

^bIncludes applicants in footnote a/ plus public and private school employees.

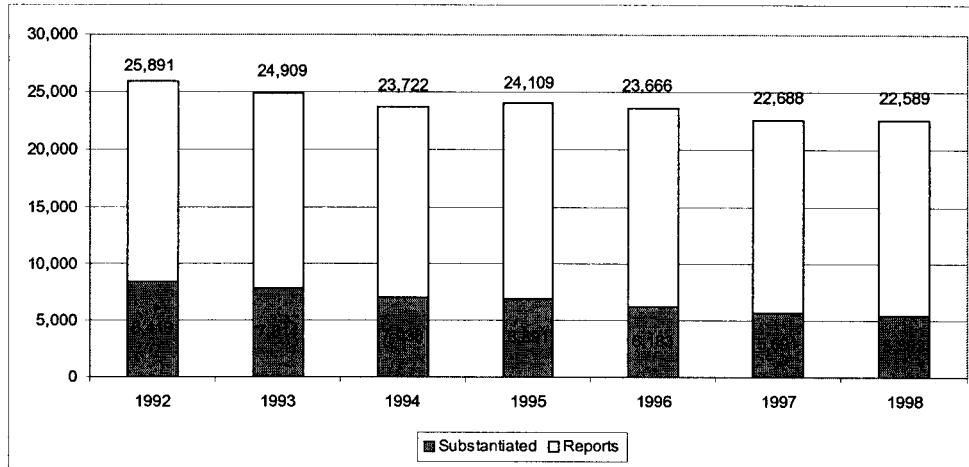
Source: Developed by LB&FC staff from information obtained from DPW.

Rates of Reported and Substantiated Child Abuse Have Been Decreasing

Over the past four years (1995-1998) both the number of reports of child abuse and the number of reports found to be substantiated have been decreasing (see Exhibit 10). In 1995, there were 24,109 reports of suspected child abuse compared to 23,666 in 1996, 22,668 in 1997, and 22,589 in 1998. The number of these reports found to be substantiated has also steadily decreased from 6,891 in 1995 to 5,392 in 1998.

Exhibit 10

Reports of Child Abuse and Substantiated Reports (1992-1998)



Source: Department of Public Welfare, *1998 Child Abuse Report*.

Although reporting and definitional differences make meaningful comparisons difficult, recent statistics released by the Child Welfare League of America for 1996 show Pennsylvania as having the second lowest rate of substantiated reports of abuse and neglect in the nation, with only North Dakota having a lower rate. Pennsylvania's rate of 2.1 substantiated reports per 1,000 children in the population compares to a national average (median) of 13.2 per 1,000 children. The Child Welfare League report also shows Pennsylvania as having the lowest rate in the nation (8.2) of reports referred for investigation per 1,000 children in the population.

Pennsylvania's low rates appear due, at least in part, to a more restrictive definition of what constitutes child abuse. Pennsylvania's definition of abuse refers to "serious physical injury" or "imminent risk of serious physical injury." Many states do not specify "serious" injury. It could be expected, therefore, that Pennsylvania's rate of abuse would be lower than the national average.

The Child Welfare League report, which notes that differing state policies and data collection methods make it difficult to compare individual states, also comments as follows:

Pennsylvania's low rate reflects only reports of suspected serious abuse and serious physical neglect. All other neglect reports in Pennsylvania are handled through a general protective services investigation rather than a child protective services investigation. The number of children in Pennsylvania handled through general protective services was unavailable. Therefore only those handled through child protective services are reflected in this data, perhaps creating the mistaken impression that there may be significantly less child abuse and neglect in Pennsylvania than elsewhere.

Although accurate statistics are not available on the number of children in Pennsylvania receiving general protective services, we estimate, based on the data that is available, that about twice as many children are receiving general protective services than are receiving child protective services.³ If these children were added to Pennsylvania's figures, the number of children found to be abused or neglected would increase from 2.1 per 1,000 to about 6.3 per 1,000. With this adjustment, Pennsylvania would still be below the national average, but would be in line with states such as New Jersey (5.3), Kansas (4.7), and Virginia (6.3).

Substantiation Rates Vary Widely Among Counties

The percent of reports found to be substantiated also vary widely--from 47.7 percent in Snyder County to 9.5 percent in Chester County (see Table 13). The variation was even greater in 1997, ranging from 77.8 percent in Forest County to 10.2 percent in Bucks County.

Table 13

Selected County Child Abuse Data (1997 and 1998)

	1997		1998	
	High	Low	High	Low
Total Reports	Philadelphia - 5,036	Sullivan - 18	Philadelphia - 4,884	Forest - 7
Per 1,000 Children	McKean - 15.3	Franklin - 3.0	McKean - 15.2	Elk - 2.6
Substantiated Reports	Philadelphia - 1,672	Montour - 4	Philadelphia - 1,538	Forest - 3
Per 1,000 Children	Forest - 11.4	Bucks - 0.4	Northumberland - 4.4	Bucks - 0.4
Percent Substantiated	Forest - 77.8%	Bucks - 10.2%	Snyder - 47.7%	Chester - 9.5%

Source: Developed by LB&FC staff from information from the Department of Public Welfare's *Child Abuse Report*.

The wide variation among counties appears attributable to several factors. Although county intake units are to use a standard form and procedure to assess the risk of a report of suspected abuse or neglect, county practices appear to vary in how they treat incoming calls. Some counties may open a file and investigate such reports, while other counties may not open a case or may refer the caller to another agency, such as the county mental health or drug and alcohol agency. Such practices may affect the number of abuse reports received and thus the percent of reports substantiated, which is calculated based on the number of reports received.⁴

³In FY 1997-98, DPW's CY 855 report showed 44,343 children in protective services--child abuse, and 88,111 in general protective services. These are not unduplicated counts but do show an approximate 2:1 ratio between the two.

⁴These practices may also affect the extent of general protective services (GPS) counties offer. There appears to be wide variation in county GPS expenditures. For example, in FY 1997-98 the general protective services category of expenditures statewide averaged 61 percent of child protective services expenditures, ranging from 93 percent in Forest County to 14 percent in Philadelphia County. General protective services expenditures were above the statewide average in 42 counties. Only six counties, including Philadelphia, reported spending more for child protective services than general protective services.

We noted that the 13 counties reporting the highest percentages of substantiated cases were all small counties with populations of less than 100,000, with most (10) having populations of less than 50,000. In such small counties, relatively small differences in the number of cases substantiated can make a significant difference in the percentage of cases substantiated. For example, Elk County had 23 reported cases of abuse in 1998, of which 9 (39 percent) were substantiated. Fulton County had 21 reported cases of abuse, of which 4 (19 percent) were substantiated. Thus, although Elk County substantiated only five more cases of abuse than did Fulton County, when viewed in terms of the percentage of cases substantiated the two counties would appear to be vastly different. Variation in training, community values, and county agency policies may also play a role.

Potentially of more concern are counties that substantiate a low percentage of reported cases as these counties may be overlooking evidence of abuse. However, we found that the counties with the lowest percentage of substantiated abuse were among the wealthiest counties in the state and were also among the top-rated counties in the Commonwealth for overall child well-being. The three counties with the lowest percentage of substantiated reports in 1998 are Chester (9.5 percent), Bucks (10.3 percent), and Montour (13.3 percent). Chester and Bucks also have the state's lowest rates of substantiated reports per 1,000 children; Montour is fourth lowest.

Chester, the Commonwealth's second wealthiest county as measured by 1996 per capita income, was rated by the Pennsylvania Partnerships for Children as the state's sixth best county for overall child well-being.⁵ Bucks, the fourth wealthiest county, was rated as the Commonwealth's top county for overall child well-being. Montour, the sixth wealthiest county, was rated fourteenth for overall child well-being. As poverty has been closely associated with child abuse, it would appear reasonable that these counties have low substantiation rates.

We also conducted a regression analysis to determine the statistical relationship between a county's fiscal and personnel resources and the percent of suspected reports subsequently substantiated. We found no statistical relationship between a county's child welfare expenditures (per children in the population) and the percent of substantiated cases of child abuse. To illustrate, in 1997 Adams, Chester, and Clarion Counties all spent approximately \$100 per child in the population, but varied in their substantiation rates (23, 17, and 35 percent, respectively).

We did, however, find a weak ($r = .249$) correlation between the number of reported cases of child abuse per county caseworker--a workload measure--and the percent of cases subsequently substantiated. The regression, based on 1998 figures, was significant at the .05 level, but could explain only 6 percent of the variance in the percent of cases substantiated.⁶

⁵The overall measure of child well being combined 12 measures of well being in the areas of health status, economics, and service provision. This measure was last computed by the Pennsylvania Partnerships for Children in 1996.

⁶We also did the regression from 1997 and also found a weak ($r = .332$), but statistically significant, correlation. In 1997, the correlation explained 11 percent of the variance in the percent of cases substantiated.

IV. Program and Service Delivery Issues and Concerns (Continued)

D. Adequacy of Intake and Outreach Procedures

Intake procedures, while meeting basic state requirements, vary from county to county.

According to DPW's Children, Youth and Families Manual, there are two ways in which a client is accepted for service by a county. A county must accept a client for service if a court order transfers custody of a child to the county agency pursuant to provisions of the Juvenile Act or a county may decide to accept an individual as a client based on the needs and problems of the individual. Counties must promptly investigate and evaluate every report of neglect, abuse, and exploitation of a child to determine the validity of the report and take necessary steps to remedy such conditions.

Intake begins when a situation requiring agency action is brought to the attention of the county agency. DPW regulations require that the county agency must undertake an investigation within 24 hours of receiving such a report. The agency must conduct an intake study or investigation to determine whether protective services or some other service will best meet the needs of the child and family. The investigation includes a determination of the risk of harm to the child if they continue to remain in their home.

Counties handle the intake process differently throughout the state. In some counties, a separate intake/referral unit receives the initial calls. These caseworkers collect enough information to make a determination of whether an investigation should occur or the call should be referred for other services. In other counties, caseworkers may rotate through intake duty, becoming responsible for cases as they are received. Some counties with an overall Department of Human Services (DHS) may have a generic intake and referral unit that receives all calls and determines which agency is most appropriate to handle the case.¹ Caseworkers may refer families to other community resources for food, shelter, financial, or other assistance.

All of the counties we visited during this study used a similar intake screening form to determine the nature of the allegation and to gather information to determine if agency action is required. The intake screener, in consultation with an intake supervisor, assesses whether an immediate response is needed based on the potential risk to the child.

¹Children, Youth and Families; Drug and Alcohol; Mental Health; Aging; and Welfare are possible referral agencies.

An overall severity/risk rating is to be assigned to each case assessment based on the interaction of all factors and should be noted in the Risk Assessment Summary. The initial risk assessment (safety assessment) is made during the screening process and requires three decisions to be made: (1) Should the case be accepted for investigation and evaluation? (2) What is the risk level? (3) What is the appropriate response time? A second more in-depth risk assessment is required to be made within 60 days. DPW policy requires additional risk assessments be completed every six months in conjunction with the Family Service Plan or judicial review. A risk assessment is also required when a child is being returned to the home. Risk assessment documentation may be done at any time the agency supervisor requests; however, county agencies may exceed the interval policy. A final risk assessment is required within 30 days prior to closing the case.

Although DPW requires the counties to report the number of information and referral calls received on their CY28 reports, we were cautioned that the county reported data was not a reliable source for analysis, and DPW does not maintain an unduplicated child count for families in service who are not in placement. We, therefore, could not determine the percentage of calls received that resulted in a case being opened. We attempted to compare the number of calls received to the number of new cases for each county agency, but such information was not available.

Certain county children and youth agencies also expressed concern to us that, because of welfare reform, caseworkers in other social service programs have begun directing clients to the C&Y system to apply for services. These additional referrals are causing increased clients and costs for the C&Y system. According to one county director, the county agencies must deal with high-risk abuse cases, but because of resource constraints, other cases may not get as much attention.

Risk assessments for general protective service investigations. The Child Protective Services Law was amended by Act 1994-151 to require each county children and youth agency to implement a state-approved risk assessment process for reports of suspected child abuse and neglect cases accepted for service by the county agencies effective July 1, 1997. DPW issued CY&F Bulletin 3490-97-01 to present its policy which is being used until final regulations are published. DPW draft regulations, expected to be published as final in spring 1999, include this risk assessment model and require its use not only for all child protective service investigations but also for general protective service evaluations. All counties are to use the Pennsylvania Risk Assessment (PRA) model as developed by the Risk Assessment Task Force.² This model includes three categories and 15 factors to assess the risk level for the child and other children in the home. The three categories are

²Pennsylvania was one of the first states to develop and require such a risk assessment tool. Other states have subsequently developed such tools even more enhanced than Pennsylvania's. County and state officials, however, indicated that Pennsylvania's risk assessment tool is adequate.

Child Abuse Environment, Caregiver/Household Members/Perpetrator, and Family Environment. (See Appendix M for a copy of the PRA.)

Based on our licensure reviews and county field visits, it appears that counties are generally in compliance with the statutory requirement to use a state-approved risk assessment process to investigate child protective services cases. However, because the requirement to use a formal risk assessment process for general protective service cases is just going into effect, we were not able to assess the use of such a tool for all cases during this study. Regional directors recognize the variation that exists in county intake practices and pointed out that this new requirement will reduce this variation.

Counties undertake efforts to publicize the availability of children and youth services.

Pennsylvania's Child Protective Services Law (23 Pa. C. S. §6383) requires that the Department and each county agency conduct a continuing publicity and education program for the citizens of the Commonwealth. This effort is to be aimed at preventing child abuse and child neglect, identifying abused and neglected children, and providing necessary ameliorative services.

County administrators told us that often they, or their casework supervisors, provide outreach and educational efforts in their county. They accomplish this by presenting information on the agency's mission and available services at the meetings of various local organizations. They also are often members of local panels, task forces, and advisory groups that were formed to address the needs of children in their community. The level of involvement varies from county to county. For example, Allegheny County has a person assigned solely to public relations. The county has a director's complaint line, participates in town meetings, publishes a parents' handbook, and presents information at community meetings. It also has community advisory boards in each region of the county.

The Director of Philadelphia's Intake Services Unit indicated that he wishes they could spend more time dealing with community relations and prevention, rather than just dealing with problems after they have occurred. His social workers just do not have time, however, because of the number of new cases that come in every week. He goes out personally to undertake community relations work, chiefly explaining what the purpose of DHS is as a whole and the role of the intake section. He sees this as key because better community awareness means fewer erroneous incoming calls.

DPW encourages the counties' outreach efforts by holding statewide and regional conferences, seminars, and workshops. The Department also publishes an annual Child Abuse Report which includes statistics on the number and types of child abuse reported annually both statewide and by county. DPW officials told us

that regional staff may check for such outreach efforts during the licensure review process. The Department, however, has not addressed this requirement further in regulation, compliance with the statutory requirement is not included in the monitoring checklist used in the annual licensure review. A DPW official agreed that the Department needs to do more monitoring in this area.

Limited resources for prevention services. County administrators, supervisors, caseworkers, and others believe that the C&Y system needs to focus more on prevention and support rather than serving in a reactionary role. Families are presenting with more complex problems than in the past and need services before an abusive situation occurs.

Some county administrators told us that they do not have the resources to provide additional prevention services. They would like to see non-categorical funding dollars approved during the needs-based budgeting process which would permit them the flexibility to assign resources to prevention services. DPW believes such funding is already available, and the Department is prepared to fund such activities if counties present them in the annual needs-based budget plans. The Department points out, however, that prevention activities need not be high-cost activities. Enhanced collaboration and cooperation with other social service agencies are important components of a prevention program.

County prevention initiatives. *Allegheny County* has 22 family support centers funded through several funding streams, including foundation funding. These centers serve the community by providing parenting skills training and services to prevent people from needing the C&Y system. The CYF is also involved with a number of prevention-oriented initiatives aimed at youth in the county such as Communities That Care, Youth Places, and Youth Works.

Forest County's Focus on Forest's Future (FFF) initiative includes a coordinator and a student support specialist who provide support and liaison between the schools, service agencies, and families and children. The program also provides several child focused programs such as a "Y Without Walls" which provides YMCA programs at various locations throughout the county. Another FFF program involves a partnership between FFF, the school district, the tourist promotion agency, and the local industrial development corporation to train high school students on web site development and to enhance computer and job skills.

Montgomery County Commissioners designated five regional Youth Councils to address critical support needs of families and youth in the county. Funded entirely with county dollars, the county supported 35 prevention and support projects since 1995. These include parenting instruction, conflict resolution, youth enrichment programs, life skills training, substance abuse prevention programs, and

others. The Youth Council establishes objective measurements for each project and the results indicate a satisfactory level of achievement.

The Federal Family Services System Reform Initiative (FSSR) assists counties in their outreach and prevention efforts.

DPW uses funding from Title IV-B of the Social Security Act to encourage interagency and outreach projects to develop comprehensive child and family service systems. According to DPW, the FSSR is intended to strengthen families by building enduring community-wide integrated service networks which build on family strengths, resources, and natural supports and addresses needs families cannot otherwise meet themselves. Communities are asked to examine their existing service resources and, through a collaborative planning process, decide how those resources should be used to support a new service delivery model.

Improving child and family outcomes in six areas is the primary purpose of this initiative. These include prenatal and children's health, healthy development during childhood, school readiness, school success, family stability, and safe communities. Applications must include the participation of county government and the targeted school district and also indicate participation of a health care representative, and at least three parents or consumer representatives. Fifty counties have received both planning and implementation grants under the FSSR Initiative. Grants range from \$66,000 to \$550,000 and totaled over \$8 million in FY 1997-98. In addition to the grant funding, participating counties have access to technical assistance provided by full-time consultants.

Potter County is using its FSSR funds to implement a Mobile Family Center. The unit brings a wide array of social services directly to the five major communities in the county. *Schuylkill County* received a three-year grant to start a community-wide computerization effort that will include a web site for children and youth services and information kiosks in local malls. *Erie County* is using FSSR funds in conjunction with other funding sources to provide a comprehensive approach in dealing with issues facing families and children on a local level. Programs included in the Erie County effort include the Erie County Network for Adolescent Pregnancy Prevention, CTC Delinquency Prevention Program, The Union City Family Center, and the Erie Family Center for Child Development.

Counties that receive FSSR funding must submit quarterly fiscal reports and semi-annual status reports to DPW, including specific, measurable changes or impacts in the well being of children, adults, families, or communities. DPW logs the receipt of these reports and then forwards the report to the consultant assigned as technical assistant to that project. The technical assistant reviews the reports to identify areas needing additional support and makes modifications to future

programming accordingly. DPW, however, does not maintain summary information on the FSSR reports.

A DPW official told us that the FSSR initiative has been successful in assisting local communities improve outcomes for children and families through a collaborative process. The intent is to get the community to identify local priorities and then to help develop strategies to address those priorities. The FSSR grants provide flexible funding for the counties to use as needed to accomplish these goals.

IV. Program and Service Delivery Issues and Concerns (Continued)

E. Coordination With Other Human Services Systems

Drug and Alcohol: Children and youth system approaches to recognizing and serving children and youth and families with drug and alcohol issues may need improvement.¹

There appears to be a need to improve identifying and serving children and families with drug and alcohol problems. Because of the inter-relatedness of alcohol and drug issues and child abuse, the children and youth system has searched for methods to better recognize and serve children and families with substance abuse problems.

County casework staff in Pennsylvania all are subject to a training program called the Pennsylvania Child Welfare Competency-Based Training and Certification Program. The CORE training component of this effort consists of 9 workshops comprising 120 hours of training. The workshops are designed to provide children and youth staff with the fundamental attitudes, knowledge, and skills necessary to provide services to children and their families. The workshops cover topics such as risk assessment, adoption, family preservation, and the effects of abuse and neglect on child development.

The CORE curriculum does not include a workshop on serving clientele with drug and alcohol issues or the identification of such substance abuse issues. Additional training, however, which addresses knowledge and skill areas specific to the caseworkers' job duties, is offered through the Competency-Based Training and Certification Program. The curriculum currently has 12 approved workshops addressing areas of substance abuse knowledge, caseworker skills, and value competency. During the first three quarters of FY 1997-98, 23 workshops were offered throughout the state in substance abuse competency areas. A total of 452 staff attended these workshops.

Based on the need for training and coordination in the area of substance abuse, OCYF has formed a work group comprised of public drug and alcohol system representatives, children and youth officials, and private providers. The work group, in existence for about a year, has tackled information sharing strategies,

¹Until recently, the confidentiality requirements of the Alcohol, Drug Abuse and Control Act restricted access to limited information (i.e., whether the client is or is not in treatment, the prognosis of the client, the nature of the process, a brief description of the progress of the client, and a short statement as to whether the client has relapsed into drug or alcohol abuse and the frequency of such relapse) in client records. This had been cited as a concern by several children and youth stakeholders who reported needing access to information to document a person's past or present involvement with drugs or alcohol to better assist the child or family. Act 1998-126 amended the Juvenile Act to allow access to the entire patient record with a court order. The impact of this change was not known as of May 1999, but is expected to lead to enhanced access to this information.

cross-system training issues, and the need for additional drug and alcohol training for children and youth workers. It recently held a teleconference on drug and alcohol issues that was observed by 600 persons at a number of remote locations.

Mental Health: There appears to be a shortage of mental health services for children and youth clients, especially adolescent children.

One of the major challenges facing children and youth services workers is the perceived increase in mental health problems in both the children and the parents of the families. One Cumberland County provider of child residential treatment services, responding to our questionnaire, stated that “over the past few years, approximately 50 percent of our client population has been on psychotropic medications. Many of our clients have one or more psychiatric diagnoses.”

While there is no statistical data to prove there is an increase in mental health problems, comments from children and youth administrator and caseworker questionnaires included the following:

- The biggest problem in the system is more mental health problems in the families, with both the children and the families we serve.
- We are seeing much more mental health [issues] in families than we used to.
- There is an increasing number of youth and families with serious mental health problems.
- The number of substantiated child abuse reports has increased significantly over the last five years because there is an increase in children with mental illness.

Our children and youth caseworker questionnaires included the following comments:

- The mental health division of our county does not like to take on the mental health treatment of [C&Y] children.
- There is a lack of appropriate psychological and psychiatric services for mental health clients.
- There is a lack of full-time mental health staff in the counties.
- There is a long waiting list for counseling services.
- More mental health services are needed for teen girls.
- There is too long of a time lapse between the mental health referral and the provision of services. These delays can last two to three months.
- The turnover for mental health providers is excessive.

We discussed the availability of mental health services, especially for adolescents, with staff of DPW’s Office of Mental Health and Substance Abuse Services. They stated that each county has a Child and Adolescent Service System Program (CASSP) which is to work collaboratively with children and youth services, among others, to access needed mental health services for youth, especially for children who are receiving in-home services. As far as they were aware, this collaboration is

taking place. They were not aware of a particular shortage of adolescent mental health services or of a time delay in the delivery of services.

As regards children who may need mental health services on an inpatient basis, DPW points out that these services are available at residential treatment facilities. For those facilities that are non-JCAHO affiliated (Joint Commission on the Accreditation of Health Care Organizations), federal Title IV-E program funds are available to pay the room and board for qualified residents. Such a payment allows the children to be admitted and available to receive mental health services.

Allegheny County Mental Health Initiative. In an effort to help children and their families with mental health issues, the Allegheny County Department of Human Services has developed the *Community Connections for Families* (CCF) program through the federal Substance Abuse and Mental Health Services Administration with a grant from the Comprehensive Community Mental Health Services for Children with Serious Emotional Disturbances (SED) Program. A \$4.86 million grant was awarded over five years beginning in October 1998 to implement a family-focused, community-based system of care for children and adolescents with SED in Allegheny County. The program will initially be conducted at five sites, each of which will be given enough funds for four full-time employees and for the maintenance of a "Flex Fund," which will provide employees with monies to assist children and families in an emergency. The grant is intended to allow for better quality of care to be provided for no additional cost to the system.

More than 500 children ages 6 to 14 and their families are expected to receive a broad spectrum of individualized, highly accessible, culturally competent, and coordinated mental health and support services. The services, which will be offered through coalitions of agencies already based within the communities, include in-home behavioral therapy, psychiatric care, support networks, advocacy, respite care, and parent training and empowerment. Each family will be assigned a family coordinator who will develop just one service plan for the child and the family. This plan will be used by the children and youth system as well as by the mental health services system as provided by the new CCF project.²

Philadelphia Initiatives. In Philadelphia, the Office of Mental Health and Mental Retardation, with the support of a grant from the Center for Mental Health Services, has developed a Family Advocacy Initiative for children with serious emotional disturbances. The two objectives of the project are to establish a network of school-linked behavioral health services for children in a severely under-served area of South Philadelphia and to reform the child serving system to better integrate

²The Community Connections for Families project will be assessed annually by a national evaluator. The assessment will consist of qualitative methods, such as in-depth interviews with system of care participants, such as program and county staff and service providers as well as record reviews and reviews of documents (policy manual, public relations materials, etc.).

behavioral health services into a comprehensive system of care. The basic principle of this initiative is that the child and the family are not merely “recipients or consumers” of services. Rather, families and their children are the foundation of the system of care and should be empowered in all aspects of the delivery of behavioral health care to the children.

The Director of Children’s Services for the Philadelphia Office of Mental Health and Mental Retardation stated that attention to children’s mental health needs, especially those of dependent adolescents, has improved in recent years. She stated that, while there needs to be further collaboration or identification of mental health service needs, the Commissioner of Human Services is a member on the Community Behavioral Mental Health Board, which emphasizes in-home mental health services.

Mental Health: Fourteen-year-olds have the statutory right to refuse mental health services which can create difficulties for the children and youth system’s ability to serve abused and neglected children and families.

According to the Mental Health Procedures Act, 50 P.S. §7201 *et seq.*, children aged 14 and older have the right to refuse mental health services. Such a refusal often results in the child being referred to the children and youth system, when in fact the child does not need children and youth services, but mental health services.

Children and youth administrator questionnaires included the following comments regarding mental health services:

- Children age 14 and over must give consent for treatment and services.
- Mental health regulations permit a 14-year-old to refuse mental health services.
- Guidelines state that children over 14 need to agree to obtaining services for mental health.
- The problem with mental health services is that a 14-year-old is able to refuse services.

Our visits to counties amplified this concern. Most of the counties we visited reported not only a lack of sufficient mental health services, but also frustration about 14-year-old and older youths’ ability to decline services. In some cases, the counties noted that children and youth programs may not be effective in the absence of mental health services.

House Bill 342, with the House Judiciary Committee as of May 1999, would raise the age from 14 to 18 in order for teens to refuse mental health services. Act 1997-53 has already provided for this as regards drug and alcohol services. It allows a parent or a legal guardian to petition a court for involuntary commitment of a minor under 18 years of age into drug and alcohol treatment services.

Schools and Education: Neither the Pennsylvania Department of Education (PDE) nor the Department of Public Welfare (DPW) has offered guidance to the counties related to a 1995 statute which mandates school district referral of chronic truants to county children and youth systems.

Act 1995-29 (First Special Session) amended Section 1333 of the Public School Code to require that school districts refer to the county children and youth agency for possible finding of dependency those children under age 13 who fail to comply with the compulsory attendance provisions of the act and are habitually truant.³ According to DPW officials, this referral would trigger an assessment of the child and family by the county children and youth agency.

Neither DPW nor PDE has issued any regulations, formal policy, or guidance as to how school districts and county children and youth agencies should collaborate to address truancy issues. Both PDE and DPW officials reported never having discussed the issue, although both departments indicated that such collaboration would be good.

Currently, each county agency handles truant referrals by developing its own policy. In many cases, the agency works with the local school districts and the juvenile court to provide services when needed. For example, a countywide truancy protocol was developed in Indiana County. School districts, the district justices, children and youth services, and the Juvenile Probation Office worked together to design a procedure to minimize the occurrence of truancy in the schools.

The Washington County C&Y agency had obtained a waiver from DPW, allowing it to direct truancy referrals directly to two private agencies which specialized in providing truancy services. Under the waiver, the private agencies provided all case management and other services for truancy related issues. This eliminated the need for a county caseworker to be involved in every truancy referral. The waiver has expired, and truancy cases are again being investigated by county caseworkers. The private agencies are still contracted to provide truancy services when deemed appropriate.

PDE has sponsored initiatives aimed at maintaining students in school and require collaborative efforts to deliver services to at-risk youth. For example, the Successful Students' Partnership (SSP) is a statewide dropout prevention initiative based on the premise that the dropout problem is a community and school problem and both must combine resources in order to address it. SSP funds are used to improve academic achievement, decrease dropout rates, and deal with truancy issues. Another PDE program, the Education Mentoring Program, provides grants to local,

³Additionally, the definition of dependent child in the Juvenile Act includes a child who is habitually truant from school.

non-profit, community organizations that mentor students at risk of truancy and dropout.

Despite these efforts, county agencies informed us of increasing numbers of truants being referred to the children and youth agency, rather than the school districts addressing the truancy issues themselves. This increases the total workload for the county agencies and reduces the amount of resources available for other protective services. One county administrator told us that truancy referrals in that county have gone from 35 referrals a year to approximately 700 per year.

County children and youth administrators also advised us that sometimes school district officials do not sufficiently understand the function of the C&Y agency. The school staff often has unrealistic expectations of what the agency can and should do and lack understanding of child welfare mandates and regulations. Some schools do not want to deal with children who have serious problems and look to the C&Y agency as a solution to their problem. Truancy, however, may be an indication of more serious family problems and, therefore, warrants appropriate attention.

Law Enforcement: While effective coordination and cooperation generally exists, DPW recognizes that there is a need for further efforts and is taking measures to address this need.

Several county children and youth administrators and caseworkers commented that police do not sufficiently understand the Child Protective Services Law (CPSL) and the role of the Children and Youth Services agency. A number of private service providers stated that the police have insufficient respect and understanding for children and youth regulations and obligations, with several indicating they have a poor working relationship with the police. They also believe that police need enhanced knowledge of the services available to children and their families.

Several county children and youth administrators stated that it is difficult to coordinate and share information with law enforcement officials and that law enforcement officials are not held to the same time frames as children and youth staff; therefore, all paperwork is not always submitted in a timely manner. Caseworkers and caseworker supervisors commented that there can be a lack of cooperation from police and that law enforcement response time takes too long. They need more support from the police. Follow-up on cases is a problem with some law enforcement entities. Private service providers remarked that police are also reluctant to look for runaways and are slow to respond.

In response to the need for law enforcement training and as a result of the recent changes in child welfare laws, DPW is developing a training program for law enforcement personnel. In conjunction with the PA District Attorney's Association

(PDAA), the PA Commission on Crime and Delinquency (PCCD), and the Governor's Children's Partnership, DPW is developing a curriculum that will train law enforcement personnel and provide them with technical assistance in working with children in the children and youth system. PCCD will fund the training in the first year and DPW will fund it in succeeding years. The PDAA plans to hire a person with background experience in both the child welfare and the law enforcement fields. It is expected that it will take two years to train all the law enforcement officers in the Commonwealth.

Juvenile Court Judges: Increased juvenile court judge participation in children and youth planning, service development, and training may be needed.

Congress, through the Omnibus Budget Reconciliation Act, established the National Court Improvement Project in 1993.⁴ This project provided \$35 million over a four-year period to help state court systems improve the handling of abuse, neglect, foster care, dependency, and adoption cases. The first year was dedicated to completing assessments of each participating state's court system and how that system processes its dependent, neglect, and abuse caseload. Successful completion of the assessment qualifies the state for six years (through FY 2001)⁵ of funds.

Several recommendations for improving the juvenile courts' handling of dependency cases were made as a result of Pennsylvania's assessment. Examples are:

- Amend legislation to encourage substantive hearings early in the dependency process.
- Amend legislation to establish hard timelines for initial disposition on dependency petitions.
- Train judges in child abuse and neglect cases.
- Require attorneys representing children and parents in dependency proceedings to meet minimum qualifications and training requirements.

Other areas of concern included:

- Courts need to make more thorough inquiries into reasonable efforts of state agencies in preventing the removal of a child from the home, and if the child is removed, in reunifying the family.
- Court hearings are not substantive; hearings are cursory and hurried, there are overwhelming backlogs, limited court time, lack of training for judges, attorneys, and caseworkers; and lack of service resources.
- Courts lack an efficient automated information system to track cases.
- Courts lack orientation programs for judges prior to serving as a juvenile court judge.

⁴Omnibus Budget Reconciliation Act of 1993, Section 13212.

⁵Pursuant to the Adoption and Safe Families Act.

In 1995 the National Council of Juvenile and Family Court Judges issued resource guidelines for improving court practice in child abuse and neglect cases. These guidelines are recommended for use by judges, court personnel, social service workers, attorneys, and other related professionals in the conduct of court hearings and specify the elements necessary for a fair, thorough, and speedy court process in child protection cases. The guidelines cover all stages of the process, from the preliminary hearing until family court involvement has ended. These guidelines indicate that training for judges is essential, but that judges do not devote a significant portion of their training time to juvenile court matters. The guidelines recommended that training take place in the local jurisdiction and include the judges, courtroom clerks, and other social services representatives.

We received comments regarding the need for judicial training from caseworkers, CYS administrators, child advocates, and juvenile court judges. For example, one county Department of Human Services (DHS) official believed that many judges in family court do not understand DHS' role or the operation of the dependency and delinquency systems. One juvenile court judge who was new to juvenile court commented on the need for training. Child advocates stated a need for more than legal training and recommended training on child development and psychology.

The Juvenile Court Judges' Commission has provided training on dependency issues at its training sessions, but such training is not required. The Executive Director of the Commission believes that ongoing training on the laws, processes, and child development for judges and masters should be offered. He also suggests that judges who are new to juvenile court should receive training since the processes of the court differ from those of the other courts. Training on the amendments to Pennsylvania law to implement the Adoption and Safe Families Act is scheduled for early summer 1999 and includes participation of juvenile court judges, masters, and county solicitors.

The 106th Congress is considering Senate Bill 708 that recognizes the importance of training for judges and other court personnel. The bill seeks to improve the administrative efficiency and effectiveness of the nation's abuse and neglect courts and the quality and availability of training for judges, attorneys, and volunteers working in such courts. This bill provides funding for such training programs and other purposes consistent with the Adoption and Safe Families Act of 1997.

V. Fiscal/Personnel/Administrative Issues and Concerns

A. Needs-Based Budgeting Results and Concerns

Most county children and youth administrators reported that they are satisfied with the statutory provisions in Act 1991-30 regarding the Commonwealth's needs-based budgeting process.¹ However, DPW's implementation and approach to the process is a key issue to most children and youth stakeholders. County administrators' comments focused mainly on how DPW modifies the needs reported by the counties to determine the counties' certified amounts, delays in informing counties of their allocations, and delays in paying counties for services rendered. Several counties also noted that the Act 30 appeals process is slow and cumbersome. DPW has initiated a comprehensive review of the needs-based budgeting process that it believes will, in time, significantly improve the process.

Many counties appear confused over how DPW arrives at its certified numbers.

Under the needs-based budget process established in Act 1991-30, counties are to determine their financial needs to meet mandated county social services and provide these budgets to DPW. DPW staff review the budgets and determine what they believe to be the counties' needs, which are known as the certified needs. Many counties report not understanding how DPW determines these certified budget figures, and they do not believe the certified numbers reflect their actual needs.

According to the Public Welfare Code, the Department is to consider whether the county's budget is reasonable in relation to past costs, projected cost increases, number of children in the county and the number of children served, service level trends, and projections of other sources of revenue. The regulations, 55 Pa. Code §3140.17, require the Department to determine if the budget contains information required in the instruction bulletin, required services are provided, services are consistent with the state children and youth objectives, and costs are in accordance with the statute and related regulations.

As shown in Table 14, for FY 1997-98 counties requested \$699.7 million for children and youth dependency services. DPW certified \$650.1 million, and counties spent \$665.6 million. This shows a percentage difference of 7.1 percent between requested and certified for the year. Thus, DPW certified \$49.6 million less than

¹To learn more about needs-based budgeting issues and concerns, we asked the 67 county administrators to comment in our questionnaire. Most (78 percent) reported that the needs-based budget they submit to DPW fairly and accurately portrays the financial needs of their county. However, 42 of 50 respondents expressed concerns about the process after they submit their budgets. We also discussed the needs-based budgeting process with county administrators, fiscal staff, and, in some cases, county commissioners; we attended the Pennsylvania Children and Youth Administrators (PCYA) quarterly meetings; we met with OCYF central office officials and regional directors; we spoke with a Department of Auditor General official, and we reviewed their report on issues in late DPW child welfare payments.

Table 14

Comparison of County Children and Youth Services Dependency Budget Requests, Certified Amounts and Expenditures* (FY 1997-98)

County	Budget Request	DPW Certified Amount	Estimated Actual	% Difference Certified Est. Actuals	County	Budget Request	DPW Certified Amount	Estimated Actual	% Difference Request/ Certified	County	Budget Request	DPW Certified Amount	Estimated Actual	% Difference Certified Est. Actuals
Adams	\$ 2,731,471	\$ 2,354,803	\$ 2,251,207	(4.4)%	Lackawanna	\$ 8,682,147	\$ 8,468,994	\$ 6,947,533	(2.5)%	Lackawanna	\$ 8,682,147	\$ 8,468,994	\$ 6,947,533	(18.0)%
Allegheny	95,815,540	88,180,507	88,232,714	0.1	Lancaster	10,657,466	10,133,282	11,251,273	(4.9)	Lancaster	10,657,466	10,133,282	11,251,273	11.0
Armstrong	2,553,700	2,369,097	2,918,067	23.2	Lawrence	2,663,250	2,602,918	2,980,867	(2.3)	Lawrence	2,663,250	2,602,918	2,980,867	14.5
Beaver	5,326,562	5,079,716	4,970,470	(2.2)	Lebanon	2,411,118	2,411,118	2,469,429	0.0	Lebanon	2,411,118	2,411,118	2,469,429	2.4
Bedford	1,247,968	1,198,467	1,224,884	2.2	Lehigh	13,933,733	13,873,733	13,348,605	(0.4)	Lehigh	13,933,733	13,873,733	13,348,605	(3.8)
Berks	27,483,414	23,710,186	24,176,736	2.0	Luzerne	13,619,323	13,471,882	12,801,601	(1.1)	Luzerne	13,619,323	13,471,882	12,801,601	(5.0)
Blair	2,894,167	2,870,535	3,720,704	29.6	Lycoming	5,140,128	5,193,262	4,945,557	1.0	Lycoming	5,140,128	5,193,262	4,945,557	(4.8)
Bradford	2,138,251	2,138,260	2,720,728	27.2	McKean	1,858,862	1,810,249	1,761,028	(2.6)	McKean	1,858,862	1,810,249	1,761,028	(2.7)
Bucks	14,026,782	14,026,782	13,367,079	(4.7)	Mercer	2,855,201	2,855,201	2,804,293	0.0	Mercer	2,855,201	2,855,201	2,804,293	(1.8)
Butler	2,736,838	2,728,982	2,860,216	4.8	Mifflin	1,227,162	1,021,148	1,165,096	(16.8)	Mifflin	1,227,162	1,021,148	1,165,096	14.1
Cambria	5,456,273	5,167,699	5,534,414	7.1	Monroe	7,385,502	7,385,502	4,446,368	0.0	Monroe	7,385,502	7,385,502	4,446,368	(39.8)
Cameron	559,971	615,279	615,279	0.0	Montgomery	13,336,016	13,283,523	11,695,563	(0.4)	Montgomery	13,336,016	13,283,523	11,695,563	(12.0)
Carbon	1,389,631	1,389,631	1,470,135	5.8	Montour	455,628	420,173	495,132	(7.8)	Montour	455,628	420,173	495,132	17.8
Centre	3,918,550	3,804,668	4,403,429	15.7	Northampton	15,203,682	14,270,256	15,748,383	(6.1)	Northampton	15,203,682	14,270,256	15,748,383	10.4
Chester	15,133,205	14,044,844	10,594,175	(24.6)	Northumberland	3,555,957	3,220,176	3,694,829	(9.4)	Northumberland	3,555,957	3,220,176	3,694,829	14.7
Clarion	1,217,449	1,052,232	993,621	(5.6)	Perry	895,718	888,270	977,696	(0.8)	Perry	895,718	888,270	977,696	10.1
Clearfield	2,563,505	2,239,079	1,693,811	(24.4)	Philadelphia	267,051,500	243,612,055	261,839,099	(8.8)	Philadelphia	267,051,500	243,612,055	261,839,099	7.5
Clinton	1,144,736	1,144,756	1,334,023	16.5	Pike	472,842	452,859	498,171	(4.2)	Pike	472,842	452,859	498,171	10.0
Columbia	1,732,769	1,732,769	1,349,370	(22.1)	Potter	1,015,309	589,059	534,280	(42.0)	Potter	1,015,309	589,059	534,280	(9.3)
Crawford	5,236,837	4,689,947	4,272,094	(8.9)	Schuylkill	6,360,470	6,360,470	6,381,100	0.0	Schuylkill	6,360,470	6,360,470	6,381,100	0.3
Cumberland	3,524,392	3,042,173	3,905,518	28.4	Snyder	1,195,097	1,093,221	806,744	(8.5)	Snyder	1,195,097	1,093,221	806,744	(26.2)
Dauphin	11,060,216	10,567,704	11,821,266	11.9	Somerset	2,954,482	2,858,997	3,346,326	(3.2)	Somerset	2,954,482	2,858,997	3,346,326	17.0
Delaware	25,591,031	22,684,475	21,575,000	(4.9)	Sullivan	291,335	291,334	243,086	(0.0)	Sullivan	291,335	291,334	243,086	(16.6)
Elk	745,342	745,074	745,074	0.0	Susquehanna	1,304,438	1,304,436	1,096,084	(0.0)	Susquehanna	1,304,438	1,304,436	1,096,084	(16.0)
Erie	14,310,610	14,198,410	13,956,532	(1.7)	Tioga	2,969,430	2,875,631	2,601,546	(3.2)	Tioga	2,969,430	2,875,631	2,601,546	(9.5)
Fayette	2,781,950	2,673,313	2,493,888	(6.7)	Union	848,261	820,034	965,590	(3.3)	Union	848,261	820,034	965,590	17.7
Forest	330,042	299,819	252,951	(9.2)	Venango	1,406,197	1,374,004	1,378,021	(2.3)	Venango	1,406,197	1,374,004	1,378,021	0.3
Franklin	1,943,241	1,737,417	2,040,794	(10.6)	Warren	2,733,174	2,733,172	2,267,420	(0.0)	Warren	2,733,174	2,733,172	2,267,420	(17.0)
Fulton	403,669	403,669	294,311	(27.1)	Washington	9,391,755	8,167,558	9,159,515	(13.0)	Washington	9,391,755	8,167,558	9,159,515	12.1
Greene	987,363	962,994	1,357,332	40.9	Wayne	2,663,975	2,524,152	2,088,846	(5.2)	Wayne	2,663,975	2,524,152	2,088,846	(17.2)
Huntingdon	1,681,850	1,681,851	1,676,279	(0.3)	Westmoreland	17,710,228	17,612,299	16,896,311	(0.6)	Westmoreland	17,710,228	17,612,299	16,896,311	(4.1)
Indiana	1,736,990	1,722,261	1,486,248	(13.7)	Wyoming	898,630	898,630	777,081	0.0	Wyoming	898,630	898,630	777,081	(13.5)
Jefferson	1,073,212	1,028,373	1,127,142	9.6	York	14,771,815	12,642,107	15,453,925	(14.4)	York	14,771,815	12,642,107	15,453,925	22.2
Juniata	299,658	286,574	342,247	19.4	Total	\$699,697,016	\$650,092,051	\$665,644,136	(7.1)%	Total	\$699,697,016	\$650,092,051	\$665,644,136	2.4%

*These amounts do not include administrative costs.

Source: Developed by LB&FC staff from CY 855 Budget Requests for FY 1996-97 through FY 1999-00.

requested, and the counties spent \$15.6 million more than DPW certified. As shown in Table 15, 21 counties received cuts of greater than 5 percent between their requested amounts and the amount DPW certified as being needed.

Table 15

County Budget Request and DPW Certified Amounts
(FY 1997-98)

<u>Percentage Change Between Budget Request and Certified Amount</u>	<u>Number of Counties FY 1997-98^a</u>
More Than 14 Percent Decrease	3
Between 11 and 14 Percent Decrease	8
Between 6 and 10 Percent Decrease	10
Between 3 and 5 Percent Decrease	17
Between 0 and 2 Percent Decrease	12
No Difference	15 ^b
Increase in Certified Amount	2 ^c
 Total Number of Counties	 67

^aFor FY 1996-97, no certified data was available for dependency only numbers. When we included dependency and delinquency numbers, no county certification was greater than or equal to the budget request. Thirty-nine counties had a percent decrease between 0 and 5; eleven counties, between 6 and 10; and seventeen, greater than 10.

^bSullivan, Susquehanna, Warren, Bucks, Carbon, Columbia, Fulton, Lebanon, Mercer, Monroe, Schuylkill, Wyoming, Huntingdon, Bradford, and Clinton Counties.

^cLycoming and Cameron Counties were certified for 1.0 percent and 9.9 percent more than requested in their needs-based budgets.

Source: Developed by LB&FC staff from DPW needs-based budgeting documents, CY2 and CY 855.

For 27 counties the estimated actual expenditures were greater than the county's original needs-based budget request.² About half the counties (33) had estimated actual expenditures more than DPW certified amounts (an "overmatch"). Philadelphia had the highest overmatch (\$18.2 million) followed by York County (\$2.8 million) and Northampton County (\$1.5 million). Nearly one third of the counties were on target, within \$100,000 of the certified amount. Five counties underspent by more than one million dollars, including Chester County at the high of \$3.5 million.

The Pennsylvania Children and Youth Administrators believes the monies allocated to, but not spent by, such counties should be reallocated to those counties that spent more than their certified amounts.³ DPW believes, however, it may not be prudent to reallocate this money because it may be needed for unexpected costs,

²Estimated actual expenditures include three quarters of actual expenditures, with the last quarter being estimated until fiscal year-end reports are resolved.

³The Pennsylvania Children and Youth Administrators is the statewide organization of county child welfare administrators.

such as to meet new ASFA and CPS regulations. Other reasons include the lack of clear statutory authority for such a reallocation and the long time frame to reconcile the budget that would prevent immediate use of unspent dollars.

A common criticism made in response to the questionnaire we sent to county administrators was that the certification process is unclear and there is little correlation between county requests and the state certified figures. Some counties believe that DPW must have a "secret" formula. Others believe that DPW knows basically what each county will be given before the budget is submitted. Another commented that "a certain percentage is used regardless of what [budget] we prepare." Others believe that certified numbers are simply based on the previous year's submission. One county administrator stated that the protocol for certifying numbers is in direct conflict with the concept of the needs-based budgeting because it does not look at unique county factors.

One county administrator stated, "When we receive our certified numbers each year, we receive no explanation, feedback or documentation as to how DPW arrived at these numbers. We simply receive a one page list of numbers." Reductions are not explained, leaving less money to provide the same services. Another county administrator stated:

[The county] not only experienced nonreimbursed child welfare expenditures (overmatch) for FY 1996-97 but also for FY 1997-98. These two fiscal years totaled nearly \$1 million in overmatch costs for bona fide child welfare expenditures. Tentative certified figures are issued. These figures may change well into the fiscal year. An example from FY 1996-97 is offered. On May 27, 1997, with one month of the fiscal year remaining, we learned that our State Act 148 allocation was going to be reduced by almost 10 percent. We were counting on that extra \$116,524 for our FY 1996-97 program. Consequently, the county's overmatch grew larger with a final overmatch figure of \$657,083, absorbed solely by the county, in addition to the \$518,748 which the county contributed in the normal course of conducting child welfare business during FY 1996-97.

Our child placement population started to significantly increase during spring and summer 1996. In the summer of 1996, working on the FY 1997-98 plan, we identified \$1,456,375 as the State Act 148 funds figure required to operate our county's child welfare program based upon what we were experiencing. The Act 148 allocation which was certified, however, was reduced by State officials by \$200,000 less than our request. Overmatch of \$377,685 was experienced during the fiscal year ending June 30, 1998.

Another county administrator wrote:

When a county prepares its needs-based plan and budget, it is required to develop an expenditure plan based upon current year certified revenues and expenditures as opposed to current year actual revenues and expenditures. This practice permits the state to only recognize under carryforward [column]

proposed expenditures in relationship to the current year certified level as opposed to the actual level experienced by the county. This is contradictory to the needs-based plan and budget concept.

The county administrators also noted that the Department's needs-based budget requests/forms are unwieldy, duplicative, complicated, and time consuming, and data requests are inconsistent. See Appendix N for the number of forms required. Others noted that the process does not provide for unforeseen excessive expenditures. Another stated that counties are constantly resubmitting budgets to accommodate new funding streams. One county administrator wrote:

Our experience has been that once we submit a needs-based budget plan and budget, the county is essentially excluded from the review and negotiation process except for issues, which have to do with clarity of information or the submission of additional information. The flaw is that the state is not meeting individually with the county to review and discuss in detail the needs-based plan and budget. Were the state to hold such a meeting, a better understanding would be developed between the state and the county regarding services, personnel, planned increases in services and spending, revenues needed, and many other items of mutual concern.

DPW Perspective. According to OCYF officials, DPW tries to review the budget requests for reasonableness, given the types of services each county provides. A computer program is run comparing submissions to a number of factors.⁴ In some cases, according to DPW officials, counties predetermine how much they can afford as the county match; thus, the county budget submission may not be adequate to meet the service needs. The OCYF Deputy Secretary stated that DPW looks at the actual expenditures in determining certified numbers and would like the counties to rely on their actuals rather than prior year certified figures in preparing their budgets.

OCYF prefers that the counties use the needs-based budget (NBB) as a planning tool and indicates that programmatic criteria should drive fiscal planning. OCFY believes that in the past fiscal issues, rather than programmatic needs, have often been preeminent. Many county administrators also need to improve at writing a plan, according to OCYF officials. DPW's regional staff trains the counties on what information is needed, but some counties do not include such information. DPW pointed out that the regional staff support increases in county budget requests if counties can justify the need.

According to OCYF officials, the counties need to improve at linking program planning with budget development, which they presently do not do well. DPW acknowledges that its NBB training, held in May of each year, has not provided

⁴According to DPW officials, these factors include units of service, unit costs, allowable carryforwards, prior year average costs plus the COLA indicating what units of service should cost, and level of increased service indicating the allowable number of caseworkers. We did not conduct an independent review of the program.

training to the counties on the use of the budgeting process as a planning and policy development tool. Training on the needs-based budgeting process is limited to information on the requirements for a specific year's budget submission, i.e., a how to follow the steps in the bulletin training. Counties have commented to us that their fiscal staff is not given sufficient training and support. As a result of the NBB retreat, the NBB training curriculum has been revised to include planning and policy development.

Also of concern is the lack of technical assistance provided to the counties. DPW is putting together a manual to help the counties and to clarify rules and expectations. DPW has a consulting contract with IHSM for technical assistance on Title IV-E funding. The consultant has visited 20-30 counties to determine county processes for drawing down Title IV-E monies.

OCYF acknowledges that its NBB guidelines do require counties to report redundant and unimportant information, and to not report certain important information. Although DPW staff meet with counties to review their needs-based budgets, OCYF believes it needs to improve in communicating with counties after they arrive at the certified need figures.

DPW budgetary guidelines, certification allocation, and payments are not timely.

County administrators also report that they receive the allocation letter informing them of their certified budget numbers and child welfare payments in an untimely manner. Neither the statute nor the regulations set a deadline for when the Department must release the NBB guidelines or when to notify counties of their certified budget numbers. Although counties are required by regulation to submit a quarterly report of expenditures within 45 days of the end of each quarter, no deadline exists for DPW to make payments to the counties.

Allocation Letters. DPW's goal for notifying counties of their certified numbers is May of the upcoming fiscal year for tentative allocations and November or December of the budget year for final allocations. For FY 1996-97 the tentative allocation letters were sent September 10, 1996, and the final allocation letters were sent July 16, 1997, after the close of the fiscal year. According to an OCYF official, DPW did not adhere to the time frame because the passage of federal welfare reform legislation changed the assumptions upon which the county needs-based levels were calculated. The tentative allocations then had to be recalculated. For FY 1997-98 the tentative allocation letters were sent May 5, 1997, and the final allocation letters were sent April 28, 1998. For FY 1998-99 no tentative allocation letters were sent; instead final allocation letters were sent August 5, 1998. For FY 1999-2000 tentative allocation letters were sent March 15, 1999.

As expressed by one county administrator, “We are concerned about the timeliness of the State to provide true certified numbers at budget time. Almost without exception we are forced to work without final certified numbers.” Counties state that response time is very delayed with certified numbers not given to counties until the fiscal year begins.

Payments to Counties. Reimbursements to counties also appear to be slow and unpredictable. One county complained that OCYF nit-picks, e.g., they send back the invoice if it does not have the right color ink or is one cent off. “[Slow] payments to counties adversely impact on a county’s ability to maintain an adequate cash flow to cover expenditures,” according to a county administrator. As shown below, payment delays of 90 days or more appear common.

Erie County. We were informed during our December 1998 Erie County visit that the county currently owed \$1.3 million to children and youth and juvenile placement providers that it was unable to pay because of delayed DPW payments. According to county data, from June 30, 1998, through October 31, 1998, DPW owed the county children and youth services federal and state money ranging from \$4.9 million to \$8.2 million. As of October 31, 1998, the amount owed was \$6.7 million. Erie County officials indicated that one third of the amount owed was 90 days overdue, one third 60 days overdue, and one third 30 days overdue.

Lycoming County. In its \$8 million budget, at any given time, Lycoming County reports being owed by DPW \$1-3 million for children and youth and juvenile delinquent expenditures. The county provided us with the following Act 148 time frame data for FY 1997-98:

<u>Quarter</u>	<u>Date Quarter Ended</u>	<u>Date Report Submitted</u>	<u>Date Payment Received</u>
1 st quarter actuals.....	9/30/97	11/11/97	3/13/98
2 nd quarter actuals.....	12/31/97	2/17/98	4/27/98
3 rd quarter actuals	3/31/98	5/13/98	9/15/98
4 th quarter actuals	6/30/98	8/14/98	1/6/99

Allegheny County. Allegheny County provided us with the following data documenting delays of DPW children and youth payments:

<u>Date of Submission</u>	<u>Receipt Date</u>	<u>Days Lapsed</u>
6/3/97	7/15/97	42
6/24/97	9/18/97	86
7/15/97	9/29/97	76
12/17/97	4/3/98	107
3/12/98	4/3/98	22
5/7/98	6/26/98	50
7/16/98	10/23/98	99
12/11/98	2/22/99	73

Philadelphia County. According to Philadelphia County, DPW children and youth payments are untimely. In one instance, the fiscal officer reported sending seven copies of an invoice to DPW and still not receiving payment for that invoice because DPW says that they have never received the invoice. In 1994 its Comptroller estimated that Philadelphia County loses approximately \$100,000 each month in interest by not receiving money in a timely manner from DPW, meaning less money is available for children's services. Philadelphia officials provided us with the following data on payments:

<u>Date Quarter Ended</u>	<u>Date Invoice Submitted</u>	<u>Date Payment Received</u>
3/31/97	5/14/97	2/10/98
6/30/97	11/28/97-9/29/98	Not yet received*
9/30/97	12/12/97	3/13/98
12/31/97	2/15/98	7/17/98
3/31/98	5/15/98	7/17/98
6/30/98	11/13/98	Not yet received*
9/30/98	11/15/98	1/21/99
*At 2/17/99		

Federal Officials' Comments. A federal DHHS financial official stated that, because the Commonwealth receives federal funding in advance, DPW could advance this money to the counties when received, but instead it approves invoices before forwarding money to the counties. The federal official was aware of Pennsylvania's allocation and payment timeliness problems. DHHS officials indicated an overall concern with Pennsylvania's child welfare payment management system.

Auditor General Review. The Department of the Auditor General completed a review in January 1999 of delays in DPW child welfare payments. In its test quarter (quarter ended 12/31/97), the Auditor General noted wide disparities in timing of payments to the 67 counties, ranging from less than one month to more than six months between report submission and payment. They also noted that

over 90 percent of the counties did not submit expenditure reports by the statutory due date. DPW's Bureau of Financial Operations (BFO), which processes the payments, listed the following reasons for the delays in payments:

- Reduced BFO staff.
- Expenditure reports contain mathematical errors.
- DPW's policy to withhold all future payments to those counties with unresolved reports from a prior quarter.
- DPW's required adjustment for those errors in the fourth quarter delaying fourth quarter payments.
- OCYF's approval for a county rebudget can sometimes take months.
- One-time federal funding overpayment county recoupment process.

DPW also mentioned that negative service delivery impacts were absent from the Auditor General's report.

The Auditor General recommended DPW focus its efforts on timely collecting all Act 148 expenditure reports, and once submitted, should timely resolve errors, approve rebudgets, and process payments. It also pointed out that DPW should develop a statewide system, including adequate staffing levels, which ensures that child welfare payments are made on a timely basis to all counties, and that DPW should investigate raising the \$10,000 threshold which triggers the rebudget approval requirement.

DPW Perspective. OCYF officials explained to us that payments are delayed largely because of incorrect information, late receipt, staff shortages, and inadequate documentation, such as the TANF maintenance of effort report. For example, OCYF stated that it was late on AFCARS⁵ payments because of staffing shortages and because the invoices did not match with the county surveys or were not the most recent surveys required by federal officials. OCYF also said their efforts to recoup additional federal Title IV-A funds resulted in one-time delays because they first had to reconcile payments from prior quarters.

DPW reports that 50 percent of the counties typically are behind in their invoicing or have not made corrections to their invoices, which then affects payments. According to DPW statistics, only 78 percent of the counties had submitted FY 1997-98 third quarter invoices, due May 15, 1998, by July 1, 1998. All 67 were finally received by February 15, 1999. Only four counties had submitted FY 1997-98 fourth quarter invoices, due August 15, 1998, by that date. By February 15, 1999, 90 percent of the counties had submitted fourth quarter invoices. DPW reports that it is continuing to monitor turnaround times.

OCYF officials state that information on timeliness of payments is not readily available to them. They do not get reports from DPW's Bureau of Financial

⁵AFCARS: Counties receive federal funding to install the federally required standardized data collection system, Automated Foster Care and Adoption Reporting System.

Operations, such as actual county expenditures (only estimated actuals are available), unless they make requests of BFO. DPW is reviewing these problems and attempting to streamline and combine its various fiscal functions. DPW's Office of Administration and Office of Children, Youth and Families have developed a joint work group. A new BFO policy was under development, as of spring 1999, whereby BFO will call the county fiscal officer to discuss late (three days) or incorrect data. If the data is not received in three weeks, BFO will send a letter to the child welfare administrator with a copy to the county commissioners from the deputy secretaries.

OCYF has also revised the Act 148 invoicing procedures in a draft Bulletin that is not yet effective as of May 1999. The Bulletin requires counties to submit a more complete invoicing packet in the first three fiscal quarters with a copy of each quarterly invoice packet submitted to the appropriate OCYF regional office as well as BFO. These changes should help DPW identify potential invoicing problems and provide focused technical assistance as needed.

DPW advanced payments to the counties in the third and fourth quarters are often late.

DPW regulations require the first quarter advance payment to be made upon DPW approval of the county plan and budget estimate. Second quarter advance payments are to be made within 45 days of the second quarter. Within 45 days of the end of each quarter, county quarterly reports of expenditures are due. The third and fourth quarter advance payments are to be made upon approval of the first and second quarter reports of expenditures, respectively. Each advance payment is 12.5 percent of the state's share of the county's approved plan and budget estimate.

According to Allegheny County fiscal staff, these advanced payments, which are necessary to meet cash flow requirements of payroll, providers, and vendors are often late. They provided us with the following information:

<u>1st Day of Quarter</u>	<u>Receipt Date</u>	<u>Days Lapsed</u>
7/1/96	7/22/96	22
10/1/96	10/25/96	25
1/1/97	7/15/97	196
4/1/97	9/18/97	171
7/1/97	7/28/97	28
10/1/97	10/24/97	24
1/1/98	4/3/98	93
4/1/98	6/26/98	87
7/1/98	7/27/98	27
10/1/98	10/28/98	28

Allegheny County would like to see Act 148 amended to require payments of 25 percent at the beginning of the first three-quarters and 20 percent at the beginning of the fourth quarter. They believe the remaining 5 percent would be sufficient for end of year adjustments. They also believe payments should be made on the first day of the quarter with the final payment made within 45 days of the submission of the year-end report.

Pennsylvania Children and Youth Administrators officials reported that first and second quarter advances are not usually a problem, but third and fourth quarter advances are tied to reimbursement, which makes them very late. They would like to see this process changed.

In contrast to the children and youth system, county MH/MR offices are paid their total allocation in four equal quarterly advances by the third week of the first month of each quarter. Adjustments occur at the end of the fiscal year in which the advance is given. Funds unexpended at the end of the year are available for consideration in computation of the next fiscal year's allocation.

The needs-based budget appeals process is slow and not clearly defined.

Some counties have appealed the reductions the Department has made to their needs-based budget requests. According to 55 Pa. Code §3140.17(e), the county may appeal the Department's needs-based budget determination in accordance with Administrative Agency Law. Counties, however, appear to be unclear as to the appeals process.⁶ Neither OCYF nor the Bureau of Hearings and Appeals has written procedures for the counties to follow. OCYF initially referred us to DPW's Bureau of Hearings and Appeals.

We requested the status of appeals in each county for the last five years. Bureau officials explained that they did not have such data readily available and could not segregate county needs-based budget appeals from other county appeals. We subsequently requested and received a needs-based county budget appeal log directly from DPW's Office of Children, Youth and Families. Nine county children and youth agencies⁷ filed 14 needs-based budget appeals for FY 1991-92 through FY 1999-00 budgets. Eleven of the appeals are in the last three fiscal years. Of the 14 appeals, 1 was filed too late and 2 were withdrawn. Three Philadelphia appeals are in settlement negotiations. The remainder are in various stages of the appeal process and have not yet had hearings.

⁶When the Bureau receives an appeal, it assigns a document number and sends an acknowledgement letter to the county. The county must then gather its data and inform the Bureau when it is ready for the appeal hearing. At the hearing, DPW's Office of Legal Counsel represents the Commonwealth. The Hearing and Appeals Director informed us that he does not understand why counties sometimes do not respond, given that their acknowledgement requires the counties to take the next step.

⁷Counties with appeals are: Centre, Bucks, Philadelphia, Luzerne, Lycoming, Adams, Bradford, Somerset, and Sullivan.

County Administrators' Questionnaire Responses. According to the counties, more feedback on how the Department determined a county's certified need figures could prevent such appeals, which take an inordinate amount of time. Administrators would also like the appeal process explained and for DPW to establish a time frame for appeals resolution.

Allegheny County. Allegheny County has had appeals pending for the last three years. Allegheny County provided us with their total dependency and delinquency budget requests and certified amounts for FY 1995-96 through FY 1998-99:

<u>1995-96</u>	<u>1995-96</u>	<u>1995-96</u>	<u>1996-97</u>	<u>1996-97</u>	<u>1996-97</u>
Requested	Certified	Est. Actual	Requested	Certified	Est. Actual
\$129.1	\$121.7	\$127.7	\$143.3	\$127.6	\$135.4
<u>1997-98</u>	<u>1997-98</u>	<u>1997-98</u>	<u>1998-99</u>	<u>1998-99</u>	<u>1998-99</u>
Requested	Certified	Est. Actual	Requested	Certified	Est. Actual
\$150.3	\$142.4	\$138.5	\$157.2	\$154.0	N/A

The first hearing was canceled for the FY 1995-96 appeal. Allegheny County then asked for a continuance because DPW was asking for a recalculation of the draw down of federal IV-E dollars for FY 1995-96 and FY 1996-97. They have had no response from DPW concerning the appeals for the other two years.

Philadelphia County. As of April 1999 Philadelphia County had six appeals before DPW since FY 1990-91 that had not been settled. According to the Philadelphia Department of Human Services fiscal officer, they are in negotiations with DPW attorneys over these monetary appeals from FY 1990-91 through FY 1994-95 and expect to settle them as one settlement by June 30, 1999. The FY 1998-99 appeal is focused on both monetary issues and the needs-based budget process. Philadelphia officials report that they have never met with the DPW Bureau of Hearings and Appeals on any of these appeals. The latest appeal letter was sent to DPW September 25, 1998, for FY 1998-99. Examples of concern in the appeal included:

- capping reimbursement for administrative expenses below actual expenditures; evaluating counties' plans without consideration of actual need for services, not considering costs of services or social problems;
- lumping services into broad categories rather than providing counties with detailed information on line items, making it difficult to determine where budget items were decreased or increased;
- using as carryover DPW certified budget figures rather than estimated actual or actual figures; and
- giving no weight to the unique needs and costs of children and youth services in Philadelphia.

Exhibit 11 shows the sequence of events for Philadelphia's FY 1998-99 appeal:

Philadelphia County, NBB Changes

- August 1, 1997..... Philadelphia County submitted to DPW its NBB (dependency and delinquency) request for FY 1998-99 of \$486.2 million based on the previous year's estimated expenditures of \$427 million (certified by DPW in April 1998 for \$381.2 million).
- July 23, 1998..... DPW, in a letter, accepted the \$427 million as actual expenditures.
- August 1, 1998..... Philadelphia submitted its FY 1999-2000 budget request as well as a revised budget for FY 1998-99 for \$490.5 million.
- August 28, 1998..... DPW certified the FY 1998-99 NBB for \$434.5 million, more than \$56 million less than the revised budget.
- September 25, 1998.... Philadelphia County requested a formal administrative hearing be scheduled and that the DPW certified budget for FY 1998-99 be increased to reflect actual demand and need.
- March 1, 1999 No action on appeal.

Source: Developed by LB&FC staff from material provided by Philadelphia County Children and Youth Services.

Centre County. In July 1997 Centre County appealed its FY 1997-98 NBB allocation. In January 1998 a pre-hearing telephone conference was canceled due to unavailability of OCYF personnel. Responding two weeks later to the Bureau of Hearings and Appeals' letter of February 12, 1998, requesting reasons why the appeal should not be dismissed, Centre County stated that its administrator had been on sick leave and an extension of time was needed. In March 1998 the county sent a copy of the appeal and all supporting data to the Bureau. In September 1998 the county again wrote to the Bureau stating they were ready to proceed. No response has been received. Later in September, Centre County appealed its FY 1998-99 allocation. As of March 29, 1999, the county had received no response from the Bureau. According to the Centre County Administrator, their allocation is not sufficient, causing the county to provide an overmatch.

As a result of the needs-based budgeting retreat, DPW has initiated a needs-based budgeting reform initiative.

The Office of Children, Youth and Families, in conjunction with the Pennsylvania Children and Youth Administrators, the Juvenile Court Judges' Commission, and the Juvenile Probation Office, convened a retreat on December 7-8, 1998, to discuss problems with the annual needs-based budgeting planning process. The purpose of the retreat was to examine ideas to improve and enhance the NBB process.

Thirty-five representatives were invited to attend the retreat, including individuals from the county children and youth agencies, the Pennsylvania Children and Youth Administrators, the Juvenile Court Judges' Commission, and the Juvenile Probation Office.

After much discussion, the group agreed upon nine short-term goals (60 days) and five mid-term goals (60 days-12 months). See Exhibit 12 for the details on the goals and their current status.

Exhibit 12

Goals and Progress of DPW's NBB Reform Initiatives

<u>Goal</u>	<u>Status</u>
1. <u>Communication:</u>	
Release draft allocations to counties.....	3-15-99
Debrief counties on recommendations	In process
2. <u>Simplify guidelines:</u>	
Eliminate redundancy/reformat.....	Completed
Identify revenue decision criteria	Completed
Incorporate results-based outcomes.....	Completed
3. <u>Training/capacity:</u>	
Develop training curriculum	3-22-99
Provide training following Bulletin.....	April/May 1999
Incorporate into CBT&C.....	In process
4. <u>Training and technical assistance:</u>	
Involve regional staff in planning	On-going
Conduct quarterly meetings to assess	In process
Results-based/program driven	On-going
5. <u>Collaboration:</u>	
Brief CCAP reps/Chiefs Association	Completed
Include other services in planning	In process
CYS/JPO joint planning to continue	April 13, on-going
6. <u>Data:</u>	
PACWIS and Juvenile Justice information system	In process
7. <u>Flexibility:</u>	
Block granting dollars to counties.....	Long-term
Eliminate staff approval from NBB	In process
Maximize funding streams	Mid-term
8. <u>Differentiation:</u>	
County data kits to support planning.....	In process
Include results-based, AFCARS data	In process
9. <u>Timeline:</u>	
NBB proposal due	August 15
Implementation plan due	August 15 (actuals)

Source: Data provided by OCYF.

DPW has agreed to initiate some immediate changes on eight of the nine short-term goals. They include:

1. releasing tentative county allocations on March 15 and subsequent discussion of the allocations with the counties;

2. providing assumptions used to estimate actual county expenditures and clarifying where counties can access such information;
3. incorporating in the NBB Bulletin the suggested format developed by the workgroup, criteria developed by OCYF for decision-making regarding the revenue mix, and results-based outcomes;
4. enhancing planning skills (including collaboration with other human services) for county and regional staff through training, reinforced by quarterly technical assistance visits;
5. developing protocols for quarterly meetings of fiscal and program staff to discuss current and future years' planning; and
6. changing the implementation plan due date of August 1 to coincide with the NBB plan due date of August 15.

While DPW has a goal of improving flexibility, it believes consideration of block granting dollars to counties and eliminating the DPW staffing approval process in NBB requires further discussion. The request that DPW consider contingency budgeting and shifting unexpended revenue among counties has not yet been addressed.

As of April 1999, DPW had not yet developed a plan for the retreat's five mid-term goals. Those goals are:

1. Follow through and continuation of short-term goals.
2. Develop plan to review the NBB process annually.
3. Establish quarterly reviews of the NBB process at each county through the regional staff.
4. Develop a training plan designed to build planning capacity at the county and regional level.
5. Address the issue of contingency funding for counties who experience unanticipated overspending.

As a result of the retreat, a work group recommended a revised format for the FY 2000-01 NBB plan and the FY 1999-2000 implementation plan instructions to eliminate redundancy and complexity. The overview and assessment of statewide goals sections have been reformatted and the narrative section has been reorganized by major service category. Workgroup recommended changes were also incorporated in the revised NBB guidelines that were distributed to the counties in mid-March. These guidelines include a protocol for the regional staff to use in meeting with the counties. A new worksheet will show the overmatch and the relationship between increased services and overspending.

A workgroup has also developed a training curriculum that will be incorporated into the core training. The consultant trained the county's children and youth staff in April and May 1999 on how to plan. The training, which LB&FC staff observed, will be based on the new NBB guidelines and will use actual county data. OCYF regional staff will also participate in the training. DPW is developing a policy to assure consistency among regional program staff in the budget planning process. A work group that includes representatives from the County Commissioners Association of Pennsylvania, PCYA, the counties, and legal counsel is recommending necessary changes to Act 30 and will draft such legislation.

V. Personnel/Fiscal/Administrative Issues and Concerns (Continued)

B. Federal Funding Issues

Because of 1996 and 1997 changes in federal Title IV-E eligibility criteria, DPW filed adjusted retroactive claims, causing counties to experience additional administrative burdens.

With federal policy changes, some DPW claims in FY 1996-97 and FY 1997-98 that were initially ineligible for Title IV-E reimbursement became eligible. Under the new policy, retroactive claims can be made up to two years from the date an expense is incurred.

Prior to August 1996, the federal Title IV-E Program followed the eligibility criteria as established under the Aid to Families with Dependent Children (AFDC) Program. In August 1996 Congress established the Temporary Assistance for Needy Families (TANF) Program and eliminated the AFDC Program and another program, the Emergency Assistance (EA) Program. With these changes, new eligibility criteria for the Title IV-E Program were established; the AFDC rules that were in effect on July 16, 1996, became the new Title IV-E eligibility criteria.

The first set of retroactive claims DPW filed related to the termination of the Emergency Assistance (EA) Program in 1996. When the Emergency Assistance Program was in place, many youth in placement for whom EA funding was claimed were not assessed for Title IV-E eligibility. With the termination of the EA Program, DPW began to assess these children for Title IV-E reimbursement and to submit retroactive claims in FFY 1996, 1997, and 1998 cases.

In November 1997 the federal government allowed the AFDC Standard of Need to be used as eligibility criteria rather than the AFDC Payment Standard.¹ Pennsylvania was using the Payment Standard; therefore, DPW notified the counties to change their procedures. The second set of retroactive claims DPW filed related to this change. Because the Standard of Need threshold is higher than the Payment Standard, a previously denied case may be upgraded to a Title IV-E certified case if it meets the Standard of Need.

For example, for a family of three in Cumberland County, the Standard of Need is \$587 per month, while the Payment Standard is \$403 per month. In the past, DPW would not have considered any children whose family of three income was higher than \$403 as eligible for Title IV-E funding. Now they can accept

¹"Standard of Need" is the amount of funding each state determines that a family needs to cover the basics of living, such as shelter, food, clothing, etc., and "Payment Standard" is the amount of funding the state will provide the family to help them cover the costs of the basics of living.

children in a family of three with income as high as \$587, 45 percent higher than the Payment Standard.

DPW has not estimated the amount of Title IV-E monies that will be available as a result of filing retroactive claims. As of March 1999 the federal government was reviewing all retroactive claims that DPW was submitting to be sure they are allowable.

During the course of our review, county personnel stated that filing retroactive claims has become an administrative ordeal for them. They note the paperwork required during the normal course of operations is substantial, and this retroactive filing has caused yet additional paperwork burdens.

DPW may have over estimated Title IV-E eligible families in certain counties.

Counties expressed concerns that DPW may be overestimating the counties' share of Title IV-E revenues. According to one county administrator:

State certified revenue for Title IV-E continues to be greater than the actual revenue we have been able to realize. However, by over-certifying Title IV-E revenue, the State is able to withhold the amount of revenue appropriated under Act 148. The lack of adequate Act 148 revenue results in county overmatch or causes the county not to expand needed services due to the prospect of an overmatch.

According to another county administrator:

. . . draw on Title IV-E depends on penetration rate – the county makes up the difference. [The State should] share the risk with counties. Now only counties bear risk [since] the State caps its Act 148 revenue.

Since Title IV-E money is only available for children and families that meet the eligibility requirements, the number of eligible children is critical in drawing down Title IV-E funds. Counties also note that if they reduce the number of children in placement (a DPW goal), they may not be able to draw down the Title IV-E monies associated with such placements.

We analyzed the Title IV-E reimbursement amounts certified and actually received by each county for FY 1996-97 and FY 1997-98 to determine if the Department was over-certifying Title IV-E monies. We found that for FY 1996-97, half of the counties (33 out of 67) drew down less Title IV-E revenue than what DPW certified for them. For FY 1997-98, only nine counties drew down less Title IV-E revenue than that for which they were certified.

Table 16 summarizes county use of federal Title IV-E funds for the two years. Table 17 shows the amount of Title IV-E funds that were budgeted, certified, and actually drawn down for each county for FY 1996-97 and the difference between the amount DPW certified and the amount the county actually was reimbursed in Title IV-E funds.

Table 16

Counties Use of Federal IV-E Funds
FY 1996-87 and FY 1997-98

<u>Item</u>	<u>FY</u> <u>1996-97</u>	<u>FY</u> <u>1997-98</u>
Number of counties that drew down MORE IV-E than certified	34	54
0 - 5% More IV-E than certified.....	8	8
6 - 10% More IV-E than certified.....	6	6
11-15% More IV-E than certified.....	5	3
16 - 20% More IV-E than certified.....	3	2
21 - 25% More IV-E than certified.....	3	5
Over 25% More IV-E than certified.....	9	30
Number of counties that drew down the EXACT amount certified	0	4
Number of counties that drew down LESS than they were certified	33	9
0-5% Less IV-E than certified.....	5	3
6-10% Less IV-E than certified.....	9	3
11-15% Less IV-E than certified.....	3	0
16-20% Less IV-E than certified.....	3	1
21-25% Less IV-E than certified.....	3	1
Over 25% Less IV-E than certified.....	10	1

Source: Developed by LB&FC staff from information obtained from the Department of Public Welfare.

Although the Department may have overestimated the counties' ability to draw down Title IV-E funds in FY 1996-97, in FY 1997-98 only nine counties were unable to meet the Department's expectations.

DPW is taking specific actions to further maximize the use of federal Title IV-E funds.

In fiscal year 1996-97 the counties received \$217.0 million in Title IV-E federal reimbursements. For FY 1997-98, this amount was \$264.6 million. To maximize the use of federal Title IV-E funds, the Department contracted with the Institute for Human Services Management (IHSM), an independent firm from the Washington DC area, that assists states in understanding and maximizing federal

Table 17

Comparison of Title IV-E Funding (FY 1996-97)

County	Budget Request	Certified	Estimated/Actuals	% Difference Between Certified and Est./Actuals	County	Budget Request	Certified	Estimated/Actuals	% Difference Between Certified and Est./Actuals
Adams	\$ 771,595	\$ 778,006	\$ 1,189,719	52.92%	Lancaster	\$ 3,425,105	\$ 3,407,584	\$ 3,533,706	3.70%
Allegheny	28,324,139	30,549,452	27,526,397	(9.90)	Lawrence	1,095,860	1,145,696	1,158,367	1.11
Armstrong	488,894	497,240	490,000	(1.46)	Lebanon	700,000	727,074	752,297	3.47
Beaver	1,200,000	1,239,344	1,433,571	15.67	Lehigh	3,436,727	3,925,025	3,620,506	(7.76)
Bedford	279,552	286,072	340,031	18.86	Luzerne	3,551,883	3,848,925	4,200,000	9.12
Berks	4,200,000	4,820,520	6,753,065	40.09	Lycoming	1,450,000	1,614,723	1,658,350	2.70
Blair	1,015,780	1,004,640	748,108	(25.53)	McKean	812,067	793,427	647,684	(18.37)
Bradford	540,000	588,074	528,124	(10.19)	Mercer	738,143	720,512	810,767	12.53
Bucks	2,890,699	2,982,336	2,889,930	(3.10)	Mifflin	190,873	195,325	196,345	0.52
Butler	561,126	576,655	1,014,718	75.97	Monroe	1,007,977	1,032,492	1,264,068	22.43
Cambria	1,526,430	1,592,277	1,528,030	(4.03)	Montgomery	4,005,270	4,113,347	3,863,479	(6.07)
Cameron	211,501	239,794	87,601	(63.47)	Montour	215,074	140,227	161,414	15.11
Carbon	284,016	290,595	189,684	(34.73)	Northampton	3,264,117	3,483,015	4,594,278	31.91
Centre	873,409	808,080	954,185	18.08	Northumberland	1,054,536	1,079,131	1,021,067	(5.38)
Chester	2,199,009	2,307,382	2,454,386	6.37	Perry	128,000	168,045	123,627	(26.43)
Clarion	240,501	321,674	265,786	(17.37)	Philadelphia	86,004,740	84,724,533	95,870,665	13.16
Clearfield	506,328	516,004	471,495	(8.63)	Pike	70,000	82,095	75,422	(8.13)
Clinton	255,732	261,696	344,414	31.61	Potter	282,939	218,983	195,256	(10.84)
Columbia	325,436	310,975	375,000	20.59	Schuylkill	1,917,400	1,981,475	2,114,000	6.69
Crawford	1,281,237	1,196,970	1,297,209	8.37	Snyder	260,313	266,385	244,801	(8.10)
Cumberland	540,576	553,184	749,980	35.58	Somerset	547,196	559,958	685,518	22.42
Dauphin	4,610,162	4,093,145	4,492,178	9.75	Sullivan	68,043	68,685	69,958	1.85
Delaware	8,328,306	8,506,437	7,700,000	(9.48)	Susquehanna	366,051	362,932	256,613	(29.29)
Elk	182,250	272,478	290,946	6.78	Tioga	796,855	951,824	546,603	(42.57)
Erie	5,534,146	6,132,878	6,827,687	11.33	Union	144,194	147,557	144,866	(1.82)
Fayette	1,472,878	1,488,251	1,178,211	(20.83)	Venango	598,554	612,973	422,403	(31.09)
Forest	68,000	67,460	116,668	72.94	Warren	592,944	684,953	445,666	(34.93)
Franklin	586,811	600,498	462,632	(22.96)	Washington	3,191,481	2,990,090	3,102,437	3.76
Fulton	90,000	92,099	80,000	(13.14)	Wayne	367,000	400,608	528,882	32.02
Greene	371,900	333,954	379,289	13.58	Westmoreland	5,183,998	5,368,206	4,761,017	(11.31)
Huntingdon	400,000	454,050	340,147	(25.09)	Wyoming	207,906	227,960	231,108	1.38
Indiana	433,050	499,983	407,699	(18.46)	York	3,515,197	3,617,854	3,370,685	(6.83)
Jefferson	376,485	405,068	283,138	(30.10)					
Juniata	25,455	19,645	51,964	164.52					
Lackawanna	2,627,592	2,773,838	2,047,918	(26.17)					
					Total	\$202,813,438	\$207,122,373	\$216,961,765	4.75%

Source: Developed by LB&FC staff

funding.² The actions that DPW will take to maximize Title IV-E money were developed with IHSM and are listed below.

Placement Prevention. Effective July 1, 1998, DPW began procedures to take advantage of a federal policy which allows certain activities to be reimbursed at the rate of 50 percent with Title IV-E administration funds. One area of administration, as defined by this policy, includes those activities that help prevent a child from going into placement.

These activities, referred to as “placement prevention” activities, can be provided by agency personnel or non-residential service providers. For a child to qualify as a “candidate for placement,” one of the following three criteria must be met:

1. a defined case plan (family service plan) which clearly indicates that, absent effective preventive service, foster care is the planned arrangement for the child;
2. an eligibility determination which has been completed to establish the child’s eligibility under Title IV-E Placement Maintenance or Adoption Assistance; or
3. evidence of court proceedings in relation to the removal of the child from the home, in the form of a petition to the court, a court order, or a transcript of the court’s proceedings.

DPW is conducting a time study to determine the percent of time providers engage in activities that could qualify for the Title IV-E administrative reimbursement. The results of the study will be applied to the service provider contracts, and the Title IV-E allowable portion will be claimed. The Department hopes to submit invoices covering the eligible costs retroactive to July 1, 1998.

Development of Title IV-E Manuals. As part of its contract with the Department, IHSM is assisting in the creation of two manuals regarding federal Title IV-E funding.

The first manual is a Title IV-E Eligibility Policy and Procedures Manual. This manual contains all of the policies and procedures for counties to follow to determine Title IV-E eligibility and is designed as a resource for the county staff who are responsible for securing Title IV-E funds. As of March 1999 this manual was in final draft form; DPW expects to complete and distribute the manual by summer 1999.

IHSM is also developing a Title IV-E Fiscal Policies and Procedures Manual to explain allowable Title IV-E costs to ensure that Pennsylvania is maximizing federal Title IV-E funds. Once this manual is finalized, DPW expects it to become a section of the Eligibility Policy and Procedures Manual. As of spring 1999, this manual was in draft form and was expected to be completed later in 1999. In

²IHSM’s contract is dated May 1, 1997, through June 30, 1999, and will cost the Department \$335,000.

addition to developing these manuals, IHSM is providing technical assistance and training to the regions and counties regarding all Title IV-E policies and procedures.

Once the Title IV-E manuals are in place and once DPW begins to claim “placement prevention” costs under Title IV-E Administration, the contractor has estimated that the Department will receive an additional \$34.2 million each year in Title IV-E monies. IHSM estimates that DPW can draw down an additional \$20 million each fiscal year from the “Placement Prevention” claims. This estimate is based on a review by IHSM of approximately 1,600 non-residential purchase of service contracts. The contractor also estimates that another \$14.2 million in Title IV-E monies will come into the state once the manuals are issued and the counties understand and follow these procedures. This additional income should allow the counties to expand current services and/or introduce new services in the Commonwealth for children and their families.

Pennsylvania has not taken advantage of approximately \$800,000 annually in federal funding for child abuse prevention and treatment.

Under Title IV-B, the federal Department of Health and Human Services (DHHS) awards grants to the states for child abuse and neglect prevention and treatment programs. Presently, only Pennsylvania and Indiana do not take advantage of these grants, which are some of the most flexible federal funding available. For FY 1998-99, \$798,665 would have been available to Pennsylvania.

The Child Abuse and Neglect Grant is the only program under Title IV-B in which Pennsylvania does not participate, because, historically, Pennsylvania has not met all the eligibility criteria of the Child Abuse Prevention and Treatment Act (CAPTA). Most notably, Pennsylvania’s definition of child abuse is narrower than that of CAPTA. Although Pennsylvania’s definition of child abuse was broadened somewhat in 1994, it still may not meet the CAPTA requirements. In particular, Pennsylvania’s definition includes “imminent risk of serious physical injury,” whereas the CAPTA definition refers to “imminent risk of serious harm” and covers all types of abuse, such as neglect and mental injury.

We discussed this matter with DPW, and in March 1999 DPW sent a letter to the DHHS Regional Administrator indicating that they believe Pennsylvania should now be eligible for grants under CAPTA. DPW believes that the Child Protective Services Law adequately protects children in imminent risk of serious harm and who are at risk of serious mental injury or serious physical neglect. DPW is also of the opinion that other criteria are now met which makes Pennsylvania eligible to receive Child Abuse and Neglect Grant funds. As of early May 1999 the DHHS had not responded to the Department.

Some counties have not maximized federal adoption assistance subsidies due to local match requirements.

Under the adoption assistance program of Title IV-E, federal funds are available to make ongoing payments to the adoptive parents of children with special needs. These payments cannot exceed foster care maintenance payments. The federal funds can also be used to reimburse adoptive parents of children with special needs for nonrecurring adoption expenses, such as adoption fees, court costs, and attorney fees.

The federal reimbursement rate for adoption assistance subsidies is 53.77 percent. The remaining 46.23 percent is to be shared between the state and the county. The state share is 80 percent. Therefore, for example, if the non-recurring adoption fees for a special needs child were \$5,000, \$2,689 of that amount could be reimbursed from the federal Title IV-E program. The remaining \$2,311 would be split between the state and the county, with the state share being \$1,849 and the county share being \$462.

DHHS officials and others believe that some counties in Pennsylvania are not maximizing adoption assistance subsidies. They stated that these counties do not tell prospective adoptive parents that adoption assistance subsidies are available because these subsidies require a local match.

DPW officials stated that they encourage the counties to tell prospective adoptive parents of the availability of adoption assistance subsidies. Nonetheless, they are aware that counties try to contain costs and, therefore, may not take advantage of adoption assistance subsidies.

The Children and Youth Administrators Association of Pennsylvania officials stated that they know of only a few cases where a county did not discuss adoption assistance subsidies with prospective adoptive parents. They believe these cases were isolated and resulted from the reluctance of certain commissioners to grant cash assistance. With changes resulting from recent elections, the Association believes that there is no longer substantial reluctance among the counties to use adoption assistance subsidies. See Chapter IV-A for further discussion of adoption subsidies.

Recent and ongoing DHHS inspector general audits have questioned approximately \$160 million in federal emergency assistance claims.

Title IV-A of the Social Security Act established the Emergency Assistance (EA) program to assist eligible children and families through emergency or crisis situations by providing temporary financial assistance and supportive services. The

act gave states latitude in defining the types of emergencies they could include in their program.

Based on an approved plan that was submitted to the federal government, each fiscal year DPW receives EA monies. From 1990 to 1994 Pennsylvania received between \$1.0 million and \$3.0 million each year. In FY 1995-96 Pennsylvania received \$195.0 million in EA funds and in FY 1996-97 they received \$250.3 million. Because of the sudden escalation in Pennsylvania's costs in the EA program, the Office of Inspector General of DHHS began an audit of Pennsylvania's Emergency Assistance program in September 1997.

The audit is focusing on the Department's internal controls over EA claims and is being conducted in four phases. Phase I of the audit pertained to the costs claimed under Title IV-A Emergency Assistance for children in the Philadelphia juvenile justice system for the period January 1, 1996, through June 30, 1996. The final Phase I audit report was released on September 10, 1998.

The Phase I audit had four findings and questioned costs of \$13.0 million. As of January 1, 1996, EA funds were no longer available for services to children in the juvenile justice system who were detained as a result of the child's alleged, charged, or adjudicated delinquent behavior. DPW was reimbursed \$13.0 million from the EA program for services provided to such children in the Philadelphia juvenile justice system. The federal auditors recommended that DPW review its claims in other counties to ensure costs were properly identified and that DPW refund to the federal government the \$13.0 million in question.

In its response to the audit, DPW did not agree to the refund. The DHHS, however, disallowed the \$13.0 million as well as another \$4.9 million in costs. The additional \$4.9 million is for claims made from January 1, 1996, to June 30, 1996, that DPW declined to review, thus they were all disallowed. DPW plans to appeal this decision. The auditors have now moved on to Phases II and III of the audit. They estimate that \$61.4 million is in question for Phase II and that \$52.0 million is in question for Phase III. As of March 1999, Phase IV was just beginning, but the federal auditors estimated that costs between \$30 million to \$45 million could be in question. No audit reports are yet available for Phases II through IV.

As of May 1999 DPW and the DHHS Office of Inspector General were communicating about the audit findings and recommendations. DPW has indicated that it may pursue court proceedings to settle the matters if necessary.

V. Personnel/Fiscal/Administrative Issues and Concerns (Continued)

C. Personnel Concerns

Staff turnover rates are high in many county children and youth agencies.

During our visits to county children and youth agencies throughout the state, county staff often identified caseworker turnover as a serious problem for the agencies. Of the 50 county administrators who responded to our questionnaire, only 28 percent are satisfied with their ability to retain qualified children and youth staff. Over 77 percent of these administrators believe that staff vacancies significantly affect their ability to provide children and youth services.

Based on FY 1997-98 salary and turnover as reported to the state by county agencies,¹ the statewide turnover rate for employees classified as Caseworker I was 33 percent. Employees classified as Caseworker II had a turnover rate of 19 percent. By comparison, caseworkers in Pennsylvania's MH/MR system had a turnover rate of 27 percent and 17 percent respectively for these positions. While 25 counties reported 0 percent turnover for Caseworker I employees for the same year, 12 counties had 0 percent turnover for Caseworker II employees. See Table 18 for the counties with turnover rates higher than the statewide average.

Salaries for Caseworker I level employees averaged \$20,008 statewide, ranging from a low of \$15,661 in Huntingdon County to a high of \$25,811 in Butler County. According to DPW guidelines, the maximum allowable salary for a Caseworker I was \$37,203 for FY 1997-98. The counties with the highest turnover rates do not necessarily have the lowest caseworker salaries. Salaries for Caseworker II level employees averaged \$25,914 statewide, ranging from an average of \$17,656 in Potter County to an average of \$33,638 in Bucks County. DPW's maximum allowable salary for a Caseworker II was \$41,545 for FY 1997-98.

In the MH/MR system the average salary for a Caseworker I was \$19,958, only slightly less than a comparable position in the children and youth system. Average MH/MR salaries ranged from a low of \$15,464 to a high of \$24,942. Maximum allowable salary was \$37,203, the same as for a children and youth Caseworker I. MH/MR Caseworker II average salary was \$25,490, 1.6 percent lower than a comparable children and youth position. These average salaries ranged from a low of \$18,623 to a high of \$34,967.

Philadelphia is not included in the above analysis; however, we obtained information on its turnover rate directly. In 1997-98 turnover for Philadelphia caseworkers was about 6 percent. County officials told us that these rates are lower than the statewide average because the county pays higher salaries and provides better benefits than private providers in Philadelphia.

¹Analysis does not include information for Philadelphia.

Table 18

Counties With Turnover Rates Higher Than Statewide Average (FY 1997-98)

Caseworker I:

<u>County</u>	<u>Average Salary</u>	<u>July 1997 Staff</u>	<u>June 1998 Staff</u>	<u>Number Terminated</u>	<u>Percent Terminated</u>
Huntingdon	\$15,661	8	8	8	100%
Monroe	17,508	1	2	1	100
Snyder	18,662	1	2	1	100
Sullivan	16,846	1	1	1	100
Allegheny	20,076	13	16	11	85
Greene	18,946	6	8	5	83
Carbon	18,389	2	1	1	50
McKean	18,382	4	4	2	50
Somerset.....	16,538	4	4	2	50
Tioga.....	21,119	4	4	2	50
Union.....	N/A	2	0	1	50
York.....	17,892	8	9	4	50
Pike.....	21,699	5	6	2	40

Caseworker II:

<u>County</u>	<u>Average Salary</u>	<u>July 1997 Staff</u>	<u>June 1998 Staff</u>	<u>Number Terminated</u>	<u>Percent Terminated</u>
Fulton.....	\$22,206	1	2	1	100%
Pike.....	N/A	1	0	1	100
Susquehanna	21,957	6	6	5	83
Somerset.....	20,180	15	11	9	60
York.....	21,595	40	46	22	55
Greene.....	21,067	6	2	3	50
Potter.....	17,656	4	4	2	50
Sullivan.....	20,963	2	2	1	50
Lebanon.....	20,963	9	12	4	44
Franklin	23,036	12	9	5	42
Blair.....	24,112	5	3	2	40
Carbon.....	21,534	5	4	2	40
Crawford	20,710	15	13	6	40
McKean	19,128	14	13	5	36
Montour.....	20,986	3	3	1	33
Armstrong.....	21,814	14	14	4	29
Fayette	20,746	11	7	3	27
Union.....	23,186	4	6	1	25
Venango.....	20,116	12	12	3	25
Warren	20,483	24	22	6	25
Allegheny	22,926	211	213	50	24
Adams.....	21,755	13	10	3	23
Northumberland	21,495	39	33	9	23
Lancaster	28,077	61	66	14	23
Washington	23,707	22	24	5	23
Berks	30,341	64	70	14	22
Cambria.....	22,142	23	25	5	22
Cumberland	29,236	19	19	4	21
Bradford	24,463	14	14	3	21
Monroe	19,885	24	26	5	21
Elk	21,604	5	5	1	20
Indiana	20,103	10	9	2	20

Source: Developed by LB&FC staff from information provided by DPW.

Service Impacts. High turnover can affect a county's ability to provide services. In a 1998 study on Maine's Department of Children and Family Services, the American Humane Association identified the retention of child welfare staff as one of the critical issues affecting the capacity of the agency to provide adequate casework services to children and families. They noted that while there is no national standard that defines an acceptable annual turnover rate, 20 percent, which is the average turnover rate of the states that participated in a 1988 nationwide study, is generally used as a benchmark. According to an article in *Public Personnel Management* in September 1993, turnover rates above 20 percent should be considered a direct threat to an agency's overall effectiveness.

According to the AHA study, most studies investigating turnover have focused on factors associated with job satisfaction. However, these studies have shown that the relationship between job satisfaction and turnover is not direct. They also show that the turnover rate is highest for child welfare workers who have been on the job for less than one year.

One county administrator told us that redistribution of departing staff caseloads overburdens other staff and diminishes their effectiveness with clients. Another administrator noted that, because of high turnover, ". . . Services will have to be less intense due to staff time constraints. [The] agency will have to concentrate primarily on mandated services and need will be prioritized." Another noted that, "services are then limited to intervention, usually in crisis situations."

Several supervisors noted that, because of high turnover, they must constantly train new staff, and families are often moved from one inexperienced caseworker to another. An administrator also noted that turnover is very difficult for clients who must learn to trust and work with someone new each time their caseworker changes.

County children and youth staff caseload size is high and, among other factors, appears to contribute to high turnover.

Administrators and caseworkers cited job stress, including especially high caseloads and excessive paperwork, as a reason for high turnover more frequently than low salary levels. In our discussions with administrators, supervisors, and caseworkers regarding the reasons for high turnover rates, they reported that aspects of the job itself were often considered more important than salary. One administrator noted that the volume and complexity of the work is overwhelming and that the public has unrealistic expectations of what caseworkers can do. Another administrator indicated that service-resistant clientele and working in unsafe areas contributed to high turnover in that county. Another noted that the nature of the job is very stressful and causes burnout among caseworkers.

According to county administrators, assaults on children and youth workers are not uncommon. We also received comments from many caseworkers expressing concern about their physical safety on the job. (A client attacked a caseworker in the agency parking lot a few days prior to our visit to the Northampton County Children and Youth Agency.)²

Caseworkers repeatedly told us that the general public and even other social service agencies do not adequately understand the function of the C&Y agency. When a child death or other negative outcome occurs, the press and the public are quick to blame the caseworkers. They rarely receive recognition for the positive outcomes resulting from their work. Families often view the caseworker with animosity and are uncooperative. Given their responsibility of making life and death decisions, many caseworkers believe they are not adequately compensated or respected for the work they do on a daily basis.

Caseworkers also repeatedly told us of the need to increase staff, reduce caseload size, and streamline paperwork requirements. Caseloads are often too high for the caseworker to have the time to do everything they need to do. A 30 family caseload equates to 75 to 80 children. In several counties, the caseworkers told us that they are often spending 50 percent or more of their time filling out forms and writing case notes instead of having ongoing direct contact with the families.

Caseload Size. DPW regulation sets the caseworker to family ratio at 1:30. Based on information reported by the county agencies in their needs-based budgeting proposals, counties' average caseloads generally meet the regulatory criteria. However, caseloads generally exceed Child Welfare League of America (CWLA) recommendations. For example, of the 52 counties reporting intake caseload size, 49 had average intake caseloads larger than the 12:1 recommended by CWLA.³ Twenty counties had intake caseloads more than double this recommended level. Of the 46 counties which reported GPS/CPS caseloads, 36 exceeded the CWLA recommendation of 17 on-going cases per caseworker. See Exhibit 13 for CWLA caseload recommendations.

²Under the current crimes code, a simple assault which involves an attempt to cause or causing bodily injury, is a misdemeanor of the second degree with a penalty of two years imprisonment and/or a \$5,000 fine. Similar conduct, when committed against certain enumerated officers and employees, e.g., police officer, county juvenile probation or parole officer, emergency medical services personnel, etc., is a felony of the second degree and is punishable by ten years imprisonment and a \$25,000 fine. This category of officers and employees was amended by Act 1998-159 to include teachers and student employees. There is currently no similar classification for children and youth services caseworkers. However, current House Bill 457 would increase the penalties for assaults on children and youth caseworkers.

³Not all counties reported caseloads for every category.

Exhibit 13

CWLA Recommended Caseload Per Worker

<u>Service</u>	<u>Caseload Size</u>
Initial assessment/ Investigation	12 active cases per month.
On-Going	17 active families per social worker and no more than 1 new case assigned for every 6 open cases.
Family Centered Casework Services	15 families.
Family Foster Care	12-15 children.
Adoption	20-25 prospective adoptive families. 12-15 families for children with special needs. 10-12 children with special needs.

Source: Developed by LB&FC staff from CWLA Recommended Caseload/Workload Standards, April 1999.

Although CWLA offers recommended caseload measures, it points out that there is no tested and universally accepted formula for determining a standardized caseload/workload model. It is difficult to arrive at a specific figure because of the wide range of agency settings in which a service is offered. According to CWLA, workloads are best determined through time studies carried on within the individual agency based on the responsibilities for which the worker is responsible.

According to CWLA, the factors influencing the appropriate caseload size include the specific assigned functions and time requirements for each task; the skills and experience of each social worker; the extent of the geographic area served and the availability of transportation; the availability of services; and the intensity of service the agency and community considers appropriate.

The American Humane Association and the National Council on Crime and Delinquency use workload measures such as the time it takes to perform tasks, the level of need, and the frequency of contacts as better indicators of the actual work involved in a case rather than a caseload. Some children and families require more intensive intervention than others do. A caseworker with 20 low-need families does not have a workload equal to a caseworker with 20 high-need families.

Based on information reported by the counties for September 1998, the average caseload of all types was 20 open family cases per caseworker statewide. This ranged from a high of 123 families per caseworker in Clearfield County to a low of 7 per caseworker in Cameron County. Exhibit 14 also shows eight counties with average caseloads larger than the maximum of 30 cases per caseworker mandated by DPW regulations. We contacted four of the five counties reporting the highest

Exhibit 14

Average Family Caseload by County
(September 1998)

<u>County</u>	<u>Average Caseload</u>	<u>County</u>	<u>Average Caseload</u>
Clearfield.....	122.8 ^a	Sullivan	16.5
Potter.....	69.6 ^b	Lycoming	15.7
Washington	49.6	Columbia	15.6
Huntingdon.....	45.7	Erie	15.4
Perry.....	37.8	Northumberland.....	15.2
Schuylkill	34.4	Allegheny.....	14.6
Montour.....	33.5	Lehigh.....	14.5
Wayne.....	33.2	Bucks	14.5
Centre.....	28.7	Dauphin.....	14.4
Mifflin.....	28.5	Franklin.....	14.3
Philadelphia.....	27.7	Union	13.8
Lancaster.....	27.3 ^c	Berks.....	13.8
Pike.....	25.8	Clarion	13.5
Indiana	24.4	Chester	13.3
Wyoming	24.3	Cambria.....	13.3
York	23.7	Westmoreland	13.0
Bradford	23.7	Greene	12.4
Clinton.....	23.5	Juniata	12.3
Lawrence.....	21.7	Lackawanna.....	12.2
Fulton.....	21.0	Beaver.....	12.0
Tioga.....	20.2	Mercer.....	11.8
Susquehanna	20.1	Fayette.....	11.6
Luzerne	20.1	Lebanon.....	11.2
Northampton.....	20.0	Adams.....	10.9
Butler	19.9	Cumberland.....	10.5
Armstrong	19.8	Warren.....	10.3
Blair.....	19.7	Elk.....	10.2
Snyder	19.6	Delaware	9.9
Jefferson.....	18.9	Crawford.....	9.8
McKean	18.4	Monroe.....	8.8
Venango.....	17.9	Somerset.....	8.1
Montgomery.....	17.0	Forest.....	7.0
Bedford.....	16.8	Cameron	6.5
Carbon	16.5		
		Statewide.....	20.3

^aWe spoke to a Clearfield official who questioned the accuracy of the CY 28 reporting system but acknowledged that caseloads were high in this county. The official noted that intake caseloads were very high, elevating the overall figure, but that service caseloads were generally within the 30 per worker requirements.

^bPotter County officials told us that the information reported on their CY 28 report included all persons receiving any type of service from the agency. Their actual C&Y caseload averages 25 cases per caseworker.

^cAdjusted from DPW CY 28 report based on conversation with Lancaster County officials.

Source: Developed by LB&FC Staff using the Number of Caseworkers and the Number of Active Cases from DPW CY28 reports for the Third Quarter 1998.

caseloads.⁴ Three of these counties report that their caseloads were not as high as reported on their CY 28 reports as footnoted on Exhibit 14. Appendix O shows county caseworker staffing levels.

Senate Bill 342 would amend the Public Welfare Code to reduce the allowable caseload from the current 1:30 to 1:20 with no more than 10 high-risk cases. It would also authorize county agencies to hire additional caseworkers to bring the county agency into compliance with the caseload requirements and require DPW to participate in the reimbursement of these positions at 80 percent of the costs.

Currently, to increase caseworker staff levels, counties must justify the necessity of such increase in their needs-based budget narrative. The county may request staff increases due to increased service levels or to improve caseworker-to-family ratios. DPW reviews such requests as part of the needs-based budget process and either approves or disapproves the staffing request in the budget based on information and analysis provided by the county in the county's assessment of service needs. The county commissioners must also approve funding for such staff increases for their individual county.

According to a DPW and county officials, county commissioners often want to minimize the size of county government and so are not receptive to approving additional caseworker positions even when they have been approved by the state. For example, a children and youth advisory committee chairperson told us that in his county the administrator had requested six additional C&Y positions which were approved by the state, but the county would only approve one additional position. During our field visits county administrators typically expressed related concerns about such limitations placed on county hiring practices.

Civil Service requirements can make it difficult for county agencies to hire qualified direct service staff in a timely manner.

DPW regulations require that county C&Y agency staff, with the exception of the agency administrator, be appointed in accordance with a federally approved merit system of personnel administration (see 55 Pa. Code §§3130.21 and 3130.51). Specific coverage by the State Civil Service Commission's policies and procedures is the county's decision. All county children and youth agencies, with the exception of Philadelphia, use Pennsylvania's State Civil Service System. Philadelphia operates its own separate merit-based personnel system.

Local government employees are covered under Pennsylvania's Civil Service Act through contractual agreements. Federal law and regulation also require many county agencies to establish and maintain merit-based personnel systems to qualify for federal grant monies.

⁴We did not contact Washington County because our field visit to the county essentially verified reported data.

Applicants must take a written test administered by the state civil service offices.⁵ Once an applicant has taken the test, the applicant's name is added to the list of available applicants and ranked based on the test score. A county then requests a list of approved applicants from the Civil Service Commission. The county generally must choose from among the three top ranked applicants on the list when filling a position.⁶

According to several county administrators, civil service recruitment policies significantly hinder their ability to hire qualified, local candidates. They told us that they have difficulty finding qualified applicants on the civil service list and that the process is very time consuming. One county told us the use of the civil service system could delay the replacement of a caseworker by an additional two to three months.

One county administrator told us that the civil service system requirements result in the mandatory hiring of an employee even if the candidates on the civil service list are not well qualified. Starting rates are so low that they are often forced to go down the civil service list to candidates who score lower on the examination to find candidates who are interested in taking the job. Another county administrator noted that because they must use the civil service list exclusively, they are unable to recruit a more racially and culturally diverse staff.

DPW has discussed this issue at meetings with county children and youth administrators. Department officials pointed out that regulation requires that counties use a federally approved merit hiring system and that counties have the option of developing their own merit hiring system that could somewhat minimize this issue. DPW also suggested that counties might become more active in conducting local recruitment activities.

Certification requirements may sometimes conflict with Civil Service requirements.

Act 1994-151 amended the CPSL and requires DPW to establish a program of training and certification for direct service workers who provide services to children and their families in county C&Y agencies. Caseworkers and Caseworker Supervisors must complete DPW's required CORE training to become certified in Pennsylvania. Caseworkers who were hired prior to July 1, 1996, are considered to have met the caseworker certification requirements. However, supervisory certification requirements do not include such an allowance. Supervisors must take 48 hours of basic supervisory training regardless of their experience and background. An

⁵This test includes questions in the following subject areas: Principles and Methods of Social Casework, Counseling, Interviewing, and Written Communication.

⁶The Pennsylvania Military Code requires that veterans who pass civil service employment examinations have 10 points added to their score and be given absolute preference if they are among the top three candidates on the list.

additional two days of CORE supervisory training will be required by January 2000, which will mean that supervisors will receive a total of 60 hours of training.

Caseworkers must complete 120 hours of specific course work before they are eligible for certification.⁷ These courses can be completed in as little as six months, although the requirement allows up to 18 months for the caseworker to complete the course work. (See Appendices P and Q for more information on the training and certification process.)

Although it generally takes 12 to 18 months to get a new caseworker trained and certified, the civil service probation period is only six months. This leads to problems if the new caseworker does not pass the certification requirements. For example, a county may have a caseworker who is protected by the civil service system but who cannot be assigned a C&Y caseload because they are not certified. Such a situation compounds the county's human resource shortages.

All employees are required to serve a probationary period when they are hired or promoted. The length of the probationary period varies depending upon the job classification. Civil Service Commission regulations authorize the extension of the probationary period to a maximum of 18 months at the discretion of the appointing authority. Extensions may be granted at the discretion of the agency when employees are not performing satisfactorily or when more time is needed to adequately evaluate the employee's performance because of a supervisory change, reassignment, transfer, or similar action during the probationary period. Extending probationary periods for bargaining unit employees requires concurrence of the appropriate union. Some counties report making such requests as a matter of practice; others, however, indicated that they have not undertaken such an option.

While DPW regional children and youth office responsibilities have increased, staffing levels have remained steady for the past several years.

LB&FC staff obtained the staffing levels of the four regional Children and Youth offices through a survey conducted in April 1999. As Table 19 illustrates, staffing levels have remained fairly constant for the past four fiscal years. However, in FY 1998-99, the Western Region, the Central Region, and the Northeast Region each lost an authorized position so that the Southeast Region could increase its authorized complement by three.

⁷Some counties require additional training for their new caseworkers which can add to the time it takes for a new employee to become certified.

Table 19

DPW/OCYF
Regional Staffing Levels
(FY 1995-96 through March 31, 1999)

Date	Western Region			Central			Northeast			Southeast		
	A	F	V	A	F	V	A	F	V	A	F	V
3/31/99	14	14	0	11	11	0	8	7	1	19	17	2
6/30/98	15	13	2	12	11	1	9	9	0	16	13	3
6/30/97	15	14	1	12	10	2	9	8	1	16	15	1
6/30/96	15	15	0	12	10	2	9	8	1	16	16	0

A = Authorized; F= Filled; V = Vacant

Source: Developed by LB&FC staff from survey of the Regional Offices.

Regional Directors stated that the average length of service time for individuals in their offices ranges from 7 years to 16.35 years. Annual turnover averages one to two employees at each region each year. The primary reason for turnover at the regions is retirement. Although turnover has not been high, a Central Office OCYF official also pointed out that retirements of experienced staff are anticipated in the near future.

While the regions do not have any problems retaining qualified staff, they are not satisfied with their ability to recruit staff. The regional directors stated that the state Civil Service list is not current for Children, Youth and Families Program representatives and that sometimes individuals on the lists are not well qualified.

Although the regional staffing levels have remained steady, the workload for the regions has increased as a result of DPW initiatives and partnering efforts. The regional offices now have a stronger role in the needs-based budgeting process than they did in the past, and they also now play a larger role with practice standards and visitation standards. The Department is also asking the regions to provide more technical assistance to the counties than they have in the past.

V. Personnel/Fiscal/Administrative Issues and Concerns (Continued)

D. Outcome Measurement and Practice Standards

DPW is implementing a computerized reporting system to monitor and measure outcomes.

The child welfare system in Pennsylvania does not have a comprehensive computerized management reporting and monitoring system. Various pieces of a system were developed ad hoc and essentially without a common framework, resulting in lack of data standardization between components of the child welfare system and also among individual counties. The lack of a comprehensive data system to manage the child welfare system has long contributed to problems with budget development, use of system resources, consistency of program effort, and determination of program outcomes.

Computerized ChildLine information is an exception, but other information for decision-making and monitoring purposes was either not kept in a computerized format or was not standardized and, therefore, could not be used for analytic purposes. DPW has not relied on information from quarterly activity reports submitted by counties because counties use various data collection methods and standard definitions are not always available.

PACWIS. DPW is installing a new Pennsylvania Child Welfare Information System (PACWIS) to become operational by late 1999.¹ Because the system is being developed consistent with federal requirements, federal funding is available for implementation and use of this system.

PACWIS will serve as a comprehensive data system for child welfare throughout Pennsylvania. The system will assist in the automation of case files and provide improved ability to track cases, plan for families and children, and follow a family's progress. PACWIS will provide a case-based information system that incorporates ChildLine, Interstate Compact, Pennsylvania Adoption Exchange, and SWAN. PACWIS will improve system planning to help spot trends and changes in service. In addition, it will establish a central index of cases, replace the interim

¹PACWIS is based on the Philadelphia FACTS system. This county system was selected by a county/state selection committee in 1998 because it met federal, state, and county reporting requirements and needs. Additionally, the FACTS system was developed with Pennsylvania's child welfare system in mind which meant that logically it was set up with the correct system premises and flow of information in mind. It was also found to be worker friendly and contained good controls for data integrity.

AFCARS² procedure, and automate transmission of pertinent reports. Also, PACWIS will automate a number of caseworker functions.

PACWIS has a number of components or modules, including:

- Investigation
- Case Management
- Placement
- Family Service Plan
- Risk Assessment
- Visitations
- Casework
- Managed Care
- Adoption

Results-Based Management. OCYF has not had a results-based management process or system, but has formed a committee of representatives from county and private agencies to discuss developing such a system. Certain conditions formed part of the ground rules for the committee's discussions and included:

- The results measured must have a clear relationship to the agency's function.
- The standard against which results are measured must be realistic.
- Measurement of the results must be possible past the time of agency involvement.
- Whether the desired results are achieved or not, there must be a mechanism for determining the cause of the results.
- Once the results are in, the agency must have a mechanism for changing practice.

The Committee identified initial goals for the results-based management system in August 1996. The initial goals dealt with safety, permanency, and child well being. The Committee also attached measures to the associated results, and developed 15 results-based measures. Data collected from the AFCARS interim procedure forms the nucleus of the results based management system, and allows for reporting on five measures. The data needed to produce the additional 10 measures is being incorporated into PACWIS.

The results-based management measures include:

Safety and Permanency Measures

- The percentage of adjudicated dependent and substantiated abused or neglected children who again become victims of substantiated abuse or neglect within 12 months.
- The percentage of adjudicated dependent and substantiated abused or neglected children who remain in their own homes without becoming victims of substantiated abuse or neglect within 12 months.
- The percentage of cases closed to the agency without a re-opening and/or a substantiated report of abuse within 12 months of the closure.

²While waiting for PACWIS to become operational, many counties have been using an "interim system" first developed by Cumberland County. The interim system contains all of the data elements required by the U.S. Department of Health and Human Services for its Adoption and Foster Care Analysis Reporting System (AFCARS).

- The percentage of children entering foster care who are returned home within 12 months of removal or for whom an alternative permanent plan is implemented within 18 months.
- The percentage of children placed into a permanent setting who remain in those settings at least five years.
- The percentage of children in foster care who experience more than two equal or more restrictive settings within 12 consecutive months.

Child Well-Being Measures

- The percentage of children entering new placement settings who are placed in relative homes and foster homes.
- The percentage of children entering new placement settings who are placed in institutions.
- The percentage of children entering new placement settings who remain within the same school boundaries, within the same zip code, within the same county if living with relatives, and/or within ten miles if out of county or out of state.
- Percentage of children receiving physical and dental exams as well as treatment consistent with identified needs.
- Percentage of children in substitute care who have biweekly visits with their parents without incidents causing harm or risk of harm.
- The percentage of children discharged from substitute care at age 18 or above who have a high school diploma or a GED.
- The percentage of children discharged from substitute care at age 18 or above who are employed full-time or in post-secondary education and have a stable living arrangement.

Reports on five of the results-based measures can now be produced. Reports on the additional ten results-based measures will not be possible until after the implementation of PACWIS. Additionally, a number of other reports are being planned from PACWIS data. They range from description reports, which detail information about clients, services, and processes at a single point in time, to performance reports, which will give information about compliance with regulations and practice standards.

ASFA is a step toward measuring outcomes. The federal Adoption and Safe Families Act (ASFA) requires the Secretary of Health and Human Services to establish outcome measures to track state performance in protecting children, to issue an annual report on state performance, and to develop a performance-based incentive system to provide federal child welfare, foster care, and adoption assistance payments. States must also develop and implement standards to ensure that children in foster care in public and private agencies are provided quality services to protect their health and safety.

The PACWIS data will allow Pennsylvania to track placement outcomes. As DPW continues to report placement information, the Department will be able to assess whether the initiatives it has undertaken or that have been required by the federal government have been successful. On the local level, data collected from counties will indicate those counties that have been more successful in moving

children out of foster care and residential facilities and back with their families or through placement with adoptive parents. An examination of why these counties are more successful at this than others should result in ideas and programs that could be incorporated by other counties into their placement programs. The new system will also allow Pennsylvania to benchmark its results against other states that are required to collect comparable data.

Newly developed practice standards should improve the quality and accountability of Pennsylvania's child welfare system.

DPW's Deputy Secretary for Children, Youth and Families views the Office's Practice Standards Project (PSP) as key to improving the quality and accountability of Pennsylvania's child welfare system. OCYF began the PSP to assist the state, counties, and private agencies involved in service delivery improve the scope and level of service beyond solely regulatory compliance. While counties are not required to adopt the standards, DPW anticipates they will become benchmarks for defining how counties should deliver child welfare services. Practice standards were also seen as a way to assist counties in implementing results-based management and to respond to the Adoption and Safe Families Act of 1997 which requires states to establish standards to ensure that quality services are provided to children and families. The four goals identified for the PSP at the workshop were:³

1. To improve service outcomes for children and families.
2. To improve the quality of services being provided to children and their families.
3. To achieve greater consistency in practice across counties within the Commonwealth.
4. To provide other service systems and the public with clear descriptions of the scope and level of service which can be expected of the child welfare service system, given adequate resources.

DPW is using four subcommittees of its Practice Standards Steering Committee to draft standards. The Practice Standards Steering Committee is made up of selected staff from OCYF and county children and youth agencies. The four subcommittees and related areas are: Service Delivery; Service Planning; Assessment; and Monitoring, Evaluation, and Management.

Although the resulting standards will not be in regulation, the Department believes they will lead to consensus in the child welfare field about best practices to produce sound outcomes for children. Additionally, these standards will assist counties to become more consistent in their approaches so that counties do not track different outcomes and institute different standards. The Department noted that some agencies or counties might eventually need to request more funding if they want to promote the best practices identified by this process.

In March 1999, DPW provided the preliminary standards to the Pennsylvania Children and Youth Association. Included with each proposed standard were

³DPW is using the Child Welfare League of America as a consultant for this project.

specific responsibilities for both the staff person assigned to a case and the activities the agency should be taking to monitor their workers' performance. Examples are included in Exhibit 15. DPW expects to have most of the practice standards project implemented by late 1999.

Before publishing practice standards and making plans for implementation, the Child Welfare League of America will review the resulting standards against their own Standards of Excellence, as well as standards created by the Council on Accreditation. The purpose of this review will be to identify any gaps that might need to be addressed in a second phase of standards development and to highlight discrepancies and affirm similarities between the workgroups' proposed standards and standards created by other national bodies.

Exhibit 15

Selected Draft Practice Standards Proposed by DPW*

Assessment

- Safety of all children must be assessed at every contact with the children and the family, whether the children are living in their own home or living in an out-of-home placement setting.

Service Planning

- The worker will discuss, in concrete, factual terms, in a culturally sensitive manner, and in a language the family understands, the implications of a concurrent planning process including specific time frames and concurrent goals.

Service Delivery

- The worker will coordinate, implement, monitor, and assess on an ongoing basis the delivery of services identified in the service and case plan. The worker will monitor service plans and delivery for achievable goals for the child and family through case reviews; regular contact with the child, family, and service providers; the use of supervision; and case conferences.

Monitoring, Evaluation, and Management

- Agency management shall develop a short term implementation plan (1 - 3 years) which will include strategies to deal with further development and implementation of the standards of practice and the impact of Adoption and Safe Families Act and foster care reform. In addition, agency management shall develop a long-range strategic plan (5 - 7 years) which will define the mission of the agency and establish a future vision for the agency. These plans will be developed in order to ensure continuous quality improvement and to achieve outcomes established in the results-based management plan.

*Two recommendations were contained in a report of a Select Subcommittee of the House Aging and Youth Committee pursuant to HR 1997-127 which addressed practice standards: (1) The General Assembly should statutorily require weekly visitation of children assessed at high risk for abuse or neglect. (2) To best ensure consistency from county to county, a protocol must be established outlining requirements related to the exchange of information when a family moves from one county to another. Minimal requirements should exist that outline both counties' obligation to work towards locating a family whose address is unknown. Information about their efforts to locate the family should be documented and retained by both agencies.

Source: Developed by LB&FC staff from information presented to the Pennsylvania Children and Youth Association in March 1999.

VI. Noteworthy County C&Y Program Initiatives

In our questionnaires to county administrators and caseworkers, we asked them to identify any best practices or noteworthy initiatives that they believe other counties should consider. Some of the areas mentioned include:

- Permanency Planning Initiative
- Family Preservation/Reunification Program
- Family-to-Family Program
- County-wide Truancy Protocol
- Parenting Plus
- Family Intervention Crisis Service
- Foster Care Initiative
- Marvine Family Center
- Parenting Center
- In-house Group for Mothers
- Group Experience for At-Risk Adolescent Girls
- Communities That Care
- Teen Parenting Program
- “Evening” Day Treatment Services
- Delinquency Prevention Program for Migrant Children
- Parents and Children Together (PACT) Project
- Parenting Plus/Baby Connections
- Children’s Advocacy Centers
- “Homebuilders”
- Help Us Grow Up Special (HUGUS)

A description of several of these initiatives follows:

Allegheny County - Hearing Officers. (This was formerly called the Masters Project.) Using foundation monies, CYS has funded three hearing officer positions, additional solicitors, and family representatives. The hearing officers hold hearings in the regions so it is more convenient for the families to attend. This is 100 percent funded with foundation monies for the first year (this started December 1998), 75 percent for the second year, and 50 percent for the third year. Additional funding will be needed in future years. The county would like to shift the savings from reduced placements to help pay for the hearing officers.

Allegheny County - Family-to-Family. This program seeks foster placements in the child’s neighborhood, and then uses the foster families to mentor the birth family. This program was developed in part to increase opportunities to place siblings together.

Allegheny County - Online Placement. The names of all children who are to be put in an out-of-home placement are posted electronically. All providers can access this system and offer services. The posting remains for 48 hours after which CYS reviews the provider responses and decides where to place the child. If after 48 hours there has been no response, the child is identified as a hard-to-place child. A resource specialist reviews these placements. This service expedites placement and forces providers to be competitive.

Allegheny County - Pro Bono Adoption Services. The Pittsburgh office of the law firm Reed Smith Shaw & McClay, LLP, serves as the sole source of private pro bono representation to facilitate adoptions of CYS children. The office also provides office space and support services to the attorneys and paralegals for the Adoption Legal Services Project (ALSP), which is funded by the Statewide Adoption Network. The ALSP staff works with CYS to prepare the files for the Reed Smith attorneys who handle the cases in court. This project represents collaboration between the state, county, courts, and a private sector law firm. In 1998, 70 Reed Smith attorneys helped to finalize 144 of the 505 adoptions of children in foster care.

Centre County - Parenting Plus/Baby Connections Program. This is a parenting education and support program designed for families with children ages 0-10 years. The Parenting Plus home-based component is designed to enhance parent/child relationships by providing a solid foundation of developmental information, teaching positive discipline skills, developing enriching family activities, and facilitating a supportive social network. Parent educators seek to address the individual needs and goals of each family and to build on their strengths and resources. Parenting groups range in format from one-time workshops to an 8-12 week educational group and ongoing support groups. The Baby Connections component utilizes trained volunteers to work with first-time parents in the prenatal stage and for a period up to one year following birth.

Centre County - Family Reunification Program. The Centre County Family Reunification Program helps children achieve and maintain permanent placement in a timely manner. Family reunification services are provided through the cooperation of three agencies: Centre County Children and Youth Services, Family Intervention Crisis Services, and Youth and Family Services. Two-person teams deliver services. Small caseloads permit concentrated attention on the family. A close working relationship, including monthly meetings, among all practitioners is an essential part of the program. The program focuses on the strengths and needs of each child and family, while using a variety of time-limited, goal-oriented services and supports to determine the optimal level of reconnection that is appropriate.

Clinton County - Parents and Children Together (PACT) Project. The PACT Project provides community-based services to mothers and fathers who are at risk of child abuse and/or neglect. The project is both center-based and home-based with transportation and on-site child care provided for center-based classes. The classes provide the mothers and fathers with the tools to achieve their goals in areas, such as behavior management, stress and anger management, budgeting, and health and nutrition. By participating in this project, parents have the opportunity to become positive parents, therefore lowering the rate of child abuse.

Cumberland County - Group Experience for At-Risk Adolescent Girls. This program uses various community facilities that provide physical challenges to enhance cooperation and team building as vehicles for building self-esteem and problem-solving skills. The program is led by agency caseworkers and supervisors and includes obstacle course challenges, rope climbing, wall climbing, canoeing and kayaking, as well as more traditional sharing of ideas and feelings.

Erie County - Erie School District's Student Parenting Program. This program assists pregnant and parenting (female and male) students with their dual role of parent/student. The four major objectives are: (1) to reduce pre-term and low birth weight babies by early identification of pregnant students, by monitoring their health status, and through prenatal education; (2) to help students attain high school graduation through counseling and support services (i.e., child care and transportation); (3) to help students become responsible parents through parenting education and case management; and (4) to help students plan for future education, training, and employment. The students learn to utilize school-based and community-based resources and programs.

Greene County - HOMEBUILDERS Program. HOMEBUILDERS is an intensive, in-home, crisis intervention and family education program. The program only accepts families in which one or more children are in imminent danger of being placed in state-funded foster, group, or psychiatric institutional care. HOMEBUILDERS' goal is to prevent out-of-home placement through intensive, on-site intervention and to teach families new problem-solving skills to prevent future crises.

Luzerne County - Parenting Center. The Parenting Center provides intensive center-based and at-home parenting education for parents, both fathers and mothers, of children from birth to age five. The Parenting Center provides a wide range of services to these families in home-like settings. The program offers support, such as education, group counseling, field trips, and occupational therapy, while focusing on the parent/child relationship to build strong attachments and reduce the need for placement.

Lycoming County - Evening Pre-Adolescent Component of Day Treatment Services. A casework supervisor and five caseworkers are located in an elementary and middle school of the Williamsport Area School District to work closely with the schools and children who are involved in the Children and Youth Evening Day Treatment Program. Goals of this collaborative effort are to: (1) increase intensive contacts with program clients; (2) provide open daily communications between Juvenile Probation, School District, and Children and Youth front line staff; (3) erase barriers to service and increase the understanding of the agencies' roles; and (4) provide consultation to School District personnel by the Children and Youth Program Supervisor. The Pre-Adolescent Program works with dependent children ages 6 to 12 and their families. The Pre-Adolescent Program serves 24

children/families per month and an average of 48 different children/families per year. The Adolescent Program works with dependent and delinquent youth ages 13 to 17 and their families. The Adolescent Program can serve 12 youth/families per month and an average of 44 youth per year.

Northampton County - Marvine Family Center. The Marvine Family Center was created with Department of Education grants several years ago. The center was opened within the Bethlehem School District in an area that has a high-Hispanic, low-income population. This community-based center offers a variety of human services and a medical center. Northampton officials report this center has been very successful in preventing abuse and neglect. It is now funded under the needs-based budget.

Multi-County - Court Appointed Special Advocate. The nation's first advocates' program was developed by a Superior Court Judge in Seattle, Washington, who believed he was not getting sufficient information to decide the fate of children brought before him. The Court Appointed Special Advocate (CASA) Program trains volunteers to serve as guardians ad litem or as adjuncts to the guardian ad litem. The CASA volunteer's role is to present a comprehensive picture of the child's family history and present living situation and to appear in court as an advocate for the child. Since their caseloads are small (approximately one or two cases), CASA is able to thoroughly research the child's circumstances, interview anyone with knowledge about the child, work with all the professionals to be sure that the child receives the services he or she needs, and advocate for a safe and permanent home for each child in a timely manner. The reports of the advocate are presented to the court and become part of the case record. CASA advocates do not have to be attorneys and serve in addition to the guardian ad litem.¹ CASA offers programs in Allegheny, Berks, Cambria, Crawford, Delaware, Erie, Mercer, Philadelphia, and York Counties. The Allegheny Program is the largest with 90 volunteers representing the interests of 245 children. A recent amendment to the Juvenile Act defines the powers and duties of the CASA and requires the Juvenile Court Judges' Commission to develop standards governing the qualifications and training of the CASAs.

¹Pennsylvania law requires a guardian ad litem to be an attorney.

VII. Other States' Children and Youth Structures

A. Types of Administrative Systems: State-Administered, Locally-Administered, and Privatized

Pennsylvania is one of 11 states with a state-supervised/county-administered children and youth system. According to the National Child Welfare Resource Center, 15 state child welfare programs are state supervised/county-administered. In four of those states, however, (Georgia, Indiana, Maryland, and South Carolina) the local staff are state employees, not county. The remaining state child welfare programs are state-supervised/state-administered with the exception of Kansas, which privatized its state-supervised/state-administered program in FY 1996-97.

A 1990 study of state child welfare programs identifies key attributes¹ associated with various organization structures and analyzes how six states² fared in relation to the attributes. The study concluded that states that decentralize resources are most responsive to local needs. However, such systems tend to resist policy direction from the central office and tend to replicate management functions in field operations. Equity in service provision and resource distribution is more difficult to achieve in decentralized systems.

Accountability to a central authority is important to monitor, evaluate, and control policy and resources. A structure with the local delivery office under the line authority of the state director, such as in Oregon, will generally have a high level of accountability. Efficiency can be increased through economies of scale, avoiding duplication, and eliminating administrative inefficiencies. Florida's regional design, with a single administrator responsible for the delivery of all human services, allows for centralized purchasing, administration, and personnel functions. Consolidation of service sites into multi-service centers under a single line of authority reduces the need for multiple office systems, supplies, and administrative support staff.

As regards state-supervised/county-administered child welfare programs, a DPW contractor who consults with many state child welfare programs has found that county-administered systems are often inefficient and inequitable. For example, each county has its own computer system, and personnel and administrative skills can vary widely. County commissioner involvement and county culture and economics may be quite different. Historically, the DPW contractor stated that in the 1960s and 1970s many small states converted from county-administered to

¹Responsiveness to constituencies, local political preferences, and local needs; equity in service provision and resource distribution across the state; client accessibility to multiple programs; coordination and integration of services to clients; accountability to a central authority; maximizing efficiency; and intra- and interdepartmental coordination.

²The states, listed in order from least to most centralized, are Minnesota, South Carolina, Utah, Florida, Oregon, and Delaware.

state-administered systems. Many of the large states are still county-administered, such as New York, California, Ohio, Michigan, Wisconsin, Virginia, North Carolina, and Pennsylvania.

No one structure can maximize all the attributes. The optimum structure will depend on the state's performance objectives. The following sections describe some examples of state-supervised/state-administered, state-supervised/county-administered, and privatized systems.

State-Supervised/State-Administered Programs

Thirty-four states have state-supervised/state-administered child welfare programs. Two examples:

Florida

In 1993 the Legislature created 15 Health and Human Services Boards whose members are appointed by the Governor and the county commissioners. Each board negotiates an annual district performance agreement with the Department. The boards are responsible for establishing outcome measures for their districts, conducting needs assessments, providing budget and policy oversight, advising the district administrator (a state employee), making recommendations to enhance productivity, reviewing contractor performance, participating in the selection and evaluation of the district administrator, and completing an evaluation of the district.

Florida's Department of Children and Families reports being a full partner with municipal and county governments, charitable organizations, churches, service providers, and other local organizations in providing child welfare services. By coordinating services at the local level, they avoid duplication to stretch social service dollars further. The Department is community-based, client-centered, and results-oriented, according to Florida officials.

New Jersey

Within the Department of Human Services, the Division of Youth and Family Services has administrative responsibility for supervising social service programs. The Division's Office of Program Operations is organized into four geographic regions, in addition to an Office of Adoption, Foster Care, and Placement Services and an Office of Case Practice, Screening, and Emergency Response. A network of 32 district offices, 5 adoption resource centers, 3 children's residential treatment centers, and an Office of Child Abuse Control delivers direct care services. Program Operations also administers, through its regional structure, approximately 550 contracts with community social service providers with input from the County Human Services Advisory Councils, which serve as the primary vehicles for planning and allocating Social Service Block Grant funds. The Office of the Chief of Staff is

responsible for regulating 2,850 childcare centers, 4,500 family day care homes, 135 children's residential treatment centers, group homes and shelters, and 70 adoption agencies. This regulatory function includes on-site, life safety and program inspections to ensure compliance with state standards.

State-Supervised/County-Administered Programs

Eleven states (state-supervised/county-administered) use county employees to administer their child welfare programs. We contacted the National Conference of State Legislatures to provide us with an analysis of three of these states: New York, North Carolina, and Ohio. (The full NCSL report is available from the LB&FC upon request.) We contacted seven other states to briefly review their programs and structure (see Exhibit 16).

New York

New York administers child welfare programs through 57 county social services departments plus New York City. The Office of Children and Family Services (OCFS) within the newly created State Department of Family Assistance supervises services at the state level. The state licenses group homes and institutions, conducts case reviews, monitors county data, and reviews county plans and progress in meeting outcomes. According to state officials, they neither reward nor sanction counties for performance. Counties must provide case management services, but case planning can be contracted. Funds are distributed by block grants with no required county match. OCFS has been working collaboratively with counties to develop possible alternatives to the current block grant system of funding and provide grants to counties for local planning. OCFS is forming an advisory committee, including county input, to provide ongoing consultation regarding policy development.

North Carolina

North Carolina administers child welfare programs through local departments of social services in each of the state's 100 counties. The Division of Social Services within the State Department of Health and Human Services supervises services at the state level. The state shares licensing responsibilities for foster home facilities with the counties. Counties may not contract case management functions. The state biennially reviews county performance, produces a key indicators report, and an experience report tracking children entering the custody/placement system. The state also monitors county performance through on-site reviews by the State Assessment and Improvement Team, which provides consultation and technical assistance to poorly performing counties. North Carolina can withhold state funding until compliance with state laws is reached. Funds are

Exhibit 16

State Supervised/County Administered Children and Youth Services Programs*

State	Responsibility for:			Case Management Responsibility	Mandated Maximum Caseload	State Funding to Counties	County Match on State Funds	Issues With Counties
	License Reviews	Death Reviews	Quality Control Checks					
Alabama	County agency not licensed by state.	Included in quality control checks.	State and local programs. ^a	County may be some shared responsibility.	1:18 families.	Flexible funding allocation based on demographics, population, open caseloads, etc. Also central funding for residential treatment and some specific programs.	None.	Historically a difficult parent/child relationship with counties. Now mandating a partnership with counties whereby counties are empowered and state is more of a support function. Planning collaborative.
California	State, except in large counties.	County multi-disciplinary team.	State Operations Bureau.	County ultimately responsible even when contracted. No duplication.	None, varies in each county.	Based on caseload standards for each type of service and unit costs in each county.	15%. Counties get more dollars than they can spend because they often do not receive the county match.	No response provided.
Colorado	County agency not licensed by state.	County and state staffs meet each month.	State reviews foster care. Program review not required for in-home service. For counties electing managed care quality control review required.	County may contract with provider for CM but county is still responsible. May be duplication.	None, but the goal of 1:17 is met.	Child Welfare Allocation Committee (County Commissioners, County Directors, State staff) uses formula based on population and poverty level; also block grants.	Those not 100% state funded have 20% match. No overmatch because of county input on committee. Money can be moved from those under-spent to over-spent.	Counties always want more local control and have difficulties implementing new programs. Trying for a partnership with counties, more county involvement, focus on what counties can do. Through managed care the state reduced many processes in its manual, letting the counties determine steps.
Minnesota	County agency not licensed by state.	County and state staff on mortality review panel.	State external review staff in partnership with counties.	County, but may delegate to contracted provider.	None.	Formula.	None.	Increasing cost of out-of-home placement and the role of the state in supporting counties with these costs. The state is conducting a financing study.

Exhibit 16 (Continued)

State	Responsibility for:			Case Management Responsibility	Mandated Maximum Caseload	State Funding to Counties	County Match on State Funds	Issues With Counties
	License Reviews	Death Reviews	Quality Control Checks					
New York	County agency not licensed by state. Other licensing shared.	County with state review; both review out-of-home placement deaths.	State conducts case reviews and issues a report and corrective action plan. State regional offices monitor compliance with corrective plans.	County.	Statute prohibits maximum caseload standards.	Block grant-share determined by complex formula based partially on past utilization.	County match not required but averages 17%-50%-difficult to track.	Difficult to frame policy between NYC and the rest of the state; potentially conflicting state roles of enforcer and technical assistance provider; issue of local versus provider roles. Working collaboratively with counties to develop alternatives to block grant system; grants to counties for local planning and testing of funding strategies; forming advisory committee, including county representatives, to provide policy development consultation; collaboration with NYC leadership.
North Carolina	County agency not licensed by state. Other licensing shared.	County	State ^b	County.	None. Standards are: CPS 1:12; foster care/adoption 1:15.	Block grants, formulas.	Average 51%; lack of state financial contribution (14%) causes county resentment.	Accountability, uneven quality of services statewide, funding. Successful strategies include local support teams, regional training centers, technical assistance, biennial reviews, and county participation in program initiatives, policy development, and pending legislation.
North Dakota	County agency not licensed by state. State responsible for other licensing.	State level interagency panel.	State.	County. No duplication.	Not mandated but standard of 15 open cases.	Contract or formula.	Percentage of match depends on the program or service.	Consistency of policy application statewide for all counties. The result is more contracting since a contract service agreement offers more options for the state/county relationship.
Ohio	County agency not licensed by state. Foster care licensed by state.	State field staff.	State regional staff audit case files periodically; a new more outcome-focused approach has been developed to provide feedback and assistance to counties. ^c	Counties may contract case management but remain responsible for final outcomes. Duplication of case management sometimes results.	None.	Block grant according to statutory formula, a few competitive grants.	Average 37%.	Lack of clearly defined state/county roles; low state funding; varying county administrative structures; lack of local understanding of state functions. Communications problems addressed through county access to state policy information on web page; video conferencing with county participation; negotiated partnership agreements for TANF; county Families and Children First Councils to streamline and coordinate services for children.

Exhibit 16 (Continued)

State	Responsibility for:			Case Management Responsibility	Mandated Maximum Caseload	State Funding to Counties	County Match on State Funds	Issues With Counties
	License Reviews	Death Reviews	Quality Control Checks					
Pennsylvania	State.	Not required but performed by state regional offices.	State.	County. State policies prohibit duplication.	1:30 families, under regulation. Counties may reduce ratio by one family per year down to 1:15.	Funding based on county submitted needs and certified by state department and reasonableness and availability.	Most services require 20% match. Overmatch is an issue.	Communication/collaboration/consensus building; regulations vs. good practice; shared visions/goals/outcomes; variance between counties in levels of service and resources. The Department is involving counties in policy/program development; jointly developed good practice standards, outcome measures; new information system variances.
Virginia	Local and state government.	State Fatality Review Commission	State.	County.	None.	Historical, formulas, some uncapped.	20%; programs requiring matches are often contested, many overmatches.	Unfunded mandates from new programs/regulations increase local funding. Local/state budget collaborative established as forum for local input.
Wisconsin	County agency not licensed by state.	County; plan to establish statewide review committee.	State-5 regional offices.	Mainly county, some provider, may be duplication.	None-goal of 1:18 families.	Formula.	9%; often large overmatches.	Counties don't listen to the state; counties angry about inadequate funding. Milwaukee C&YS is now under the control of the state, contracting with the city and private providers. Looking at more privatization; partnership with counties on practice standards.

*We could not clearly determine the exact number of states that are state supervised/county administered. The federal Health and Human Services, the Child Welfare League, and the National Child Welfare Resource Center lists differ to some extent. We chose to use the latter. We did not include such states as Georgia, Indiana, Maryland, and South Carolina that are considered state supervised/county administered because their staffs at the local level are state employees.

^aQuarterly reviews by counties are sent to the state where data is analyzed. At the local level independent advisory boards review county operations. The state performs compliance reviews and meets with community focus groups.

^bBiennial performance reviews for CPS and adoption, on-site reviews for counties with poor performance, monthly key indicators report. Noncompliance may lead to sanctions (withholding of state and federal funds, state operation of county services).

^cCounties report data to the state that is analyzed by the state regarding county progress toward 18 indicators of child safety and family permanence. Semianual reports are provided to the counties.

Source: Developed by LB&FC staff from discussions with state county and youth services administrators.

distributed by block grants. For non-IV-E funding, the county splits the costs, 50-50. The amount of local contribution varies among counties based on local capacity to participate. The Division of Social Services has local support teams assigned to the state's ten geographic areas to provide technical assistance and consultation. The state also has four regional training centers.

Ohio

In Ohio, the county human services department in 49 counties administers child welfare services, and in 39 counties separate children services boards administer services. The Ohio Department of Human Services (DHS) licenses group homes and institutions, conducts death reviews, audits case files periodically, and monitors and reports on the counties' progress toward 18 indicators of child safety and family permanence. An incentive fund has been established to improve performance or increase efficiency. Counties may contract case management services, but counties are responsible for the final outcomes. Duplication of case management sometimes results from contracting. Counties are allowed to contract for all child welfare functions except child abuse and neglect investigation. State funds are distributed by block grants. Local funding varies but averages 37 percent.

The Ohio DHS has tried to address communication problems with the counties through video-conferencing, internet access to state policy information, and county councils that attempt to streamline and coordinate services. The councils may include family members and private providers as well as schools and public agencies.

Other State-Supervised/County-Administered Programs

We contacted seven other states that have state-supervised/county-administered children and youth programs to discuss briefly their responsibilities, the county responsibilities, caseload size, state funding, county matches, and issues with the counties. See Exhibit 16 for details.

With the exception of California, these states do not license the county agencies. They, or the counties or a state/county combination, license foster care homes, residential homes, and daycare facilities. Death reviews may be the responsibility of the state (as in Pennsylvania), the county or a shared responsibility. Eight of the states conduct quality control reviews. Alabama and Minnesota share the responsibility with the counties.

In seven states, counties have case management responsibility, even if they have a contract for case management. Alabama and Wisconsin share the responsibility with the provider, and Minnesota may delegate to the provider. Colorado, Ohio, and Wisconsin indicate that case management duplication may occur. Only one state had a mandated maximum caseload size, Alabama (1 caseworker:18 families). Four states have established caseload goals ranging from 12 to 18 families per caseworker.

Unlike Pennsylvania, most states reviewed fund their county programs through a formula that considers such factors as demographics, population, open caseloads, caseload standards, unit costs, poverty levels, and past utilization. New York and Ohio use block grants, and North Carolina and Colorado use a formula and block grants. (Pennsylvania's funding is based on the county's needs-based budget which is then certified by the state considering reasonableness and allowability.) Eight of the states reviewed have a county match, ranging from 9 percent in Wisconsin to 51 percent in North Carolina. (Pennsylvania's 20 percent county match is slightly below average.) North Carolina reported that the low state contribution of 14 percent causes county resentment.

Privatized Programs

An October 1998 GAO report found that 13 states have implemented managed care projects, or initiatives for their child welfare services, with new initiatives being planned or considered in more than 20 other states. In one state, Kansas, essentially all child welfare services are provided through private managed care. Most of the ongoing initiatives involve foster children with the most complex and costly service needs. The GAO estimates that about 4 percent of the nation's child welfare population are currently served under managed care arrangements.

According to the GAO report, most child welfare managed care initiatives use a capitated payment system. Managed care initiatives require service providers to organize and coordinate a full array of services, including case management, to ensure that appropriate and necessary services are available to children and their families. The public agencies continue to play an active role at strategic points in service delivery, such as determining which clients will be served under managed care. Public agencies use various quality assurance techniques, such as performance standards, to hold service providers accountable for outcomes.

The GAO reports that managed care presents several challenges. First, public agencies need to find ways to maintain an adequate cash flow, since they pay providers prospectively but claim federal reimbursement after services are delivered. Second, public agencies must develop sound management information systems to establish appropriate capitated payment rates and monitor performance. Finally, as traditionally public functions shift to the private sector, agencies may need to develop new procedures for case management and program administration, requiring additional training for both public and private employees.

Kansas

Regional contractors in Kansas serve the entire foster care, adoption, and family preservation program populations, representing 80 percent of the state's child welfare population. Children and families involved in a CPS investigation, a small number of noncustodial families receiving in-home service, and the juvenile offender population are not included. The state's Commission on Children and

Family Services provides a small number of services, including child protective services, family assessments, supportive family services, service management, monitoring of contracts and grants, eligibility determination, and information and referral.

Kansas' foster care privatization effort, implemented statewide in March 1997, serves 4,950 children (66 percent of the child welfare population). The public agency contracts with a lead private agency that is responsible for coordinating and providing all necessary services--either directly or by subcontracting with a network of service providers for a defined population of children and families.

Kansas pays each lead agency an average of \$13,850 per child, which is expected to cover all out-of-home services including food and shelter, child care, mental health treatment, independent living, reunification services, and case management for the children in foster care, as well as recruiting and training foster parents. Developmentally disabled children are excluded from managed care since these children have unusually high service needs. Each lead agency can exclude a designated number of referred cases--averaging about 3 percent of the lead agency's total caseload--from the case rate and bill the state for those cases on a traditional fee-for-service basis.

Kansas officials report this initiative has changed the public employees' approach to casework. State caseworkers are still responsible for a caseload of children and their families but now they primarily monitor the services provided by the contractors. Some contract managers are now Area Contract Specialists, who are physically located in each of the state's 15 area offices. As the state's liaison with the lead agency, an Area Contract Specialist receives management and oversight reports and responds to questions about contract operations.

Kansas has incorporated multiple performance standards in its foster care lead agency contracts: to provide a disincentive to poor treatment planning and discharging children from care prematurely, contractors are held financially responsible for those children who must reenter care within a specified period of time. The lead agency must pay for all costs if a child who was returned to the family reenters foster care within 12 months of discharge. To help ensure that managed care entities do not inappropriately limit the amount or types of service, the state can restrict profit levels or require cost savings to be reinvested in services. After the first year, when agencies fell short of their goals, the state lowered the standards by narrowing the gap between its original expectation and the contractors' actual performance. Managed care has not yet resulted in improvements in the rate that children leave foster care for more permanent living arrangements or yielded cost savings, according to state officials. Kansas has contracted for a four-year external review of its entire child welfare system.

B. Issues in Other State-Supervised/ County-Administered Systems

In the three states NCSL surveyed, several similar issues were identified for county child welfare systems and for the state agencies that supervise them.³

Lack of an equitable state financial contribution. In North Carolina and Ohio, state dollars average less than 14 percent of total child welfare funding. Since New York's conversion to a state block grant to counties, counties believe the previous state funding level of 25 percent has decreased. Since the block grant was developed and counties began to fear state funding cuts, state-local relationships have deteriorated. In all three states, counties believe that the limited state financial contribution results in a local fiscal burden and enormous variation in service quality across the state. Counties have limited avenues for generating the necessary revenue to ensure high quality services.

Unfunded mandates. Largely due to limited state financial contribution, counties resent state requirements, especially those that are viewed as procedural and that result in stringent reporting and monitoring for compliance. In some cases, counties believe that state expectations are increasing as state resources are decreasing.

Absence of a sense of state-local partnership. Counties resent the focus of the state agency on compliance monitoring. They would like assistance, timely information, and technical resources from the state. Even more, counties would like to have a relationship in which they are full partners in decision-making and in which decisions are reached by consensus. Some state agencies also are uncomfortable with a heavy emphasis on compliance monitoring and threats. In Ohio, the state and counties are trying to develop an approach to accountability that focuses on outcomes. The state reports that it is trying to shift its role to assist counties with monitoring and achieving outcomes.

Coordination seems to be most successful at the local level. The state has an important role in modeling and supporting coordination among human services agencies as well as removing barriers to collaboration. However, there is general agreement that service coordination happens best at the local level.

County responsibilities for providing and managing services. In the states surveyed, counties have responsibility for providing all child welfare services, including case management. To varying degrees, counties contract with private agencies to provide services, but core case management services generally remain the counties' responsibility. Use of managed care results in greater use of contracting, including purchase of case management. Even so, county government retains responsibility and liability.

³It should be noted that a number of survey respondents remarked that state-administered child welfare systems also have problems. Even the issues and serious problems of their county-based systems did not convince respondents that a state-administered approach is necessarily a better alternative.

VIII. Appendices

APPENDIX A

House Resolution 1998-426

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 426 Session of 1998

INTRODUCED BY HARHART, GRUPPO, TRUE, RAYMOND, ARMSTRONG, BARD, BARRAR, BROWNE, CALTAGIRONE, M. COHEN, DALLY, DeLUCA, DENT, EGOLF, FARGO, FICHTER, FORCIER, GEORGE, HALUSKA, HENNESSEY, HERSHEY, LEH, LYNCH, MAITLAND, MARSICO, OLASZ, ORIE, PESCI, PETRONE, READSHAW, ROBINSON, ROHRER, ROSS, RUBLEY, SHANER, STABACK, E. Z. TAYLOR, TIGUE, TRELLO, WALKO, WOJNAROSKI, M. N. WRIGHT AND ZIMMERMAN, APRIL 21, 1998

REFERRED TO COMMITTEE ON RULES, APRIL 21, 1998

A RESOLUTION

1 Directing the Legislative Budget and Finance Committee to
2 conduct a performance audit of the Commonwealth's children
3 and youth agencies.

4 WHEREAS, The Commonwealth's children and youth services
5 delivery system is a joint responsibility of the Department of
6 Public Welfare and county government; and

7 WHEREAS, Each county is responsible for developing and
8 administering a program of services designed to treat and
9 prevent child abuse, neglect and exploitation and to provide
10 services which reduce dependency and delinquency; and

11 WHEREAS, Many changes have occurred in the children and youth
12 services delivery system and in the dynamics of children's
13 issues in recent years; and

14 WHEREAS, There is a need to study the effectiveness of the
15 operation and management of the Commonwealth's children and
16 youth services delivery system in meeting statutory and

1 regulatory responsibilities for at-risk children and families;
2 therefore be it

3 RESOLVED, That the House of Representatives direct the
4 Legislative Budget and Finance Committee to conduct a
5 performance audit of the Commonwealth's children and youth
6 agencies; and be it further

7 RESOLVED, That the committee make a report, with
8 recommendations, as appropriate, which shall be submitted to the
9 Speaker of the House of Representatives and to members of the
10 Aging and Youth Committee within one year of the approval of
11 this resolution.

APPENDIX B

Children and Youth System Glossary

ACF: Federal Administration of Children and Families.

Act 148: Pennsylvania law establishing basic funding for children and youth programs and the mandate for counties to operate children and youth services programs and provide matching funds.

Adjudication: The determination of whether a child is a dependent child or a delinquent child by a judge, after hearing.

Adjudication/Finding of Delinquency: An order of court finding, on proof beyond a reasonable doubt, that a child committed an act, by reason of which he was alleged to be delinquent, and that he/she is in need of treatment, supervision, or rehabilitation.

Adjudication/Finding of Dependency: An order of court finding that a child is a “dependent child” pursuant to the Juvenile Act.

AFCAR: Automated Foster Care and Adoption Reporting.

CASSP: Child and Adolescent Service System Project involves activities that are designed to promote interdepartmental cooperation between agencies such as children and youth services, juvenile court and education, and to encourage parental participation in systems advocacy for children’s services. It is funded by mental health and targets emotionally disturbed youngsters.

Child Abuse: Any recent act or failure to act by a perpetrator which causes nonaccidental serious physical injury to a child under 18 years of age; an act or failure to act by a perpetrator which causes nonaccidental serious mental injury to or sexual abuse or sexual exploitation of a child under 18 years of age; any recent act, failure to act or series of such acts or failures to act by a perpetrator which creates an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a child under 18 years of age; serious physical neglect by a perpetrator constituting prolonged or repeated lack of supervision or the failure to provide essentials of life, including adequate medical care, which endangers a child’s life or development or impairs the child’s functioning. No child shall be deemed to be physically or mentally abused based on injuries that result solely from environmental factors that are beyond the control of the parent or person responsible for the child’s welfare, such as inadequate housing, furnishings, income, clothing and medical care.

Child-Care Services: Child day-care centers, group and family day-care homes, foster homes, adoptive parents, boarding homes for children, juvenile detention center services or programs for delinquent or dependent children; mental health, mental retardation, early intervention and drug and alcohol services for children; and other child-care services which are provided by or subject to approval, licensure, registration or certification by the Department of Public Welfare or a county social services agency or that are provided pursuant to a contract with these departments or a county social services agency. The term does not include such services or programs which may be offered by public and private schools, intermediate units or area vocational-technical schools.

Child Neglect: Refers to disregarding the physical, emotional or moral needs of children. It involves the failure of the parent or caretaker to provide nutritious food, adequate clothing and sleeping arrangements, essential medical care, sufficient supervision, and normal experiences that produce feelings of being loved, wanted, secure, and worthy.

Appendix B (Continued)

Child Protective Services (CPS): Those services and activities provided by the Department of Public Welfare and each county agency for child abuse cases.

County Agency: The county children and youth social services agency that is supervised by the Department of Public Welfare.

Delinquent Child: A child ten years of age or older whom the court has found to have committed a delinquent act and is in need of treatment, supervision or rehabilitation.

Dependent Child: A child who: is without proper parental care or control, subsistence, education as required by law, or other care or control necessary for his physical, mental, or emotional health, or morals; is placed for care or adoption in violation of law; is abandoned by his parents, guardian, or other custodian; is without a parent, guardian, or legal custodian; is habitually and without justification truant from school while subject to compulsory school attendance; has committed a specific act or acts of habitual disobedience of the reasonable and lawful commands of his parent, guardian or other custodian and who is ungovernable and found to be in need of care, treatment or supervision; is under the age of ten years and has committed a delinquent act; has been formerly adjudicated dependent, and is under the jurisdiction of the court, subject to its conditions or placements and who commits an act which is defined as ungovernable; or has been referred for an informal adjustment and who commits an act which is defined as ungovernable.

Expunge: To strike out or obliterate entirely so that the expunged information may not be stored, identified or later recovered by any mechanical or electronic means or otherwise.

Foster Home and Foster Care: A temporary home provided by a family to children who must be removed from the home of their parent or parents.

Founded Report: A child abuse report made if there has been any judicial adjudication based on a finding that a child who is a subject of the report has been abused, including the entry of a plea of guilty or nolo contendere or a finding of guilt to a criminal charge involving the same factual circumstances involved in the allegation of child abuse.

General Protective Services: Those services and activities provided by each county agency for nonabuse cases requiring protective services, as defined by the Department of Public Welfare in regulations.

Group Home: A temporary home which normally provides services to between 6 to 12 children so placed by the court. Also called group residence or halfway house.

Guardian: A person to whom the law has entrusted the custody and control of a child.

Guardian ad litem: A person charged with representing the best interests of the child at every stage in the court proceedings.

Indicated Report: A child abuse report if an investigation by the county agency or the Department of Public Welfare determines that substantial evidence of the alleged abuse exists based on any of the following: available medical evidence; the child protective services investigation; an admission of the acts of abuse by the perpetrator.

Informal Adjustment: In the case of a dependent child, a referral of the child and his parents to any public or private social agency available for assistance.

Appendix B (Continued)

Juvenile Act: Pennsylvania law establishing dependency and delinquency for children and youth under the age of 18 and in some circumstances under age 21.

Nonsecure Care: Care of children in a setting which does not use physical barriers or devices to confine children or prevent their egress from the facility or its grounds; includes group homes, shelters, foster care, alcohol/drug treatment facilities.

Placement: Twenty-four-hour-a-day, out-of-home care and supervision.

Protective Services: Those services and activities provided by the Department of Public Welfare and each county agency for children who are abused or are alleged to be in need of protection.

Recent Acts or Omissions: Acts or omissions committed within two years of the date of the report to the Department of Public Welfare or county agency.

Risk Assessment: A Commonwealth-approved systematic process that assesses a child's need for protection or services based on the risk of harm to the child.

SACWIS: Statewide Automated Child Welfare Information System.

Serious Bodily Injury: Bodily injury which creates a substantial risk of death or which causes serious permanent disfigurement or protracted loss or impairment of function of any bodily member or organ.

Serious Mental Injury: A psychological condition, as diagnosed by a physician or licensed psychologist, including the refusal of appropriate treatment, that: renders a child chronically and severely anxious, agitated, depressed, socially withdrawn, psychotic or in reasonable fear that the child's life or safety is threatened; seriously interferes with a child's ability to accomplish age-appropriate developmental and social tasks.

Sexual Abuse or Exploitation: The employment, use, persuasion, inducement, enticement or coercion of any child to engage in or assist any other person to engage in any sexually explicit conduct or any simulation of any sexually explicit conduct for the purpose of producing any visual depiction, including photographing, videotaping, computer depicting or filming, or any sexually explicit conduct or the rape, sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, molestation, incest, indecent exposure, prostitution, statutory sexual assault or other form of sexual exploitation of children.

Shelter Care: Residential care supervision in a non-secure setting.

Substantial Evidence: Evidence which outweighs inconsistent evidence and which a reasonable person would accept as adequate to support a conclusion.

SWAN: Statewide Adoption Network.

Unfounded Report: Any report made unless the report is a "founded report" or an "indicated report."

Source: Developed by LB&FC staff from the CPSL, Juvenile Act, Adoption Act, and the Forest/Warren Department of Human Services Glossary.

APPENDIX C

Questionnaire Methodology and Summary Results

We mailed questionnaires to several constituency groups to obtain firsthand information, comments, and suggestions from parties that are actively involved with children and youth programs:

Questionnaire Group	Number of Questionnaires Sent	Number of Questionnaire Responses Returned	Response Rate
County Administrators.....	67	50	74.6%
Caseworkers and Caseworker Supervisors* ...	758	243	32.1
Juvenile Court Judges.....	135	39	28.9
Service Providers**.....	218	66	30.3
Chief Juvenile Probation Officers.....	67	37	55.2
Advisory Committee Chairs***.....	65	27	41.5

*From a list including 2,344 caseworkers and 360 caseworker supervisors (total of 2,704), we randomly selected 558 caseworkers and 200 caseworker supervisors.

**We mailed 218 questionnaires to private children and youth service providers. We obtained the mailing list containing 151 names from DPW and an additional 67 names from the Pennsylvania Council for Children’s Services. These lists do not include all service provider groups, but represent the vast majority.

***One questionnaire to each county with the exceptions of Forest and Warren Counties, which have a combined advisory committee and Allegheny County, which has had the requirement for an advisory committee waived.

Selected Results

County Children and Youth Administrators Questionnaire

What is your staff to family ratio for GPS and CPS families/caseworker?

GPS: Low Ratio:	1:4	Perry County
GPS: High Ratio:	1:40	Lancaster County
CPS: Low Ratio:	1:2	Somerset and Centre Counties
CPS: High Ratio:	1:50	Clearfield County

What are the three most significant problems your county faces in administering its C&Y program in the following areas?

General Protective Services (135 items listed)

1. Staffing—too few/turnover/lack of experience/low pay (31)
2. Services—lack of/poor quality of (27)
3. Limited opportunities for clients—transportation, housing, and employment (20)

Child Protective Services (128 items listed)

1. Staffing—too little/turnover/lack of experience/low pay/stress (31)
2. Services—lack of/poor quality (20)
3. Problems with statutes and regulations (13)

Appendix C (Continued)

Foster Care (122 items)

1. Recruitment & Retention—finding and retaining homes/facilities/foster parents (49)
2. Staffing—too little/turnover/lack of experience/low pay (21)
3. Services—more services are needed for foster children (8)

Adoption (104 items)

1. Court Issues—time delays/reluctance to TPR/restrictions (24)
2. Lack of Families & Homes for—teens, special needs kids, siblings, minorities, etc. (22)
3. Staffing—too little/turnover/lack of experience/low pay (15).

Have the number of substantiated child abuse reports changed significantly ($\pm 20\%$) in your county over the past five years?

	<u>Count</u>	<u>Percent</u>
Increased	5	10.4%
Decreased	8	16.7
No.....	35	72.9

Factors for Decrease: Parent Education, Enhanced Public Education, Early Intervention Efforts, Increased Prevention Initiatives, Respite Services for Caretakers

Factors for Increase: Violence More Accepted, More Drug and Alcohol Usage, More Mental Illness in Families, More Conscientious Reporters

What issues or constraints, if any, do you face in coordinating with the following human service systems:

Drug and Alcohol: Confidentiality/release of info constraints; lack of funds.

Mental Health/Mental Retardation: Lack of services; coordination among systems (lack of)/trouble with providers.

Medical: Medical professionals reluctant to testify and inexperienced with child abuse; lack of dental and medical facilities who accept MA cards.

Schools: Unreasonable expectations of CYS/ don't understand CYS role; school does not want to deal with children/pass the children off.

Courts: Delays in processing case/ moving case along; budget shortfalls/no budget accountability.

Police: Don't understand role of CYS and CPSL; coordination effort/sharing information

Are you satisfied with your ability to recruit qualified C&Y staff?

	<u>Count</u>	<u>Percent</u>
Yes	11	22.0%
No.....	39	78.0

Are you satisfied with your ability to retain qualified C&Y staff?

	<u>Count</u>	<u>Percent</u>
Yes	14	28.0%
No.....	36	72.0

Appendix C (Continued)

Do you believe the needs-based budget your county submits to the Department of Public Welfare fairly and accurately portrays the financial needs of your county children and youth agency?

	<u>Count</u>	<u>Percent</u>
Yes	39	78.0%
No.....	11	22.0

Do you believe the Commonwealth’s existing statutes, regulations, and practices meet the key needs of today’s at-risk children and families?

	<u>Count</u>	<u>Percent</u>
Yes	18	38.3%
No.....	29	61.7

**Selected Results: County Children and Youth
Caseworkers/Caseworker Supervisors Questionnaire**

Are you a caseworker or a caseworker supervisor?

Caseworkers	152	62.6%
Supervisors.....	91	37.4

Years of service in county children and youth system?

Average	8.3 years
Maximum	28 years

What are the three most significant problems you face in implementing your county’s C&Y program in the following areas?

General Protective Services (540 items listed)

1. More services are needed for clients (109)
2. Caseloads are too high (57)
3. Too much paperwork (52)

Child Protective Services (434 items listed)

1. More services are needed for clients (68)
2. Need more caseworker staff (48)
3. Coordination and communication with other service agencies needs improved (44)

Foster Care (385 items listed)

1. Need foster homes and/or facilities for teens, siblings, minorities, special needs (120)
2. Need more caseworker staff (32)
3. More services are needed for clients (30)

Adoption (250 items listed)

1. Adoption process, especially termination of parental rights, takes too long (62)
2. Not enough adoptive parents for children, especially teens, siblings, minorities, special needs. (Most people want healthy newborns.) (39)
3. Need more caseworker staff (29)

Appendix C (Continued)

Are sufficient training opportunities afforded to caseworkers in your county?

Yes	195	80.2%
No.....	46	18.9
No Answer.....	2	0.0

Concerns regarding training:

- Need more in-depth training in specialized areas
- Need more training for seasoned staff
- Use a shadow/mentor/buddy system
- Training should occur prior to cases being assigned

Do you believe the Commonwealth’s existing statutes, regulations, and practices meet the key needs of today’s at-risk children and families?

Yes	99	40.7%
No.....	131	53.9
No Answer.....	13	5.4

Concerns in this area:

- More laws are needed for the rights of children, not the rights of parents.
- Prior to writing new regulations and laws, legislators should get input from C&Y workers.
- Streamline the appeals process.
- Laws and regulations are ambiguous, especially with the definitions of abuse and neglect.

Other concerns/recommendations:

- Hire more staff, increase salaries, reduce caseloads
- Inform public on CYS
- Better cooperation with other service agencies
- Reduce paperwork
- More emphasis on prevention

Selected Results: Juvenile Court Judges Questionnaire

Are the current statutes governing county children and youth programs for dependent and other nondelinquent youth adequate to ensure the safety of children in the Commonwealth?

Yes.....	26
No	12

Changes you would recommend:

- There should be a statutory presumption that any child under the age of seven years who suffers an unexplained serious bodily injury shall be presumed to be dependent and in need of placement out of the home. The burden would be on the parents or persons in loco parentis at the time of the injury to establish their right to regain custody of the child.

Appendix C (Continued)

- I would give the judge more discretion in allowing children to be declared dependent by relaxing the burden of proof from clear and convincing evidence to a preponderance of the evidence or in changing the definition of serious bodily injury to include an attempt to cause serious bodily injury. I would do this so that a judge, in an appropriate case where there has been no showing of serious bodily injury but an attempt to do so, can take the child from the parent.
- The Court of Common Pleas should be authorized by statute to place dependent children in secure placements when there exists clear and convincing evidence that the child is likely to abscond from an unsecure placement and that the child is likely to constitute a risk to himself or to the safety of the community.

Have you noticed any significant changes in the type or severity of problems involved in dependency cases you preside over now compared to your first involvement in juvenile court cases?

Yes	24
No	9

- Mental Health issues are more acute and common.
- There are more and younger children with seemingly more serious and violent mental illnesses.
- The number of severely neglected or abused children has increased.
- There has been an increase in violence leading to severe injuries to children involved in abuse cases.
- The level of family dysfunction has drastically increased.
- A dramatic increased use of drugs and cocaine addicted babies.

What are the three most significant issues the courts are facing today?

- Sufficient money is needed to fund appropriate services and personnel.
- Staffing--recruitment and retention/turnover/salaries.
- Increase in drugs and alcohol and mental illness with children and families.

Selected Results: Advisory Committee Chair Questionnaires

What are the most significant problems facing your county’s children and youth program in the following areas?

General Protective Services

1. Staffing--too few/turnover/low pay/stress
2. Caseload size too high
3. Insufficient services available

Child Protective Services

1. Staffing--too few/turnover/low pay/stress
2. Caseload size too high
3. Inadequate funding

Foster Care

1. More foster families needed
2. Training is needed for foster parents
3. Hard to place children--special needs, siblings, teenagers

Appendix C (Continued)

Adoption

1. Lack of homes for teens, special needs, MH/MR, minorities, etc.
2. Changes will need to be made to implement ASFA
3. Lack of after care services

Intake

1. Staffing--too few/turnover/low pay/inexperience
2. Too much paperwork/computerized forms needed
3. Insincere phone calls/false alarms due to custody

Do you believe the Commonwealth's existing statutes, regulations, and practices meet the key needs of today's at-risk children and families?

Yes.....	10
No.....	14

Changes you would recommend:

- Existing practices preserve families at all costs. Frequently the needs of at-risk children and families would be better met by striving to keep children in safe places.
- It seems as if parents' rights supercede children's rights.
- Laws and statutes are reactive instead of proactive. They are pro-family instead of pro-child.

Selected Results: Chief Juvenile Probation Officers

Do you believe the Commonwealth's existing children and youth statutes, regulations, and practices meet the key needs of today's at-risk children and families?

Yes.....	10
No.....	25

Are you aware of any "best practices" or noteworthy initiatives happening in your county to provide services to dependent or other nondelinquent youth that you think would help other counties?

Yes.....	19
No.....	15

- Tioga County - SPARKS (Special Programs for At-Risk Kids)
- Clearfield County - effective truancy program
- Centre County - family therapy and a renaissance program for sex offenders and victims
- Lancaster County - parenting classes, life skills program
- Mercer County - Community Support Project

What issues or constraints, if any, do you face in coordinating with your county children and youth agency?

- More preventive programs are needed
- Communication problems exist between Children and Youth and Probation Officers
- Children and Youth staffing issues--turnover and low salaries
- Over regulation by DPW
- Need for enhanced Children and Youth sanction power

Appendix C (Continued)

Selected Results: Service Providers

What are the most significant problems your agency's children and youth programs face in providing:

Services to Children in Their Own Home:

1. Finding and retaining qualified staff.
2. The waiting period for families to get service is too long.
3. Uncooperative parents.

Placement Services:

1. Finding sufficient number of foster homes.
2. Recruiting and retaining qualified staff.
3. Per diem rate is too low from CYS.

Adoption Services:

1. Difficult to place teenagers, siblings, minorities, and special needs children.
2. Termination of parental rights is not timely.
3. Post adoption services needed.

What issues or constraints do you face in coordinating your children and youth programs with the following human service systems?

Drug and Alcohol: The waiting period for services is too long; clients can refuse services.

Mental Health/Mental Retardation: Long delays to get services; level of funding seems to determine level of care.

Medical: Difficulty obtaining dental services; managed care system is difficult to work within.

Schools: Difficulty in obtaining school records; cannot handle children with behavioral problems.

Courts: Slow to terminate parental rights; backlog of cases in court system.

Do you believe DPW's annual children and youth licensing process meaningfully assesses your agency's ability to carry out its responsibilities? Yes - 59; No - 3

Do you think the counties you are associated with have an adequate mechanism to monitor private provider agencies? Yes - 36; No - 18

Are you satisfied with the frequency and nature of your contacts with county children and youth case managers? Yes - 35; No - 24

Source: Developed by LB&FC staff from responses to questionnaire.

APPENDIX D

Grouping of Children and Youth Statutes and Associated Regulations

Child Protective Services Law: Encourages more complete reporting of suspected child abuse; establishes in each county protective services for children; attempts to stabilize the family by providing rehabilitative services where appropriate.

- Administration and Fiscal management – Administration of County Children and Youth Social Service Programs (Ch. 3130) – Applies to county children and youth social service agencies and governs the administration and provision of such social services. These are the overriding regulations for the county children and youth program.
- Child Protective Services - Abuse (Ch. 3490) - Protects abused children from further abuse; preserves and stabilizes families; implements the CPSL.¹
- Planning and Financial Reimbursement Requirements for County Children and Youth Social Service Programs (Ch. 3140) - Ensures the proper accomplishment of counties' child welfare duties; applies to the development and submission of a county children and youth services plan and budget estimate; provides for the reimbursement of county expenses; provides for state and federal participation in the cost associated with substitute care and adoption assistance.
- Child Protective Services - General (Ch. 3480) - Applies to protective services to children provided by public and voluntary social services agencies; supplements Chapters 3130 and 3680 and provides for 24-hour care for children in need of protective services.¹
- Administration and Operation of a Children and Youth Social Service Agency (Ch. 3680) - Ensures that agency programs are operated in conformity with state and federal laws and regulations relating to health, safety, and rights; governs agency hiring practices, staff qualifications, personnel, and client records, program responsibilities, and health, medical, and dental care.²
- Foster Family Care Agency (Ch. 3700) - Establishes minimum requirements for the operation of foster family agencies.

Adoption Act: Provides for a new and permanent, legal family for those children whose natural parents are unable or unwilling to fulfill this responsibility. Provides for termination of parental rights and adoption procedures.

- Adoption Services (Ch. 3350) - Implements the Adoption Act.
- Administration and Fiscal Management - Administration of County Children and Youth Social Services Programs (Ch. 3130) – See above.

Juvenile Act: Provides programs of supervision, care and rehabilitation for children committing delinquent acts; preserve unity of family whenever possible and provide for care, protection and development of children coming within provisions of act.

- Grants to Counties for New Social Services for Children and Youth (Ch. 3150) - Governs grants to aid counties in developing new social services for children and youth.
- Planning and Financial Reimbursement Requirements for County Children and Youth Social Services Programs (Ch. 3140) - See above.

Appendix D (Continued)

- Allowable Costs and Procedures for County Children and Youth (Ch. 3170) - Consolidates fiscal policies relating to children and youth social services programs; defines allowable costs for reimbursement.
- Child Protective Services - Child Abuse (Ch. 3490) - See above.
- Administration and Operation of a Children and Youth Social Service Agency (Ch. 3680) - See above.
- Foster Family Care Agency (Ch. 3700) - See above.

Adoption Opportunities Act: Encourages and promotes the placement in adoptive homes of children who are physically and/or mentally handicapped, emotionally disturbed, or hard to place because of age, siblings, or ethnicity.

Public Welfare Code, 62 P.S. 701 et seq.: Assures the availability and equitable provision of adequate public child welfare services for all children who need them; provides for reimbursement to counties for children's services; provides for a needs-based budgeting process (includes Act 1991-30).

- Child Protective Services - Abuse (Ch. 3490) - See above.
- Planning and Financial Reimbursement Requirements for County Children and Youth Social Service Programs (Ch. 3140) - See above.
- Grants to Counties for New Social Services for Children and Youth (Ch. 3150) - See above.
- Allowable Costs and Procedures for County Children and Youth (Ch. 3170) - See above.
- Adoption Services (Ch. 3350) - See above.
- Administration and Operation of a Children and Youth Social Service Agency (Ch. 3680) - See above.
- Foster Family Care Agency (Ch. 3700) - See above.
- Administration and Fiscal Management - Administration of County Children and Youth Social Services Programs (Ch. 3130) - See above.

Family Preservation Act, 62 P.S. §2171 et seq.: Requires DPW to establish and supervise a program that provides intensive intervention services to families whose children are at risk of immediate out-of-home placement in the custody of a county children and youth agency.

County Code, 16 P.S. §2168: Requires county commissioners of fourth, fifth, sixth, seventh, and eighth class counties to provide for child welfare services.

¹DPW proposed amendatory regulations for child protective services (Chapters 3480 and 3490) were published in the *Pennsylvania Bulletin* on February 21, 1998.

²DPW proposed amendatory regulations for child residential and day treatment facilities (Chapters 3680, 3710, 3760, 3800, 3810, 5310, 6400) were published in the *Pennsylvania Bulletin* on February 14, 1998.

APPENDIX E

Pending Legislation Relating to Children and Youth

1999-2000 Legislative Session

(As of May 11, 1999)

Senate Bill 234: Providing that a child taken into custody for possessing a weapon on school property must be detained in a juvenile justice facility until an informal hearing can be held to determine whether further detention is required to protect the person or property of others. The child must undergo a psychological evaluation prior to the informal hearing.

Senate Bill 337: Providing permanence for children with special needs through adoption.

Senate Bill 342: Reducing caseload size of county children and youth services caseworkers; authorizing staff increases commensurate with workload responsibilities.

Senate Bill 385: Starting in the 2000-2001 school year, students in grades 1, 3, and 5 shall receive instruction on child abuse.

Senate Bill 483: Providing for the effect of a decree of termination, for contents of an adoption petition and for the requirements and form of an adoption decree.

Senate Bill 576: Providing for a Children & Youth Caseworker Loan Forgiveness Program.

Senate Bill 624: Prohibiting false reporting of child abuse.

House Bill 130: Providing for preferences for relatives in foster parenting.

House Bill 172: Requiring all school districts to develop a comprehensive school violence prevention plan. (See also Senate bills 332 and 333.)

House Bill 221: Providing for grounds for involuntary termination of parental rights.

House Bill 242: Providing a definition for "continuous sexual abuse of child."

House Bill 243: Requiring the Department of Education to create a model domestic abuse awareness program.¹

House Bill 342: Amending the Mental Health Procedures Act increasing the age of persons who may authorize voluntary treatments to 18.

House Bill 385: Providing for unannounced inspections.

House Bill 457: Providing for aggravated assault; providing for the offense of terroristic threats against children and youth services agency employees.

House Bill 517: Regulating notification requirements for dependent children.

House Bill 518: Providing for face-to-face contact for high-risk abused children.

House Bill 519: Providing for child death reports where abuse is suspected.

House Bill 637: Establishing a Judicial Education Program in Domestic Violence that each judge will be required to successfully complete.

House Bill 654: Providing for the Uniform Adoption Act.

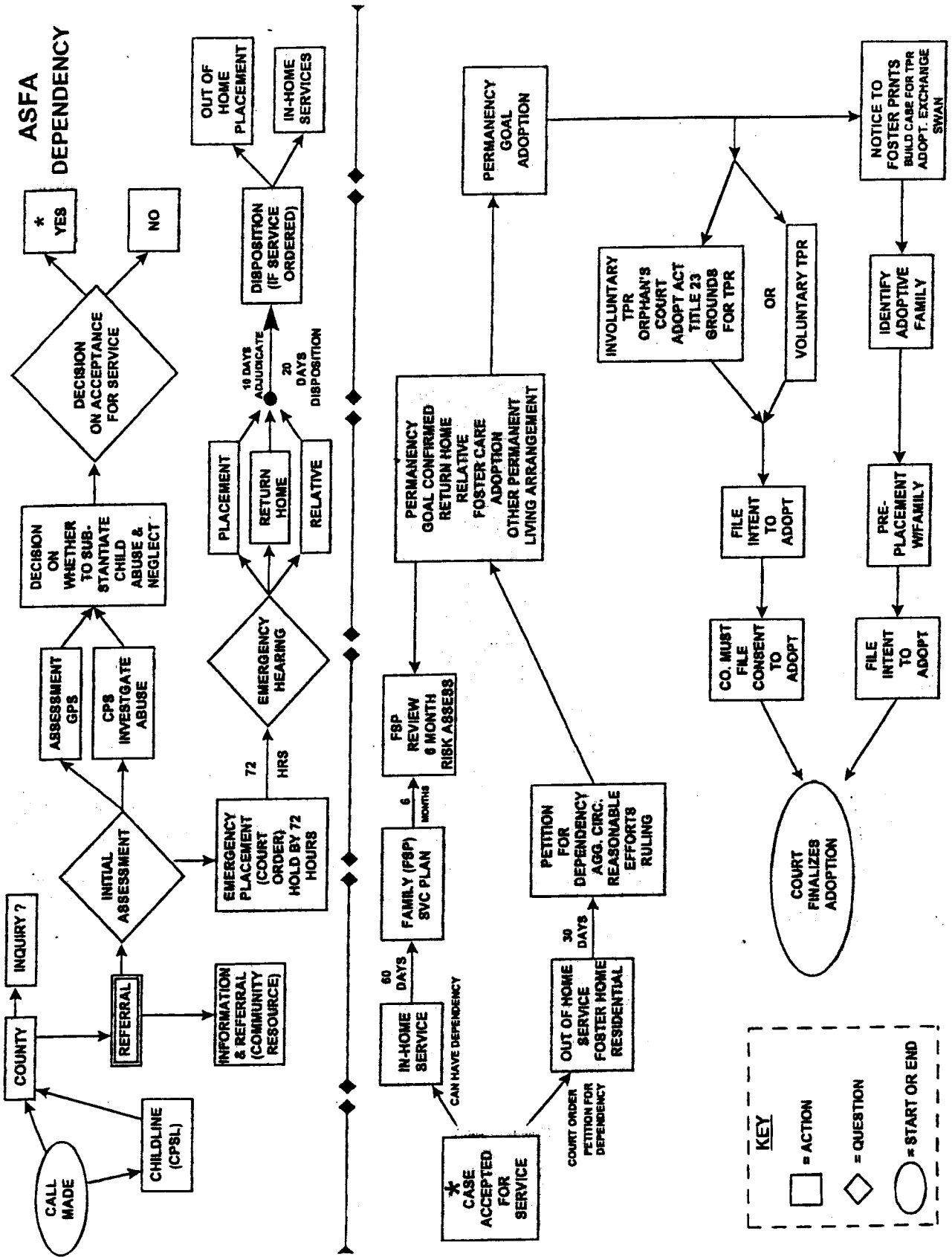
House Bill 742: Providing for guardians ad litem and counsel in juvenile matters.

House Bill 1049: Establishing a Kinship Care Program.

¹ House Bill 248 requires the Department of Labor and Industry to create a similar program.

APPENDIX F

Children and Youth Service System Process



APPENDIX G.1

Pennsylvania Top 12 Counties—Dependency Expenditures for In-Home, Community Based, and Institutional Services

County	FY 1996-97				
	<u>In-Home</u>	<u>Comm. Based</u>	<u>Institutional</u>	<u>Total</u>	<u>% of Total</u>
Philadelphia.....	\$71,166,061	\$122,890,338	\$50,264,812	\$244,321,211	39.5%
Allegheny	30,229,260	45,368,600	8,908,120	84,505,980	13.6
Berks	6,930,161	10,916,272	3,119,468	20,965,901	3.4
Delaware	9,330,000	9,000,000	1,550,000	19,880,000	3.2
Westmoreland.....	5,052,164	7,836,080	1,856,370	14,744,614	2.4
Northampton	5,911,093	5,623,488	2,494,818	14,029,399	2.3
Erie.....	7,986,100	5,454,803	523,857	13,964,760	2.3
York.....	3,560,375	7,726,121	2,118,558	13,405,054	2.2
Bucks.....	6,272,869	5,834,000	720,000	12,826,869	2.1
Lehigh	5,919,734	6,166,121	666,256	12,752,111	2.1
Luzerne	6,416,632	5,508,470	579,110	12,504,212	2.0
Chester.....	5,769,748	3,860,732	1,500,972	11,131,452	1.8
All Others.....	<u>56,717,388</u>	<u>73,839,250</u>	<u>13,530,684</u>	<u>144,087,322</u>	23.3
Total.....	\$221,261,585	\$310,024,275	\$87,833,025	\$619,118,885	100.0%

County	FY 1997-98				
	<u>In-Home</u>	<u>Comm. Based</u>	<u>Institutional</u>	<u>Total</u>	<u>% of Total</u>
Philadelphia.....	\$84,522,511	\$123,432,508	\$53,884,080	\$261,839,099	39.3%
Allegheny	34,093,405	46,625,659	7,513,650	88,232,714	13.3
Berks	8,383,445	13,460,835	2,332,456	24,176,736	3.6
Delaware	10,845,000	9,200,000	1,530,000	21,575,000	3.2
Westmoreland.....	5,147,039	9,404,146	2,345,126	16,896,311	2.5
Northampton	6,499,269	6,148,868	3,100,246	15,748,383	2.4
York.....	4,149,142	9,068,400	2,236,383	15,453,925	2.3
Erie.....	8,828,622	4,987,791	140,119	13,956,532	2.1
Bucks.....	6,870,143	6,017,086	479,850	13,367,079	2.0
Lehigh	6,403,205	6,374,065	571,335	13,348,605	2.0
Luzerne	6,995,438	5,378,481	427,682	12,801,601	1.9
Dauphin	3,248,312	7,430,379	1,142,575	11,821,266	1.8
All Others.....	<u>67,004,520</u>	<u>76,547,944</u>	<u>12,874,421</u>	<u>156,426,885</u>	23.5
Total.....	\$252,990,051	\$324,076,162	\$88,577,923	\$665,644,136	100.0%

Source: Developed by LB&FC staff from DPW CY 855 Budget Requests for FY 1996-97 through FY 1999-00.

APPENDIX G.3

In-Home and Intake Expenditures and Children Served Dependents Only*

(FY 1995-96 Through FY 1998-99)

Cost Center	FY 1995-96 (Estimated Actuals) ¹			FY 1996-97 (Estimated Actuals) ¹		
	Expenditures	Children Served	\$ Per Child	Expenditures	Children Served	\$ Per Child
Adoption Services	\$ 8,258,310	4,761	\$1,735	\$ 9,476,467	5,089	\$1,862
Adoption Assistance	18,266,731	5,065	3,606	22,836,110	5,421	4,213
Counseling	48,189,301	71,890	670	54,538,439	118,644	460
Day Care	5,414,981	1,736	3,119	6,406,205	1,387	4,619
Day Treatment	6,914,470	1,552	4,455	6,822,099	1,658	4,115
Homemaker/Caretaker	3,382,827	3,109	1,088	3,528,473	3,350	1,053
Intake/Referral	9,036,672	166,906	54	10,080,896	155,681	65
Life Skills	3,685,190	8,834	417	3,969,806	12,222	325
Protective Service-Child Abuse	29,804,455	45,839	650	28,094,247	45,230	621
Protective Service-General	43,712,921	82,943	527	47,639,956	86,277	552
Service Planning	<u>21,162,935</u>	<u>125,853</u>	<u>168</u>	<u>27,868,887</u>	<u>127,949</u>	<u>218</u>
Total	\$197,828,793	518,488	\$ 382	\$221,261,585	562,908	\$ 393

Cost Center	FY 1997-98 (Estimated Actuals) ¹			FY 1998-99 (Budget) ²		
	Expenditures	Children Served	\$ Per Child	Expenditures	Children Served	\$ Per Child
Adoption Services	\$ 11,796,750	5,980	\$1,973	\$ 21,220,709	7,159	\$2,964
Adoption Assistance	30,178,482	7,012	4,304	40,269,927	8,218	4,900
Counseling	78,615,258	131,806	596	93,246,586	186,219	501
Day Care	6,622,502	2,609	2,538	7,190,107	2,876	2,500
Day Treatment	7,182,106	1,697	4,232	7,471,254	1,859	4,019
Homemaker/Caretaker	3,243,093	3,764	862	3,825,343	4,297	890
Intake/Referral	13,412,925	157,605	85	16,713,508	167,978	99
Life Skills	4,368,768	13,771	317	5,034,994	15,250	330
Protective Service-Child Abuse	27,749,560	44,343	626	31,900,648	48,003	665
Protective Service-General	43,373,437	88,111	492	51,054,351	96,520	529
Service Planning	<u>26,447,170</u>	<u>135,432</u>	<u>195</u>	<u>29,271,704</u>	<u>143,592</u>	<u>204</u>
Total	\$252,990,051	592,130	\$ 427	\$307,199,131	681,971	\$ 450

*Excludes administrative costs which, for example, were \$70.4 million in FY 1997-98 for all Act 148 services.

¹The estimated actual figures are based, in most cases on ¾ of actual and ¼ estimated actual figures. The counties' needs-based plans are submitted to DPW before the close of the fourth quarter each fiscal year at which time invoices incurred are not yet totaled.

²Amount budgeted based on implementation plan and appropriation but not yet certified by DPW.

Source: Developed by LB&FC staff from DPW CY 855 Budget Requests for FY 1996-97 through FY 1999-00.

APPENDIX G.4

Community-Based Placement Expenditures and Days of Service Dependents Only*

(FY 1995-96 Through FY 1998-99)

Cost Center	FY 1995-96 (Estimated Actuals) ¹		FY 1996-97 (Estimated Actuals) ¹	
	Expenditures	Days of Service	Expenditures	Days of Service
Alternative Treatment	\$ 2,898,484	28,236	\$ 2,678,006	33,053
Community Residential	45,967,771	464,393	48,473,580	448,253
Emergency Shelter	27,752,600	368,041	22,222,878	281,066
Foster Family	204,934,157	5,324,694	225,000,382	5,610,889
Supervised Independent Living	9,876,861	110,240	11,649,429	115,826
Total	\$291,429,873	6,295,604	\$310,024,275	6,489,087

Cost Center	FY 1997-98 (Estimated Actuals) ¹		FY 1998-99 (Budget) ²	
	Expenditures	Days of Service	Expenditures	Days of Service
Alternative Treatment	\$ 3,809,032	42,715	\$ 4,370,478	47,623
Community Residential	54,823,028	510,398	66,834,255	568,580
Emergency Shelter	24,562,675	307,180	26,930,622	324,008
Foster Family	229,458,641	5,533,603	248,993,989	5,855,536
Supervised Independent Living	11,422,786	119,364	12,460,929	129,760
Total	\$324,076,162	6,513,260	\$359,590,273	6,925,507

*Excludes administrative costs which, for example, were \$70.4 million in FY 1997-98 for all Act 148 services.

¹The estimated actual figures are based, in most cases on ¾ of actual and ¼ estimated actual figures. The counties' needs-based plans are submitted to DPW before the close of the fourth quarter each fiscal year at which time invoices incurred are not yet totaled.

²Amount budgeted based on implementation plan and appropriation but not yet certified by DPW.

Source: Developed by LB&FC staff from DPW CY 855 Budget Requests for FY 1996-97 through FY 1999-00.

APPENDIX H

HR 127 Select Subcommittee Report Recommendations

In response to House Resolution 127 of 1997, a Select Subcommittee of the House Aging and Youth Committee issued a report relating to child protective services. Several recommendations were contained in this report. These are:

- Increase testing for parents suspected of ongoing drug abuse. In the future, agencies should consider the distinction between sporadic drug testing for probation, or similar purposes, and the need for more frequent testing to properly assess whether a parent still poses a risk to a child. In addition, county agencies should more aggressively and consistently pursue both voluntary testing or, when appropriate, court-ordered testing. Given the variation in how county agencies address parents with substance abuse problems, the Department should develop clear policies on the responsibilities of county agencies in this arena. The Department must create a statewide policy on issues surrounding identification of drug use, appropriate testing, appropriate services, and appropriate methods of assuring child protection within the context.
- While the new CORE training appears to offer some meaningful information about the impact of drug abuse on child maltreatment cases as well as some general suggestions about how to address the problem, more training should occur. The Department, in consultation with experts in the field of drug abuse, must expand its CORE training requirements and dedicate specific training curricula for all caseworkers focused solely on the proper identification of drug abuse and the appropriate methods of addressing that abuse.
- The Department should create a task force, with representatives from county agencies and drug treatment providers to examine the issue of confidentiality and to make recommendations on the appropriate means for county agencies to obtain useful drug treatment records for those parents receiving services under the CPSL. (Act 126 addresses the availability of treatment records.)
- The Federal Adoption and Safe Families Act of 1997 permits states to define aggravating circumstances under which reasonable efforts to preserve and reunify families are no longer required. For those families receiving services through county agencies where an ongoing history of drug abuse exists, the General Assembly should statutorily define specific levels of parental drug abuse that would qualify as an aggravating circumstance so that children can be removed for their own safety.
- The Department should continue to raise awareness of, and counties should continue to implement proactive approaches to, the problems of multiple, live-in partners and domestic violence, stressing counseling and confrontation to fix the underlying cause (poor choices by the parent) instead of the effect (dangerous partners threatening the safety of the children).
- The General Assembly should statutorily authorize an independent entity to review county agency investigations, the acceptance or non-acceptance of cases, and the closure of cases to provide the assurance that children are being protected from abuse and neglect. In addition, the entity will need to have the proper training to achieve this goal.
- The General Assembly should, statutorily require that a parent notify the court and the appropriate county agency of the child's new address if a parent moves after his child has been adjudicated dependent. (Proposed regulations require notification of a move as part of FSP.)
- The General Assembly should statutorily require weekly visitation of children assessed at high risk for abuse or neglect. (Proposed regulations.)

Appendix H (Continued)

- To best ensure consistency from county to county, a protocol must be established outlining requirements related to the exchange of information when a family moves from one county to another. Minimal requirements should outline both counties' obligation to work towards locating a family whose address is unknown. Information about their efforts to locate the family should be documented and retained by both agencies. (Proposed regulations.)
- The Department, consulting with the Juvenile Court Judges' Commission and any other appropriate entity, should create a policy or promulgate regulations outlining additional information that must be provided to the court by a county agency in a dependency proceeding. Information that could be required includes: (1) appropriate case records related to the family's historical involvement with the agency; (2) information regarding involved parties' and potential caregivers' known arrest or conviction records, drug abuse, and domestic violence; (3) information about any child abuse reports related to the dependent child that were received and investigated; and (4) any other information that the Department deems appropriate. Any new information acquired by a county agency in the interim between court hearings or prior to the court releasing the agency's custody of a dependent child should be shared with the court.
- The General Assembly should statutorily encourage the development of Court Appointed Special Advocate (CASA) programs throughout the Commonwealth by authorizing CASA volunteers and their access to confidential information. (Proposed regulations.)
- The Department and the Juvenile Court Judges' Commission should coordinate efforts to provide additional, targeted training (particularly to new judges, and new court masters, who will hear dependency cases) on issues related to the risk assessment model, factors that contribute to a child's risk for abuse, and county agency roles and responsibilities.
- The General Assembly should statutorily require the Department's Regional Offices to review and provide written reports on child deaths resulting from child abuse. Agency action or inaction including, but not limited to, its investigation of prior child abuse or neglect reports, its acceptance of the family for services, its provision of services, and its closure of the case, should be analyzed by the Regional Office in all child death reviews and reports. The Department should periodically provide a report to the General Assembly on the findings of these child death reviews. (HB 519)
- The Department should centrally file its child death reports and related information so that records are kept by the Office of Children, Youth and Families. The Department must ensure that child death reviews and reports are being completed by its Regional Offices in accordance with its policy or statute. It must monitor the quality and consistency of the child death reviews and reports and periodically analyze this information to identify problems that should be addressed through statutory change, additional training, or changes in regulations or policy. (HB 519)
- For the sake of clarity, the Department should ensure more standardization of the child death reviews. For example, each child death report should include detailed information justifying the nature and the extent of the review. (HB 519)
- Given the very limited scope of the Select Subcommittee's review, it is recommended that the General Assembly encourage a comprehensive examination of the issues outlined in this section for the purpose of identifying additional key areas for improvement.
- Pennsylvania should statutorily define its own "aggravating circumstances." (Act 126)
- There is always a need for public education to ensure the timely reporting of suspected child abuse. The Select Subcommittee also supports increased public education efforts, using all media outlets, to make the public aware of the signs and symptoms of child abuse and the availability of ChildLine as a resource.

Source: Report of the Select Subcommittee on House Resolution No. 127.

APPENDIX I

Selected Performance Reviews/Multidisciplinary Team Reviews

Blair County: A performance review was conducted as a result of a child's death in March 1997. This four-year-old had been receiving services from the Blair County Children and Youth Services Agency at the time of death. In addition to case file reviews, 22 individuals including caseworkers, supervisors, agency directors, medical, professional and law enforcement officials were interviewed. One regulatory violation was noted. This regulation, 55 Pa Code (§3480.12), requires that the agency, if possible, secure specific allegations of neglect, abuse, and exploitation, and verify such allegations through personal interviews, written reports, and contacts with parents and children. In response to this specific violation, caseworkers will adhere to the response time assigned by the intake or CPS supervisor. No case will be closed until the child is observed and interviewed, regardless if the child is at risk or not. All reports of mistreatment will be reported to ChildLine. In addition to the regulatory violation, the review identified practice areas that needed improvement. Specifically, it was recommended that Blair County review its policies and procedures relating to:

- ensuring the safety of children during CPSL investigations and following the established protocols for reporting and investigating child abuse cases with law enforcement agencies;
- ensuring that experienced and trained staff perform intake and CPS services; and
- reviewing and implementing agency intake and referral policies.

As a result of this review, Blair County reviewed policies relating to student interns; emergency duty workers; multiple referrals received by the agency; protocol for reporting and investigating child abuse cases; interview procedures; and referrals.

Blair County also made the following changes in their agency practices:

- All intake cases are assigned response times according to seriousness and risk of referral.
- Upon making a verbal referral to another social service agency, Blair County will follow up in writing, outlining the need for services and other pertinent information.
- Agency intake screeners will complete an intake screening form for all reports alleging dependency or abuse issues.
- Supervisors have scheduled conferences with their caseworkers on a weekly basis.
- Emergency duty workers will record service activity while on call and provide such information to the next day active caseworker.
- The agency will verbally notify the District Attorney on all cases of abuse involving serious bodily injury, sexual abuse or a situation where physical evidence can be collected.
- Multiple referrals received by GPS and intake will be reviewed by supervisors, and the need for services will be determined.
- Two new employees were added to the CPS unit.
- Supervisors and the agency administrator will determine duties assigned to a student intern. Students will be assessed according to his or her own strengths and weaknesses. A policy will be developed which will involve measuring the student's progress during their internship to determine their ability to assume responsibility.

Finally, the agency developed a safety assurance agreement that will be followed by a letter to the parent and caregiver, stating that the investigation is completed and it is safe for the child to return home.

Berks County: DPW's Office of Children, Youth and Families conducted a performance review of the Berks County Children and Youth Agency after the death of a child whose family was receiving

Appendix I (Continued)

services from the agency at the time of death. The review team made the following recommendations:

- Agency must revise its practice regarding delegation of functions to private agencies.
- Agency must revise its practice to include more thorough assessment and documentation of environmental risk factors such as parental substance abuse and domestic violence.
- Agency must revise its policy and practice to better integrate the findings of the initial risk assessment with the development and implementation of the FSP; a six-month review of FSPs is required.
- Agency must establish in-person contact policies which reflect the risk levels of families.
- County must provide agency with enough Spanish-speaking staff to enable it to provide the same level of service and the same timeliness as that received by English-speaking families.
- County commissioners must appoint a Latino representative to the advisory board.

As a result of this review, the county was issued a provisional license.

Philadelphia County: The MTD review was conducted in 1996 after an eight-year-old girl suffered second and third degree burns over 50 percent of her body, which were inflicted by pre-adoptive parents. The MDT team identified the following problems:

- failure in the case was a result of the absence of training and system coordination;
- child was in system too long;
- placement decision did not take into account child's special needs;
- foster/adoptive family applied to several agencies without following through, but this was unknown to agency which approved them;
- no validation or corroboration of information supplied by applicants and references;
- social workers not adequately trained to assess potential adoptive parents around issues relating to sexual abuse, discipline, separation and loss, and expectations of the child;
- post-placement supervision of the child and the foster/adoptive parents was inadequate.
- plan for securing partial hospital services when the first program was abandoned was not implemented;
- matching the child and foster/adoptive family emphasized ethnicity rather than the special needs of the child and did not adequately assess the foster family's ability to respond to those clinical needs;
- lack of communication within different parts of the same agency and during and after the transfer to another agency; and
- regulations provide minimal direction and guidance and lack specificity; agency implementation of regulations is inconsistent; standards for foster and adoptive homes are different and do not anticipate adoption by foster families.

To address these issues, DPW and Philadelphia County:

- encouraged staff attendance at relevant training sessions;
- combined two family court hearings into one to speed up the adoption process;
- developed new social work practice guides to emphasize value-based decision making on children's behalf;
- issued a policy bulletin which included criteria for conducting home studies and child assessments;
- required interstate child abuse clearances for 10 years;
- required verification of information provided in references for adoptive and foster care applicants;
- expanded existing registry for foster parents to include prospective adoptive parents; and
- recognized that collaboration at critical stages is needed.

Appendix I (Continued)

Lancaster County: DPW conducted a performance review of the Lancaster County Children and Youth Agency during September 1997 through March 1998 after a child's death, whose family had received CYS services, although not at the time of the death. The review team made the following 11 recommendations; that the county must:

- re-evaluate criteria for acceptance of cases for investigation to assure that referrals of children at risk are investigated;
- re-evaluate criteria for acceptance of service to assure that families in need of service are accepted for service;
- re-evaluate criteria for case closures to assure that families in need of service are not terminated from service prematurely;
- investigate promptly allegations of child neglect;
- review service delivery practice to assure appropriate case follow-up occurs;
- review relationship between FSP goals and objectives and caseworker activities;
- reduce caseload size and increase supervisors and caseworker staff;
- provide adequate clerical support to keep files complete and up to date;
- establish a stronger accountability mechanism to assure complete and timely case documentation;
- recruit additional Latino and African American staff and add Latino representative to Advisory Board; and
- evaluate reasons for staff turnover and act appropriately.

Other areas that were identified by the review team for DPW to assist counties in general included:

- state policies and regulations could be increased to provide a more consistent minimum standard; and
- the counties' compliance with the Pennsylvania Risk Assessment Model is now part of the annual agency licensing process.

As a result of this review, the Lancaster County Children and Youth Agency took the following actions:

- Improved recordkeeping and documentation.
- Provided drug and alcohol training and consultation.
- Added a casework supervisor, two caseworkers and a clerical position to the staff.
- Added additional participants to the agency's MDT.
- Clarified and formalized its existing policy for inter-county case transfer.
- Developed and implemented a monthly family contact form to be included in all child abuse case records.
- Enhanced agency communication with the Adult Probation Office.
- Obtained guardians ad litem in more cases that do not involve child abuse so that an independent party has input into case plans and court decisions.
- Assured close management and supervision of cases by supervisors.

The C&Y agency also continues to diligently monitor children in high risk situations to place children from substance abusing homes more quickly; accepts more cases for service; and is more cautious when recommending case plans and returns home.

APPENDIX J

Age Distribution for Children in Foster Care for Selected States* (September 30, 1996)

<u>State</u>	<u>Number of Children</u>	<u>Percent 0-5 Years</u>	<u>Percent 6-10 Years</u>	<u>Percent 11-15 Years</u>	<u>Percent 16-18 Years</u>	<u>Percent 19+ Years</u>
Alaska.....	1,311	24%	18%	30%	28%	--
Arizona.....	8,234	35	27	24	13	1%
Arkansas.....	1,744	27	23	31	18	1
California.....	102,902	33	28	26	13	--
Florida.....	24,090	37	29	23	10	1
Georgia.....	11,488	35	27	27	10	1
Idaho.....	934	32	27	28	12	1
Illinois.....	53,392	36	28	22	11	3
Louisiana.....	6,016	30	28	30	12	--
Maine.....	2,545	24	27	30	17	2
Massachusetts.....	14,671	28	25	29	16	1
Mississippi.....	2,880	31	28	27	12	2
New Jersey.....	7,584	39	22	24	14	1
North Carolina.....	11,384	33	26	27	13	1
Oklahoma.....	4,115	36	29	26	10	--
South Carolina.....	4,110	29	25	30	15	1
South Dakota.....	1,446	39	32	22	7	--
Tennessee.....	13,449	20	17	28	34	2
Utah.....	2,035	25	23	33	18	1
Vermont.....	1,471	13	17	36	29	3
Washington.....	10,273	37	26	24	12	1

*States not included in this exhibit, including Pennsylvania, either did not provide information to the federal agency, or the information that was provided was considered insufficient.

Source: U.S. Department of Health and Human Services; Administration for Children and Families; Administration on Children, Youth and Families; Children's Bureau; Adoption and Foster Care Analysis and Reporting System (AFCARS).

APPENDIX K

Dependency Placement Data by County (FY 1997-98)

<u>County</u>	<u>Total Placements</u>	<u>Population of Children in County</u>	<u>Placements Per 1,000 Children Under 18</u>	<u>Expenditures for Placement</u>	<u>Total Dependency Expenditures</u>
Adams	120	21,614	5.55	\$ 1,542,149	\$ 2,251,207
Allegheny	3,688	274,558	13.43	54,139,309	88,232,714
Armstrong	86	17,703	4.86	1,198,583	2,918,067
Beaver	243	43,707	5.56	2,022,068	4,970,470
Bedford	45	12,388	3.63	713,844	1,224,884
Berks	804	83,758	9.60	15,793,291	24,176,736
Blair	211	31,986	6.60	2,621,800	3,720,704
Bradford	121	16,887	7.17	2,066,635	2,720,728
Bucks	322	150,041	2.15	6,496,936	13,367,079
Butler	162	42,147	3.84	1,550,276	2,860,216
Cambria	196	36,479	5.37	2,619,047	5,534,414
Cameron	15	1,440	10.42	216,452	615,279
Carbon	84	13,484	6.23	820,062	1,470,135
Centre	188	24,908	7.55	2,247,579	4,403,429
Chester	328	104,693	3.13	4,601,592	10,594,175
Clarion	34	9,763	3.48	398,551	993,621
Clearfield	176	19,972	8.81	1,090,304	1,693,811
Clinton	98	8,644	11.34	799,808	1,334,023
Columbia	65	14,018	4.64	809,523	1,349,370
Crawford	169	22,999	7.35	2,703,442	4,272,094
Cumberland	109	45,764	2.38	2,407,701	3,905,518
Dauphin	408	59,029	6.91	8,572,954	11,821,266
Delaware	719	127,300	5.65	10,730,000	21,575,000
Elk	19	8,961	2.12	440,829	745,074
Erie	581	73,129	7.94	5,127,910	13,956,532
Fayette	146	35,246	4.14	1,497,713	2,493,888
Forest	16	1,231	13.00	98,341	252,951
Franklin	119	31,248	3.81	1,350,040	2,040,794
Fulton	5	3,889	1.29	93,349	294,311
Greene	155	10,411	14.89	831,978	1,357,332
Huntingdon	95	10,597	8.96	1,213,715	1,676,279
Indiana	40	21,043	1.90	511,962	1,486,248
Jefferson	57	11,814	4.82	630,890	1,127,142
Juniata	26	5,646	4.61	132,372	342,247
Lackawanna	362	46,051	7.86	4,342,267	6,947,533
Lancaster	580	121,514	4.77	6,792,864	11,251,273
Lawrence	174	22,697	7.67	2,266,823	2,980,867
Lebanon	222	28,820	7.70	1,899,552	2,469,429
Lehigh	466	68,404	6.81	6,945,400	13,348,605

Appendix K (Continued)

<u>County</u>	<u>Total Placements</u>	<u>Population of Children in County</u>	<u>Placements Per 1,000 Children Under 18</u>	<u>Expenditures for Placement</u>	<u>Total Dependency Expenditures</u>
Luzerne	567	67,871	8.35	\$ 5,806,163	\$ 12,801,601
Lycoming	226	29,601	7.63	2,595,497	4,945,557
McKean	96	11,432	8.40	1,165,449	1,761,028
Mercer	128	28,682	4.46	1,456,913	2,804,293
Mifflin	79	11,694	6.76	855,984	1,165,096
Monroe	217	30,864	7.03	2,178,246	4,446,368
Montgomery	474	161,419	2.94	6,845,942	11,695,563
Montour	12	4,420	2.71	254,340	495,132
Northampton	503	60,434	8.32	9,249,114	15,748,383
Northumberland ..	220	21,657	10.16	1,318,011	3,694,829
Perry	53	11,913	4.45	571,272	977,696
Philadelphia	9,224	365,144	25.26	177,316,588	261,839,099
Pike	41	9,919	4.13	321,694	498,171
Potter	17	4,702	3.62	211,023	534,280
Schuylkill	261	32,701	7.98	4,473,100	6,381,100
Snyder	20	9,747	2.05	459,953	806,744
Somerset	142	19,684	7.21	1,912,433	3,346,326
Sullivan	17	1,440	11.81	114,151	243,086
Susquehanna	59	11,246	5.25	451,793	1,096,084
Tioga	49	10,573	4.63	1,112,962	2,601,546
Union	28	8,668	3.23	480,015	965,590
Venango	4	15,111	0.26	908,776	1,378,021
Warren	89	11,112	8.01	1,310,792	2,267,420
Washington	439	46,531	9.43	6,087,063	9,159,515
Wayne	49	11,228	4.36	1,296,584	2,088,846
Westmoreland	538	83,884	6.41	11,749,272	16,896,311
Wyoming	56	8,010	6.99	508,261	777,081
York	<u>724</u>	<u>90,412</u>	<u>8.01</u>	<u>11,304,783</u>	<u>15,453,925</u>
Total	25,786	2,864,082	9.00	\$412,654,085	\$665,644,136

Source: Department of Public Welfare, October 1, 1997 through March 31, 1998 AFCARS data and CY 855 (Needs Based Budget Request for 9900 Budget) showing FY 1997-98 expenditures.

APPENDIX L

Executive Summary – “Knowingly False and Malicious Reporting of Child Abuse and Neglect in Pennsylvania: Critical Questions, Findings, and Recommendations”

The Center for the Study of Youth Policy, School of Social Work, at the University of Pennsylvania, conducted a study to determine:

- The extent of reporting of suspected child abuse determined to be unfounded and to be knowingly false and maliciously reported or is believed a minor was persuaded to make or substantiate a false and malicious report; and
- The advisability of adopting a protocol for the screening of anonymous referrals of suspected child abuse (which might include requiring some corroboration of the alleged abuse report prior to the commencement of an appropriate investigation).

The Center conducted the study because of legislators’ concerns about constituents who were the focus of child abuse investigations which they believed were based on knowingly false reports and that were initiated with malicious intentions.

Currently, 22 states have legislation specifically addressing the issue of knowingly false and malicious reporting of child abuse and neglect. Pennsylvania, however, is not among these states. In order to determine the extent of false reporting in Pennsylvania, the Center surveyed the 67 counties to determine if this was a problem and why; the proportion of investigations represented by knowingly false and malicious reports and if the number is increasing; how counties were addressing the problem; characteristics of reports that might help flag them as knowingly false and malicious; and the kinds of professional expertise, technologies, and training that might be useful to address the problem.

The survey results indicated that most county children and youth agencies view knowingly false and malicious reports as a problem. However, most county administrators did not believe that the problem had increased over the past few years. Very few counties had developed a definition of “knowingly false and malicious” and few were in the process of developing one. The administrators believe the following elements likely contribute to false and malicious reports: an adversarial relationship between parents or custodians; a history of prior unfounded reports on a subject child; the referral type; and identity of referral source. This report contains several recommendations directed to DPW. Specifically, DPW should:

- Consider developing a clear definition of “knowingly false” reports.
- Consider developing investigative protocols for county agencies.
- Consider training for county agency staff in this area.
- Consider recommending that county agencies not take an active part in initiating any adversarial or criminal or civil proceeding regarding knowingly false complaints.
- Consider recommending amendments to the Child Protective Services Law which permits the county to release case information to law enforcement agencies investigating incidents of knowingly false reporting.
- Consider recommending that county agencies use expert consultation regarding knowingly false reports.
- Consider encouraging county MDTs to participate in case consultations of knowingly false reports and to provide supportive recommendations to county agency personnel.
- Consider augmenting the ChildLine screening protocol that is currently used with anonymous sources and forwarding this information directly to the county agency as part of the referral process.

Source: Executive Summary, “Knowingly False and Malicious Reporting of Child Abuse and Neglect in Pennsylvania: Critical Questions, Findings, and Recommendations”, Center for the Study of Youth Policy, School of Social Work, University of Pennsylvania, August 1997.

APPENDIX M

Pennsylvania Model Risk Assessment Form

97							
PENNSYLVANIA MODEL RISK ASSESSMENT FORM				FAMILY SERVICE MATRIX			
PURPOSE: <input type="checkbox"/> FSPR <input type="checkbox"/> FS Transfer <input type="checkbox"/> Birth of a Child <input type="checkbox"/> New Report <input type="checkbox"/> Removal of Child <input type="checkbox"/> Return of Child <input type="checkbox"/> Closing <input type="checkbox"/> Other							
ASSESSMENT CODES: Z - NO RISK L - LOW RISK M - MODERATE RISK H - HIGH RISK X - UNABLE TO ASSESS							
CASE NAME				CASE NUMBER:			
A. CHILD/ABUSE FACTORS	PREVIOUS RISK FACTOR Date: _____	Name: Age:	Name: Age:	Name: Age:	Name: Age:	Name: Age:	CURRENT RISK FACTOR
1. Vulnerability							
2. Severity/Frequency and/or Recentness of Abuse/Neglect							
3. Prior Abuse/Neglect							
4. Extent of Emotional Harm							
B. CAREGIVER/ HOUSEHOLD MEMBER	PREVIOUS RISK FACTOR	Name: Age:	Name: Age:	Name: Age:	Name: Age:	Name: Age:	CURRENT RISK FACTOR
5. Age, Physical, Intellectual or Emotional Status							
6. Cooperation							
7. Parenting Skills/Knowledge							
8. Alcohol/ Substance Abuse							
9. Access to Child(ren)							
10. Prior Abuse/Neglect							
11. Relationship with Child							
C. FAMILY ENVIRONMENT	PREVIOUS RISK FACTOR						RISK FACTOR
12. Family Violence							
13. Condition of the Home							
14. Family Supports							
15. Stressors							
CASEWORKER		DATE		OVERALL SEVERITY			
SUPERVISOR		DATE		OVERALL RISK			

Appendix M (Continued)

IDENTIFY CURRENT SAFETY PLAN: _____

LIST ALL SERVICE PROVIDERS AND SIGNIFICANT COLLATERAL CONTACTS (Names, Address, Contact Person and Phone Number):

RECOMMENDATIONS/CONCLUSIONS (Include recommendations for ongoing service, or recommendation for closure):

CURRENT RISK RATING: HIGH MODERATE LOW NO RISK

IF CASE IS TO BE CLOSED, COMPLETE THE FOLLOWING:

REASON FOR CLOSURE:

- NO RISK.
- RISK IS LOW AND SAFETY IS ASSURED WITHOUT CYS INTERVENTION.
- RISK IS LOW AND PARENTS REFUSE SERVICE AND NO LEGAL GROUNDS EXIST.
- RISK IS LOW AND PROBLEMS ARE NOT OF CPS NATURE.
- CLIENT RELOCATED AND IS REFERRED TO ANOTHER JURISDICTION.

(Copy to registration for data entry.)

DID YOU COMPLETE THE SUPPLEMENTAL FAMILY ISSUES CHECKLIST? YES NO N/A

APPENDIX N

Assurance of Completion of Budget Forms

CHILDREN AND YOUTH SERVICES

ASSURANCE OF COMPLETION OF BUDGET FORMS

CONTACT PERSON'S NAME:	
TITLE Fiscal Officer II	TELEPHONE: ()

FORM	INCLUDED	CROSSWALKS TO
Staff Assessment Summary (CY-850)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> CY-858 <input checked="" type="checkbox"/> WORKSHEET 1 <input checked="" type="checkbox"/> WORKSHEET 2
Service Cost Center Budget (CY-855)		<input checked="" type="checkbox"/> CY-2 <input checked="" type="checkbox"/> CY-348 <input checked="" type="checkbox"/> CY-858 <input checked="" type="checkbox"/> WORKSHEET 1 <input checked="" type="checkbox"/> WORKSHEET 2
Expenditures by Major Object (CY-858) for FY 1997-98	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> CY-2 <input checked="" type="checkbox"/> CY-850 <input checked="" type="checkbox"/> CY-855
Expenditures by Major Object (CY-858) for FY 1998-99	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> CY-2 <input checked="" type="checkbox"/> CY-348 <input checked="" type="checkbox"/> CY-850 <input checked="" type="checkbox"/> CY-855 <input checked="" type="checkbox"/> WORKSHEET 3
Expenditures by Major Object (CY-858) for FY 1999-2000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> CY-2 <input checked="" type="checkbox"/> CY-348 <input checked="" type="checkbox"/> CY-850 <input checked="" type="checkbox"/> CY-855
Children Served by Category of Service (CY-871)	<input checked="" type="checkbox"/>	
Fiscal Summary (CY-348) for FY 1998-99	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> CY-2 <input checked="" type="checkbox"/> CY-855 <input checked="" type="checkbox"/> CY-858
Fiscal Summary (CY-348) for FY 1999-2000	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> CY-2 <input checked="" type="checkbox"/> CY-855 <input checked="" type="checkbox"/> CY-858
Budget Summary (CY-2)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> CY-348 <input checked="" type="checkbox"/> CY-855 <input checked="" type="checkbox"/> CY-858
Number of Implementation Initiative/Special Grant Pick-up Summaries (CY-873) for 1998-99	<input type="checkbox"/> NUMBER	<input type="checkbox"/> CY-855 Column 5 to Line III -F on the CY-873 (Annualization)
Number of New Initiative/Special Grant Pick-up Summaries (CY-873) for 1999-2000	<input type="checkbox" value="1"/> NUMBER	<input checked="" type="checkbox"/> CY-855 Column 6 to Line III -C on the CY-873 (New)
Worksheet #1 (Carry Forward)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> CY-855 <input checked="" type="checkbox"/> CY-850
Worksheet #2 (Inc. Svcs. by Obj. by Cst. Ctr.)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> CY-855 <input checked="" type="checkbox"/> CY-850
Worksheet #3 (Purch. Svcs. Imp. Plan)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> CY-858
Swan Worksheet	<input checked="" type="checkbox"/>	

APPENDIX O

County Children and Youth Caseworker Staffing

County	Caseworker July 1998		CW Supervisor June 1998		County		Caseworker July 1998		CW Supervisor June 1998	
	Staff	Staff	Staff	Staff			Staff	Staff	Staff	Staff
Adams	17	3			Lancaster		66	14		
Allegheny	229	33			Lawrence		8	3		
Armstrong	14	3			Lebanon		12	4		
Beaver	32	7			Lehigh		58	14		
Bedford	6	1			Luzerne		72	16		
Berks	77	19			Lycoming		31	7		
Blair	18	4			McKean		17	4		
Bradford	14	3			Mercer		17	4		
Bucks	50	--			Mifflin		8	2		
Butler	21	3			Monroe		30	7		
Cambria	31	6			Montgomery		69	14		
Cameron	2	--			Montour		3	2		
Carbon	5	1			Northampton		52	13		
Centre	19	3			Northumberland		39	10		
Chester	86	27			Perry		8	1		
Clarion	14	4			Philadelphia		570	117		
Clearfield	11	3			Pike		6	0		
Clinton	4	1			Potter		4	--		
Columbia	12	3			Schuylkill		32	6		
Crawford	13	3			Snyder		7	1		
Cumberland	23	6			Somerset		24	6		
Dauphin	48	10			Sullivan		3	1		
Delaware	93	37			Susquehanna		7	1		
Elk	6	2			Tioga		17	7		
Erie	72	15			Union		6	1		
Fayette	14	4			Venango		14	3		
Forest	1	1			Warren		24	7		
Franklin	9	1			Washington		35	5		
Fulton	3	--			Wayne		10	3		
Greene	11	3			Westmoreland		38	11		
Huntingdon	8	3			Wyoming		4	--		
Indiana	14	3			York		55	12		
Jefferson	6	1								
Juniata	3	1								
Lackawanna	37	11			Total		1,798	520		

¹Combined with Warren County

Source: DPW's county children and youth agency average salary and termination rate comparison for FY 1997-98. Information for Philadelphia was obtained from the CY 28 report submitted by the county as of June 30, 1998.

APPENDIX P

Competency-Based Training and Certification Program

The Pennsylvania Child Welfare Competency-Based Training and Certification Program is provided through Shippensburg University. Caseworkers must complete 120 hours of specific course work before they are eligible for certification. Eight regional centers throughout the state each offer at least two rounds of the training courses required for certification each year. They also offer specialized training courses that caseworkers can attend to meet their 20-hour per year continuing education requirement.

CORE training courses required for certification for direct service workers include:

- Child Protective Services – Legal Issues
- Child Protective Services
- Casework Process and Case Planning
- The Effects of Abuse and Neglect on Child Development
- Adoption
- Risk Assessment
- Family Preservation
- Valuing Diversity

Direct service workers supervisors must meet the same initial certification requirements as direct service workers and also successfully complete a child welfare supervisor's training program approved by the department. Supervisory certification requires 60 hours of training over a one-year period. Required courses include Supervisory Principles, Managing Diversity, Transferring of Learning, and Supervising for Risk Assessment and Case Planning.

Upon completion of the required CORE courses, the county agency determines, based on a written assessment of the worker's ability to apply the principles, concepts and content of the CORE training, if a caseworker is to be certified. The county then notifies the director of the county's regional training center and the training center issues a certificate to the caseworker.

The county must keep personnel records of all training received by supervisors and direct service workers. The regional staff reviews these records during the agency's annual licensing and evaluation inspection.

In addition to the CORE training courses required for certification, the training center offers specialized courses based on the need for training in a particular area (i.e. drug and alcohol training). The counties identify training needs through individual training needs assessments for their caseworkers and the centers try to provide the necessary courses.

Source: Developed by LB&FC staff from CY&F Bulletin 3490-96-03.

APPENDIX Q

Child Welfare Education for Leadership (CWEL)

CWEL is a cooperative effort by the federal Administration for Children and Families, Pennsylvania's Department of Public Welfare and accredited schools of social work in Pennsylvania. Its goal is to strengthen public child welfare services in Pennsylvania by providing educational opportunities at the graduate level for public child welfare personnel. Qualified persons who are admitted to any of the approved schools may receive substantial financial support in return for a contractual obligation to continue employment with the sponsoring agency following their studies.

County caseworkers, supervisors and administrative personnel are eligible to participate providing they have been employed by the same county child welfare agency for at least one year. Applicants must also have at least satisfactory performance evaluations and be granted an educational leave by the employing agency for the purpose of enrolling full-time in the CWEL program.

Graduate programs that have been approved for the CWEL program in Pennsylvania are available at Bryn Mawr College, Marywood University, Temple University, the University of Pennsylvania, the University of Pittsburgh, and Widener University. Students are required to satisfy all academic requirements for the degree program to which they are admitted in four years or less. Additional requirements include at least two child welfare courses; at least one field work assignment (internship) in a child welfare setting; course content in cultural diversity and interagency collaboration.

Persons admitted to the CWEL program for full-time study remain in the employ of their agency on educational leave. Such employees will receive a salary equal to 95 percent of their last salary before entering the program plus the normal fringe benefits. They also receive full tuition and fees, a book allowance, and, in some cases, mileage for commuting. Part-time students continue their normal employment and receive tuition and fees, a book allowance and, in some cases, mileage for commuting. The employer is reimbursed for the student's salary and fringe benefits during the enrollment period.

Persons enrolling in the program are required to sign a contract agreeing to return to the agency from which they were granted educational leave immediately following completion of their studies. The contractual period of employment will be equal in time to the period for which the employee received financial support.

Source: Developed by LB&FC staff from CWEL application information packet.

APPENDIX R

**Department of Public Welfare
Response to This Report**

06-14-1999 RCVD

COMMONWEALTH OF PENNSYLVANIA
Department of Public Welfare

JUN 14 1999

SUBJECT: Legislative Budget and Finance Report
Review of Pennsylvania's Children and Youth System

TO: Mr. Phillip Durgin, Executive Director
Legislative Budget and Finance Committee

FROM: Feather O. Houston
Secretary of Public Welfare



Thank you for your letter of May 26, 1999 providing the Department of Public Welfare with a copy of the Legislative Budget and Finance Committee Review of Pennsylvania's Children and Youth System.

The Department would like to commend you and your staff for conducting a thorough, inclusive and objective review and evaluation of a very complex system. The Department will study the report in greater detail and will seriously consider the recommendations as we continue in our proactive partnership with the county agencies to improve all aspects of the children and youth system.

As your report notes, our system has established four primary goals; child safety, permanency for children, child well being and timeliness. Our recent efforts are designed to support the successful achievement of these goals. Within the context of the Department's duties and responsibilities in relation to the county children and youth agencies, we offer our initial response to your report.

DEVELOP AND MANAGE RESOURCES TO SUPPORT COUNTY CHILDREN AND YOUTH AGENCIES

The Needs-Based Budget (NBB) process has been responsive in identifying and addressing the needs of children and youth programs and has added resources to the system. Under the NBB process the state portion of funding in the last four years has increased by almost 40 percent. The Department recognizes the need for improved clarity and communication in the NBB process. We are undertaking a number of steps to address the concerns raised by the county agencies. The Department will build upon these steps to improve communications in implementing the NBB process. This includes activities similar to the NBB retreat convened in December 1998, which led to the

development of the NBB reform initiatives. Implementation of the newly developed protocol for improving feedback to county agencies on NBB decisions has proven to be successful and we will continue to refine this process. The Department, in conjunction with the Juvenile Court Judges' Commission (JCJC) and the Chief of Juvenile Probation is improving collaboration between juvenile probation and children and youth in the NBB process.

The Department acknowledges that funding sources and processes are becoming increasingly complex when combined with program growth and that it needs to continually assess its own staff needs in relation to these factors. The Department has already added staff to expedite the processing of county payments. In this coming fiscal year we plan to add staff to provide increased assistance to counties for programmatic and fiscal development.

Cash flow between the state and county levels has always been a concern and we will be analyzing the recommendation for increased advanced payments in light of compliance with state and county cash flow requirements.

In regard to the report observation about federal funding, the Department has maximized such funding while preserving the integrity of our claim. This has proven to be an effective strategy for Pennsylvania. In recent years there has been considerable change in sources of federal funding to support the program which has led to a decreased ability to accurately predict levels of federal revenues. We are developing an improved procedure to identify trends in our utilization and acquisition of federal funds, which will lead to a more accurate projection of all revenue sources.

We are reviewing with the federal government Pennsylvania's compliance with the Child Abuse Prevention and Treatment Act (CAPTA). It should be noted that Pennsylvania receives \$1.2 million in Community Based Family Resource money which is more than half of the CAPTA allocation.

In 1996, the Department convened a task force to study and provide recommendations on kinship care. The Department has completed a study on the merits of a subsidized custodianship program and has completed a cost benefit analysis. This analysis revealed that implementation of a subsidized custodianship program would be most beneficial in seven counties. The task force also recommended consideration of a subsidy to assist relatives in caring for dependent children. As a result of this effort, practice considerations and standards were issued by the Department for public and private agencies. In addition, the Department is exploring those cross-categorical issues that require the cooperation and collaboration of departmental program offices for effective implementation of this program.

The report recognizes the challenge of recruiting and retaining an adequate number of foster parents. The Department's Office of Children, Youth

and Families (OCYF) is committed to recruiting and supporting foster families and is currently involved with two initiatives specifically targeted at improving Pennsylvania's foster care system. In conjunction with the Annie E. Casey Foundation, OCYF has implemented the Family to Family Foster Care Reform Initiative in nine counties. The second effort has been the Pennsylvania State Foster Parent Association (PSFPA) Recruitment and Retention Grant. To support the retention of foster parents, PSFPA, in conjunction with OCYF, has developed a "Services of Support" program which matches experienced foster parents with a foster parent who is experiencing a fostering difficulty. OCYF is providing financial support and technical assistance for this program.

POLICY, PROGRAM MONITORING AND EVALUATION

As your report documents, the Department takes its compliance review and enforcement function seriously. County performance must not only be measured and corrected, if deficient, but supported by consultation and assistance from the Department. We strive for consistency across our regional offices on enforcement actions and are developing procedures to achieve that end. Consistent with the recommendation made in this report we have begun to review those procedures with a view toward refinement.

We are pleased with the Outcome Measurement and Practice Standards section of the report. The implementation of the Pennsylvania Child Welfare Information System (PACWIS) and Results-Based Management process will lead to program policies and practice standards that more effectively accomplish our mission to protect children from harm. The Department is committed to results-based management, which will lead to the standardization of practice across the Commonwealth, will improve worker productivity through the automation of routine tasks and supports supervision of critical tasks. The PACWIS system will allow the Department to gather and evaluate data to measure results and will inform the need for change to Pennsylvania Child Welfare Practice Standards. There also have been ongoing discussions with juvenile probation officers regarding the integration of juvenile justice related data in PACWIS.

CONSULTING AND SUPERVISING COUNTY AGENCIES

The report provides a good assessment of the issue of recruiting and retaining qualified children and youth staff. There are many contributing factors to this problem. We agree that the Department has been forthcoming in approving additional positions at the county level and we agree that counties also must be responsive to this need. One of the goals of our program automation project is to reduce hard copy paperwork and to establish a program, which supports the everyday needs of caseworkers.

Regarding caseload size, the report notes that this issue may be more significant than salary and recommends that the Department modify its

regulations to address caseload ratios in relation to the type of service being provided. The report notes too that a one-size-fits-all approach, as presented by regulations, may not fully address the issue. The Department will take this recommendation under consideration as a part of our regulatory review process.

In relation to the report's observations about the child death review protocol, the Department's OCYF, in conjunction with Pennsylvania Children and Youth Administrators Association, has convened the Child Death Review Protocol Taskforce. It has focused on the development of a protocol for review of all child deaths that were the result of suspected child abuse. OCYF will issue a bulletin later this summer that will provide the framework for the use of internal, external, Multidisciplinary Team (MDT) and Community processes to review child deaths from a systemic perspective and to make recommendations for change which would reduce the likelihood of future child fatalities.

The report calls attention to the need for the appropriate substance abuse training for child protective service workers. The Pennsylvania Child Welfare Competency-Based Training and Certification Program (CBT) has reviewed the CORE training and other training courses offered to ensure the components of substance abuse are incorporated into these curricula. The Department agrees that an increased amount of substance abuse training in the CORE curriculum would greatly enhance the skills of the child protective service worker in recognizing the symptoms of substance abuse. In addition, the Department, through CBT is developing a training curriculum series for caseworkers and supervisors which structures the learning process by building on the skills learned in previous courses. The courses focus on addiction, assessment, treatment, service delivery and permanency planning. The collaboration of the county agency and service providers is encouraged and mechanisms to foster this relationship are included in the training.

The Department has been fortunate to work with JCJC on a number of issues. We are successfully collaborating with JCJC on issues and initiatives relating to adoption. The Department has worked cooperatively with JCJC in the development of the Statewide Adoption Network. Another example of collaboration between our two offices has been the inclusion of Balanced and Restorative Justice Practices in our NBB process.

The Department and JCJC worked collaboratively to support amendments to the Juvenile Act and The Child Protective Services Law in order to meet the Federal requirements of the Adoption and Safe Families Act. The Department and JCJC are in the process of coordinating the training and provision of technical assistance to judges and masters. The Department and JCJC will be arranging technical assistance for county teams available through the American Bar Association.

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We strongly concur with the recommendation that the Department work with JCJC and the Conference of State Trial Judges to develop a training program for judges and court masters and are engaged in planning with JCJC for such training beginning in the Fall of 1999. We will assist in the administration of federal funds, as they become available.

PROMOTING THE COORDINATION OF MULTIPLE SERVICE SYSTEMS

We welcome the report observations regarding families that require multiple service delivery strategies. The Department realizes that no single service delivery strategy can meet the needs of fragile families and that a majority of these families require a combination of community services to support their efforts in achieving self-sufficiency. Identification and treatment of parental substance abuse and mental health concerns directly impacts the safety and risk circumstances for children, as well as their prospects for permanent living arrangements. Therefore, we agree that the need for better cross system collaboration, especially with drug and alcohol and mental health programs, is critical to addressing children and youth needs. OCYF has convened the Drug and Alcohol Task Force, which includes representatives from the Departments of Health and Public Welfare and other public and private agencies to improve our collaborative efforts in working to the benefit of our mutual clients. We will continue and expand the efforts noted in the report relating to our work with the drug and alcohol system, especially in the areas of information sharing, joint training, and service delivery strategies.

The Department has expanded mental health services for children in recent years with Medicaid funded "wraparound" services. We acknowledge that the utilization of these services across the state may be uneven, as indicated in the report, and that the growing incidence of mental health issues in the children and youth system may be out pacing the development of services in some areas. The report suggests that in some instances the problem may be lack of coordination or priority with a few children and youth clientele. We will further explore the questions posed in the report.

Program offices within the Department have collaborated in developing the HealthChoices program to address the unique needs of children known to various public child-serving systems. The collaborative effort focused not only on gaining access to existing services, but also on assuring the provision of an adequate level of services and the development of new service initiatives to meet the needs of these children. Throughout the implementation of HealthChoices, the Department has continued to meet regularly with county children and youth and juvenile probation offices to identify issues and recommend solutions. These efforts will continue as HealthChoices continues to be refined.

The Department has assumed a leadership role in developing Regional Children's Teams which are composed of the Regional Directors from OCYF and

their counterparts from the Office of Mental Health and Substance Abuse, the Office of Mental Retardation and the Departments of Health and Education. These four teams which have been operating for the last several years have been responsible for coordinating local activities related to the Cordero court decision, responding to county requests for regulatory waivers and providing technical assistance to counties involved with the Family Services System Reform and Family Center initiatives.

The need to improve our response to child maltreatment is ongoing. In the past four years the Department and county children and youth agencies have focused on achieving a balance between compliance with program policies, development of new program approaches and technologies and the maintenance and acquisition of adequate program funding. The Department is keenly aware of its unique leadership responsibility in protecting Pennsylvania's vulnerable children. The county children and youth agencies also have a unique role in fulfilling their mandate to serve these children without inappropriately invading a family's right to privacy. We believe that we should be doing everything possible to ensure the success of their work.

It is our hope that everyone will do their part in combating this problem, starting at the most basic level within immediate and extended families. We know that children do grow better in their own families and government and communities can help parents with the difficult task of raising children.

Thank you for the opportunity to respond to this report.