

**Nevada Legislative Subcommittee
On the Placement of Children in Foster Care
Technical Workgroup
FINAL REPORT**

**Recommended Strategies
to Reduce the Number of Foster Care Placements**

Beginning in January, 2008 the Technical Workgroup for the Legislative Subcommittee on the Placement of Children in Foster Care began meeting in response to SB 356, introduced by Senator Steven Horsford and co-sponsored by Assemblywoman Kirkpatrick.

The Technical Workgroup was formed to gather information, come to consensus, and subsequently make recommendations to the Subcommittee regarding recommended strategies for safely reducing the number of children being placed or currently in the Nevada foster care system.

Below is a listing of strategies – both new and existing – as recommended by the Technical Workgroup.

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RECOMMENDED STRATEGIES

RECOMMENDATION #1

Develop and implement a consistent practice model focused on a family-centered child safety approach.

Develop a practice model that is built on the premise that whenever possible, services and supports received by children and families should be provided within their own community, takes into consideration risk versus safety when making decisions about removal of a child, and is seen through the lens of reducing disproportionality.

The implementation of a consistent practice model would standardize practice throughout the state particularly regarding safety decisions and subsequent foster care placements. Standardizing these important decision points in a child welfare case would support safely reducing the number of children placed in foster care by establishing clear and consistent parameters around when a child may be placed and what reasonable efforts are required. This standardized practice model may also reduce the disproportionate number of children of color placed in foster care.

Development and implementation of the practice model should be inclusive of a variety of stakeholders including community members, service providers and other partners connected to the child welfare system along with DFS, DCFS and WCDSS staff. Implementation should include messaging, training and active monitoring by the courts to ensure that placements of children in out of home care are based on the practice model.

LEGISLATIVE RESPONSE

- Propose a resolution articulating the importance of developing a practice model that also focuses on identifying and reducing statewide racial disproportionality.

ADDITIONAL ACTIONS

- a) Assess disproportionality in the Nevada child welfare system and develop a strategy to address the issue and includes ongoing data tracking.
- b) Identify targets for reducing the number of youth in care and implement system to track reduction efforts.

FISCAL IMPACT

- No new fiscal resources required
- Utilize existing staff resources

RECOMMENDATION #2

Examine and recommend changes to language in NRS 432B.

NRS 432B should be reviewed and, if necessary, revised to reflect a standard that is clear, and that can be implemented by all parties responsible for the removal of children from their own homes.

The current language in NRS 432B is not consistent with “modern” child welfare practice, does not allow for implementation of best practice improvements, and allows for disparate interpretations of the standard for placing children into foster care.

A more clearly articulated statute will lead to more consistent decision-making, which will help to ensure that children are not unnecessarily placed into foster care.

LEGISLATIVE RESPONSE

- Propose legislation establishing an interagency committee be established in order to review NRS 432B and ensure that it is aligned with NAC.

ADDITIONAL ACTIONS

- a) Develop a plan to review and prioritize sections of NRS needing revision.
- b) Develop a committee including all parties that are allowed to place children in out of home care to review NRS and recommend statute changes.

FISCAL IMPACT

- Fiscal requirements for the revision of NRS would involve the costs of changing regulations relative to any statute change.
- Staff resources.

RECOMMENDATION #3

Develop and implement a child welfare investment strategy that allows county jurisdictions the flexibility to effectively deliver services to children and families.

Examine and develop a funding structure that would provide flexibility for entities to fund front or back-end services as needed by children and families. This would allow for seamless funding and decision-making to occur and make fiscal management more efficient to the benefit of those receiving services from the child welfare system. Additionally, allowing for flexibility in how jurisdictions utilize state funds will enable jurisdictions to provide up-front services to families and either avoid out of home placement all together or reduce the amount of time children spend in care. The funding plan should be developed as part of the agency budget or with sufficient time for legislative consideration.

Options that might continue to be considered include allowing one entity (state or county) to be responsible for both front-end and back-end services through a “swap” of certain expenses or defining an equitable division of the costs of both services between the state and counties. Additional or new funding strategies should also be examined.

LEGISLATIVE RESPONSE

- Propose legislation or resolution allowing for the flexible use of existing child welfare funds in order to provide up front child welfare and avoid out of home placement when possible.
- Letter from Interim Study committee instructing the state and county agencies to include a plan for the different funding model in their FY 2010 & 2011 agency budget requests or for the Legislature’s consideration in the 2009 session.

ADDITIONAL ACTIONS

- a) Re-examine block grant funding to county child welfare agencies.
- b) Seek funding diversification to fill financial gaps. (E.g. private/corporate)
- c) Create transparent and fair (competition) opportunities for NGO’s to stimulate best practices and efficiencies.

FISCAL IMPACT

- Refer to report - Nevada Child Welfare Financing Summary: Options for Utilizing Federal, State, and Local Resources.

RECOMMENDATION #4

Evaluate and strengthen collaboration between community agencies, partners and the child welfare system.

Strengthening connections between DFS, DCFS, WCDSS and their collaborators will improve outcomes for youth and will strengthen families. Linkages that particularly should be strengthened include those with the judicial/corrections system, TANF, the education system, and with the mental health and substance abuse systems. A single statewide stakeholder's advisory committee should be created to strengthen and unify stakeholder's voices.

Engaging all stakeholders will generate information, energy and support from the community; and increases the likelihood of successful implementation of best practices leading to stronger family systems. Additionally, engaging stakeholders develops community responsibility for the welfare of children.

LEGISLATIVE RESPONSE

- Develop a resolution requiring that a statewide stakeholder's advisory committee be created to strengthen and unify stakeholders.

ADDITIONAL ACTIONS

- a) Identify all stakeholder groups, define the extent of child welfare system linkages, and map current coalitions.
- b) Create a unified statewide child welfare stakeholder's advisory committee to work with DFS and DCFS and WCSS to reduce the number of children in foster care.
- c) Strengthen connections between specialty courts (e.g. Drug Court) and the child welfare system and where possible increase their use to prevent placement or reduce length of stay in care.

FISCAL IMPACT

- Utilize private foundations and the philanthropic community to facilitate dialogues with community partners and stakeholders around what is desired for children and families in the state and counties.

RECOMMENDATION #5

Develop and provide an array of relevant family support services to safely maintain children in their own homes and prevent removal.

DFS, DCFS and WCDSS in collaboration with service providers, should work to ensure that all jurisdictions have an array of relevant, community-based, family-centered support services in place. These services should assess the strengths and needs of the family, be individualized to meet the specific needs of each member of the family, utilize and enhance the skills and capacity of the parent(s) to create a home environment that is safe and allows children to remain in the home when reasonable. When safety is not viable and children must be removed the service array should be such that children in care are able to achieve permanency in a timely manner.

As gaps in services for at-risk children and families are identified, that otherwise might reduce the need for removal, the state, counties and service providers should work in partnership to address these needs and expand the existing community-based services model. Attention should be given to how disproportionality and disparate outcomes for children of color can also be mitigated through the provision of family support services.

Current financing structures should also be examined in order to prioritize funding for services to safely maintain children in their own homes, prevent removal and increase the likelihood of positive outcomes for at-risk children and families.

LEGISLATIVE RESPONSE

- Letter of intent that actions be taken to support collaboration with service providers to ensure that services are in place to keep children safely in their homes.

ADDITIONAL ACTIONS

- a) Develop a centralized list of family support services that is available to everyone. Create one place to see all available resources.
- b) Identify where youth are entering care from and whether or not that matches where services are provided and available through the lens of disproportionality and disparate outcomes for children of color.

FISCAL IMPACT

- Utilize existing staff resources.

RECOMMENDATION #6

Initiate, maintain or increase community-based treatment services for mental health and drug/alcohol abuse.

Immediate access to services for youth and families involved in the child welfare system is critical in order to accelerate the change cycle so that AFSA timelines for moving children to permanency can be met. Without timely access to substance abuse services, families whose children have been removed will not have the necessary time required for treatment interventions to be successful.

Similarly, immediate access to services for these families may allow for the successful use of in-home safety plans that can safely keep children from entering foster care. Strengthening linkages to specialty courts such as Family Drug Court and Mental Health Court can help decrease the time to permanency.

LEGISLATIVE RESPONSE

- Propose legislation that creates mechanism for prioritizing access to services for families involved in the child welfare system.

ADDITIONAL ACTIONS

- a) Increase the ability to purchase mental health and substance abuse services to support reasonable efforts.
- b) Investigate a strategy that utilizes TANF dollars to pay for mental health and substance abuse services for eligible child welfare involved participants.
- c) Develop ways to expand dependency drug court capacity/involvement with families receiving child welfare services.

FISCAL IMPACT

- Refer to report - Nevada Child Welfare Financing Summary: Options for Utilizing Federal, State, and Local Resources.

RECOMMENDATION #7

Increase use of relatives as placement resources and in decision making.

Provide detailed analysis on current and potential increased use of subsidized relative guardianship within the State of Nevada . Included in the study should be impacts with regard to funding policy and permanency implications for relatives who receive financial supports and other benefits versus relatives who do not. Additionally, analysis should examine impacts on children of color.

Revision to NRS 432B.480 and 432B.550 to expand petitioners for placement (i.e. from 3rd degree to 5th degree) should also be taken into consideration as it would allow for a larger pool of relatives to care for children who are at risk of entering foster care.

Possible benefits of increased use of subsidized relative guardianship include the provision of a permanent placement for children when reunification and adoption are not viable options and may also be a strategy for addressing disproportionality for children of color.

LEGISLATIVE RESPONSE

- Propose legislation to support policy change to expand relative definition in NRS 432B.480 and 432B.550.
- Propose legislation to increase funding of relative guardianship if analysis shows a reduction in foster care placement and an overall cost savings.

ADDITIONAL ACTIONS

- a) Continue the use of family team decision making and look at increased use within the context of 'Family Safety Team Meetings' to include relatives, neighbors and others who can support the family within 48 to 72 hours of removal or in anticipation of possible removal during an investigation which identifies significant safety factors which may lead to removal.

FISCAL IMPACT

- Beyond staff resources there are not additional costs related to the analysis of subsidized guardianship. Possibility to utilize outside resources to gather and analyze relevant data.
- Increased use of family team decision making at or close to the time of removal can be staffed under current budget with reallocation of existing staff.
- Fiscal requirements for the revision of NRS would involve the costs of changing regulations relative to any statute change.

EXISTING STRATEGIES

During the course of the work sessions, the workgroup identified a number of strategies that were already being used that could lead to a reduction in the number of foster care placements in Nevada. These existing strategies are in various stages of implementation—some are still in a pilot stage, some are fully implemented, and some are in need of additional support and expansion. Just a few examples of these existing strategies are:

- Differential Response- Differential Response has been piloted in some areas of the state, and is scheduled for a state-wide expansion in 2009. Evaluation of the program, being conducted by a major university, is also underway and will be used to help inform future plans.
- Providing adequate CPS staffing in order to reduce the circumstances under which law enforcement is the first and only responder- This strategy has been proving effective in Clark County.
- Use of structured safety and risk assessment tools - Currently in Nevada there are safety and risk assessment tools in use. The state has conducted widespread research nationally and received significant technical assistance to develop improved risk and safety policy and tools and has provided extensive training over the last year to caseworkers on the new approach.
- Using “paired teams” whereby investigations and permanency workers are combined into one unit- This strategy is in the process of being implemented in Washoe County.
- Using “voluntary service units” that provide voluntary services to families that only rise to a certain level of risk in order to prevent further referral or removal- This strategy is currently being employed in Washoe County.