

*The mission of MCWAP is to assure that the state system is meeting the safety, permanency, and well-being of children and families through assessment, research, advocacy, and greater citizen involvement. Our goal is to promote child safety and quality services for children, youth, and families.*

## **Maine Child Welfare Advisory Panel**

**Annual Retreat: September 16, 2022; 9 a.m.-3 p.m.**

**Co-Chairs:** Ahmen Cabral; Deb Dunlap

**Panel Coordinator:** Jenna Joeckel

### **Minutes**

#### **9:30 a.m. - Welcome and Introductions:**

Attendance: Ahmen Cabral, Tammy Roy, Debra Dunlap, Erika Simonson, Andrea Mancuso, Betsy Boardman, Kelly Dell'Aquila, Susan Denoncour, Senator Donna Bailey, Maura Keaveney, Bobbi Johnson, Kris Pitts, Heidi Aakjer, Julian Richter, Travis Bryant, Esther Anne, Maura Keaveney, Debra McSweeney, Melissa Martin, Jenna Joeckel.

#### **9:40 a.m. - Standing Agenda Items**

Opening Statement: Co-chairs introduced a new opening statement with the purpose of the panel. Members briefly discussed the importance regularly reviewing the panel's purpose and agreed the opening statement should be read at the beginning of each meeting.

New MCWAP Opening Statement:

We are a federally mandated group of professionals and private citizens who are responsible for determining whether state and local agencies are effectively discharging child protective and child welfare responsibilities.

The mission of the panel is to assure that the state system is meeting the safety, permanency, and well-being of children and families through assessment, research, advocacy, and greater citizen involvement.

Each of us brings to this table a different set of experiences and opinions. Every voice is valued, and all perspectives are needed.

Our shared goal is to promote child safety and quality services for children, youth, and families.

This is the task to which we continually commit ourselves, and we hold our relationships in trust.

May and June Minutes: Unanimous vote to approve May and June minutes.

#### **10:15 a.m. - Father Engagement Update**

Formal Recommendations from the father engagement subcommittee were not able to be made due to the timing of the report completion. Eleven fathers participated in two father listening sessions.

Members shared that the sessions were impactful to participate in. One of the themes identified during the listening sessions was the difference in how fathers experience involvement with the child welfare system and the needs that they identified having at the time of involvement. Members shared some of the conclusions that were drawn from the father listening sessions outlined in the report, including the

importance of recognizing the value fathers place on working and being the provider for their families. The full report will be subsequently sent to members after the meeting for review and comment.

The Father Engagement group made a Process Recommendation that Father Engagement work be continued by the panel through 2022/2023.

### **10:30 a.m. - Family Centered Policy & Practice Recommendations**

**\*\*Members determined Panel Recommendation #1 and #2 to be closely related and discussed them simultaneously.\*\***

#### **Recommendation #1:**

*The Maine Legislature should increase the pay rate of rostered parent attorneys to no less than \$150/hour to achieve closer parity with Assistant Attorneys General representing the state.*

Background: The lack of attorneys willing to be rostered to represent low-income families subject to a child protection petition has reached a crisis point - particularly in rural Maine. The roster statewide currently only has 64 attorneys willing to take appointed cases. In some counties, only one attorney is willing to be appointed for cases in that county. Substantially all child protection cases needing a rostered attorney have at least two parents requiring appointed representation. At current case filing levels, if responsible caseload limits are imposed, this will soon lead to hundreds of cases going unstaffed by parent attorneys. Like many sectors of the workforce currently, recruitment is incredibly challenging. It takes a particular level of skill and training to qualify for appointed representation, and rightly so. Maine has a constitutional responsibility to provide parents with timely, effective, supportive (and supported) representation in these cases. That responsibility will continue to go unfulfilled when there is such a stark disparity in available compensation between representation for the State and representation for parents.

#### **Recommendation #2:**

*The Maine Legislature should increase the funds provided to the Maine Judicial Branch in order to increase the pay rate of rostered guardians ad litem to align with any increase in pay provided to parent attorneys.*

Background: There is presently a critical need for guardian ad litem (GAL) services, primarily in child protection matters. To illustrate, as of June 10, 2022, there were 273 pending child protection matters in Region 8, but there were only 11 GALs eligible to be appointed to a child protection case for that region (many of whom are also rostered as parent attorneys, and thus are unavailable to be a GAL when they are already appointed as counsel for a parent). If the hourly pay for rostered parent attorneys is increased to \$150 per hour, to prevent disparate treatment between parent attorneys and GALs, the GAL rate should be increased at the same rate. Without such funding to accommodate an increase in pay to GALs, there is a risk that even less GALs would be available for appointment to child protection matters if the parent attorney hourly pay was increased. As noted above, many GALs are also rostered parent attorneys, and a significantly higher pay rate for parent attorneys would deter GALs from accepting GAL appointments.

#### **Questions and Discussion:**

Members discussed the high rate of crossover for attorneys that represent parents and GALs. Court rules require that GALs be paid the same amount as attorneys that represent parents. Members shared concerns that the payment of attorneys is only one piece of a larger solution. Other factors that could also contribute to the lack of attorneys are the work that is involved, high caseloads, administrative and financial burdens, feeling undervalued, and demands placed on them by the judicial system. Attorneys that are involved in PC cases are also exposed to trauma and vicarious trauma, but do not receive clinical support. Sometimes the work resembles crisis counseling and that is not recognized. Additionally, parent attorneys are met with financial barriers including purchasing their own health insurance and attending outside meetings without payment. The panel noted that OCFS contracts for clinical support services to assist staff and wondered if a similar service could be set up for parent attorneys. Members discussed building more parent attorney representation on the panel, and asked if there may be the ability to compensate individuals that are not paid by agencies to participate in MCWAP and the annual meeting. OCFS will research stipend eligibility for this role. Members noted it could be beneficial to have an emphasis on PC cases a GAL class available in law school. Members discussed the possibility of this recommendation being shared with the Justice for Children's Task Force. , Members suggested the panel should conduct more research to gain knowledge about additional concerns.

Members proposed additional language to the recommendation: In addition to the compensation disparity, decision makers should be looking for other ways to improve recruitment and retention, including but not limited to clinical counseling support and group insurance options.

### **Recommendation #3:**

*Maine CDC/Maine Injury Prevention Program should improve accuracy of state data on abusive head trauma in Maine by accessing billing/coding data to record, track and monitor this data, and should report this data publicly on an annual basis.*

Background: As noted in the [2021 report](#) of the Child Death and Serious Injury Panel (CDSIRP), "Maine continues to see many cases of abusive head trauma (AHT), formerly known as Shaken Baby Syndrome, each year, most of which fail to reach the threshold of widespread public awareness. AHT occurs most frequently in children under 6 months of age and is fatal in approximately 25% of cases, making AHT the most lethal form of child maltreatment." The CDSIRP report also noted that the Maine Injury Prevention Program lost its state and federal funding several years ago. The loss of state funds and the loss of federal grant funds has impacted the ability to focus and gather needed data related to AHT to inform prevention efforts. This has created a gap in understanding the prevalence of AHT in Maine to prevent incidents from occurring in our most vulnerable population. Statewide, in-home resources for new parents including public health nursing and education on abusive head trauma should be prioritized and adequately funded. More robust data analysis and reporting is needed in order to better understand the prevalence of AHT, and to inform initiatives and community efforts to prevent these injuries in children.

### Questions and Discussion:

One member suggested moving a sentence from the description "Statewide, in-home resources for new parents including public health nursing and education on abusive head trauma should be prioritized and adequately funded" into the recommendation.

Members shared that prevention education focuses on parents and grandparents and discussed the need for information sharing to be expanded, including coordination within the hospitals. The panel

discussed areas where information sharing can be expanded and the data that is needed is in regard to prevalence. If this data is obtained, research can then be focused on specific areas of focus to prevent the injuries. Parents miss a lot of information like period of purple crying because there are other priorities happening in the hospital. PCPs do talk about it, but the well child appointments are 15 minutes long so it limits the amount of detail and assessment that can be provided at that time. There is also an app with a code for Period of Purple crying. Panel members noted this recommendation was also shared with CDSIRP to gain additional feedback and suggestions.

#### **Recommendation #4**

*The State and Legislature should fund the Child Protective Services 101: For Parents, By Parents court improvement pilot project for an additional two years.*

Background: In 2021, the Maine Child Welfare Advisory Panel's (MCWAP) conducted a [survey](#) of parents who were involved with Child Protective Services (CPS). The main themes for improvement from this survey are similar to parent survey findings in 2019, and center on communication and understanding of parents' rights. Parents reported they do not have a full and clear understanding of their rights at removal, which may impact a parent's relationship and engagement with OCFS going forward. In response to this parent feedback, MCWAP supported the development of informational classes for parents called Child Protective Services 101: For Parents, By Parents with Maine's Justice for Children Task Force.

This one-year pilot project has been developed and is currently implementing informational sessions for parents involved in the child welfare system. The focus of these virtual sessions is supporting parent understanding of the child welfare process and court procedures. Additionally, sessions provide parents with tips and tools to help them to be successful as they navigate their child welfare case. The curriculum includes pre-recorded video segments from system stakeholders as well as live facilitation by parents with lived child welfare experience and experience navigating multiple service systems.

An outside evaluator is supporting extensive data collection and analysis for both participants and non-participants in this pilot project. Data collected includes a pre- and post- parent survey, an evaluation on time to permanency, participation in family visitation, participation and engagement in reunification services, and attendance at court proceedings. Data is being de-identified and will be analyzed to determine if participation in the class had an effect on the parent's knowledge of the process and case closing outcomes. Early outcomes from pre- and post- parent surveys show promising results. Prior to attending the session, 19% of parents reported an understanding of how the child protective system works. After completing the session, 75% of parents reported they have an understanding of how the child protective system works (N=15/20). An initial evaluation report will be shared with the Panel and the Justice for Children Task Force in early 2023.

Court Improvement Project funds have supported this pilot project, but these funds will be depleted at the end of 2022. Lack of continued funding will result in disruption of this pilot project, and longer-term evaluation of case outcomes.

#### **Questions and Discussion:**

Members involved with the pilot shared that twenty-five parents have participated in CPS 101. The goal is to have 30-35 participants in 2022. There are 2 sessions per month and community partners have also

attended sessions. Information about the sessions is provided to families during initial involvement with OCFS staff. Pre and post surveys are administered and have demonstrated that parents are increasing their understanding of CPS services and the roles of the community partners. Common themes that have been identified by the feedback include a deeper understanding of the investigation process and the need for peer support. Members involved with the pilot anticipate a report will be issued in December 2022 with trends, conclusions, and recommendations, and information will be shared with the panel at that time. The recommendation includes a proposal for two more years of CPS 101 resulting in a three-year pilot. Some members shared that they are in support of this recommendation and have made referrals to the program. Several members expressed interest in attending a session. An invite for the provider session will be sent to the panel coordinator to share with the panel.

**\*\*Members determined Panel Strategic Goal Recommendations #5 and #6 to be closely related and to discuss them simultaneously.\*\***

### **Panel Strategic Goal Recommendation #5**

*OCFS should annually provide to the Panel and make available to the public a summary of those expenditures from their Contingency Fund that supported families who were/are in the assessment phase of OCFS involvement. This summary should include:*

- *How many requests were received by OCFS staff for financial support from the contingency fund from or on behalf of families who were/are engaged in the assessment phase of OCFS involvement;*
- *How many of these families are helped by the contingency fund each year;*
- *What is the average per family expenditure for those families receiving financial assistance from the contingency fund while in the assessment phase of OCFS involvement;*
- *What was the total amount spent out of the Contingency Fund;*
- *Data concerning the type, frequency, and location of expenses. What specifically are families getting help with? How often? What district?*

Background: In 2021, MCWAP recommended that the Maine Legislature provide OCFS with funds to implement a pilot process whereby assessment caseworkers and/or a designated community partner had discretion to offer flexible cash assistance to help families cover expenses identified as necessary to help meet the needs of their children and/or the expectations of the Department. Legislation was introduced to follow through with this recommendation. Though the introduced legislation included a required annual report, ultimately the funding for this project was moved into the Supplemental Budget through an appropriations amendment that did not include the language requiring an annual report. However, this information is important to get on a regular basis to support the Panel in identifying trends in the tangible, immediate needs for families that meeting might serve to prevent children from being removed from the home. This information would allow the Panel to make informed follow up recommendations around how Maine's child welfare system might continue to evolve to best meet the needs of children and families at risk to avoid necessitating child welfare involvement.

### **Panel Strategic Goal Recommendation #6**

*By February 2023, OCFS should provide to the Panel and to the public information about the policies and*

*procedures that have been implemented for families to be able to access to the Contingency Fund resources that were allocated to OCFS in response to the Panel's 2021 recommendation around "Discretionary Funds" located on page 15 of the 2021 annual report.*

Background: The Panel serves as an important bridge for information exchange between OCFS and local and regional communities.<sup>1</sup> In order to be effective in helping families navigate crises and secure much needed resources available in local communities to meet their needs, community partners and the families they work with must have timely and transparent access to information about resources that are available, eligibility criteria, and the processes for access.

#### Questions and Discussion:

Members shared that recommendation #5 was reviewed in appropriations. The panel would like to have more information about how the funds are being distributed and how the requests are coming from district office staff. OCFS shared an expectation for recommendation #6 to be completed within the next month. OCFS plans to provide information to the Legislative Health and Human Services Committee about the funding and data points that have been outlined and they are similar to the ones identified in the recommendation of the panel. OCFS has hired a new Regional Associate Director (RAD) for Policy, Training and Contracts. The new RAD is working with the finance and contract team to develop policies and procedures to outline funding guidelines. Panel discussion included the additional resources that the contingency fund adds and determining what has been provided in the past. Members also discussed exploring the impact those additional resources have had on families in the past. A suggestion was made to review pre-legislation and post-legislation resources to see if there was a difference.

#### **12:30 - Citizen Engagement Recommendations**

**\*\*Members determined Panel Recommendation #1 and Panel Goal #3 to be closely related and to discuss them simultaneously.\*\***

##### **Recommendation #1**

*All child welfare stakeholder agencies and organizations should engage individuals with lived experience with strict adherence to trauma-informed practices. These stakeholders include, but are not limited to, Maine's citizen review panels, state agencies, task forces, legislative committees, and commissions.*

Background: To the greatest extent possible, all decisions made about improvements or reforms to Maine's child welfare system should be informed by those that are directly impacted by these decisions. When creating participation opportunities for people with lived experience of the child welfare system, host organizations should adhere to the following basic trauma-informed principles:

- Host organizations should provide participants with clear, transparent, and ongoing information about the purpose of participation and the extent to which participation may be or may become public information.
- Host organizations should ensure that participants are supported by any or all of the following: peers, colleagues, staff, or members of the host organization who have experience providing support to individuals involved in the child welfare system. This support should be made available to

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<sup>1</sup> This recommendation is contingent on when this information is provided by OCFS. Should this information be shared prior to issuance of MCWAP's 2022 recommendations, this recommendation should be deleted.

participants before, during and after any participation. When appropriate, host organizations should be prepared to financially invest in developing these critical supports for participants.

- Hosts should direct questions to participants in a way that moves beyond personal trauma to elicit their feedback about the ways service systems could work better. Hosts should consistently demonstrate the view that people who are exposed to trauma are agents in the creation of their own well-being, and an essential source of positive systems change.
- Host organizations should develop a feedback loop to inform participants about how their feedback was used and to describe the changes that were created in response.
- Deliberate care should be taken to not expect a single individual or a small group of individuals to speak for an entire population of people.
- When appropriate, participants should be compensated for their time.

#### Questions and Discussion:

The panel discussed including these guidelines in the annual report. Members discussed the steps that would need to be taken to operationalize the recommendation and create a model to implement it. The Panel recognized there are groups and individuals with lived expertise who should be included in the process of developing any models or training to operationalize this recommendation.

#### **Panel Strategic Goal Recommendation #3**

*MCWAP should allocate CAPTA funds to develop and make available to system stakeholders a training focused on trauma-informed practices for working alongside individuals with lived experience.*

Background: Engaging individuals who have lived experiences with child protection services in system reform efforts is best practice, and many stakeholders throughout the state have been seeking input from parents, youth and caregivers. These entities include, but are not limited to, Maine's citizen review panels, state agencies, task forces, community organizations, and legislative committees. Many of these entities lack experience/could benefit from training in supporting/working with people who have personally experienced the child welfare system. There is currently no training available for all stakeholders in best practices for listening to and working with people who have lived experience. MCWAP has made several recommendations encouraging engagement of citizens with lived expertise in child welfare system improvements, including those mentioned in this report. Providing training to support stakeholders to understand and implement best practices would be an appropriate use of CAPTA funds. The Panel should use a co-training model that involves parents and youth with lived expertise in the development and delivery of this training.

#### Questions and Discussion:

Panel members recommended changes to some of the language used in the recommendation. CAPTA funds are different from CJA funds and the funds available for panel activities are CJA funds. A suggestion was made to remove the word "stakeholder" and replace it with "partners, providers, or community partners." There was also discussion of the addition of members on the panel and the commitment to include youth voice. This is one of the panel roles that are not currently filled and need to be according to the bylaws. Members noted the need to formalize an onboarding process in the future. A discussion of possible resources for trauma training included a former panel member from Maine General who is mobilizing the community around creating a trauma informed system in the State of Maine.

Members determined that if the decision was made to proceed with these recommendations, research would be required, and a subcommittee would be beneficial.

## **Recommendation #2**

*OCFS should re-establish peer services that provide direct support to parents involved with child welfare and make them available to families across the state by October 1, 2023. These services should be informed by both national evidence-based practices and institutional learning from the state's long-term pilot program.*

Background: Family engagement is recognized as the foundation of effective child welfare casework, and peer support programs are an essential component of this practice. According to the Capacity Building Center for States, "parent partner programs can be a powerful strategy for overcoming common challenges to family engagement, focusing on family strengths and needs, and contributing to positive outcomes for children and families." The Panel has received feedback from parents with open child protective cases indicating they did not have a clear understanding of how to fully participate in the ongoing case process. This lack of understanding can impact a parent's engagement with OCFS, and their ability to respond to the requirements of their reunification plan. Maine's 2021 child welfare system review report by Casey Family Programs and Collaborative Safety recommended "OCFS explore ways to support engagement between parents and the child welfare system, such as parent partner/parent mentor programs."

Maine has historically been a national leader in parent mentors by investing in a Parents as Partners program for over a decade. In the former program, Parent Partners provided direct support to parents to build engagement and help them navigate the child welfare system, trained new child protective caseworkers, and served on numerous state advisory panels, including the Maine Child Welfare Advisory Panel and the Justice for Children Taskforce. The state discontinued funding the Parents as Partners program in June 2021.

In 2022, the state made new investments in Family Engagement Specialist positions through the Cooperative Agreement with USM to hire two parents with lived experience in the child welfare system. These positions are designed to engage in system improvement activities, provide training to caseworkers, supervisors and resource parents, and to research evidence-based parent mentor programs. OCFS has not set target dates for re-establishing direct peer support services for parents. Currently, the Child Protective Services 101: For Parents, By Parents court improvement pilot project is the only service designed to provide direct support to parents, by parents with previous system involvement, involved in the child welfare system.

Renewed investment in direct support for parents who are currently navigating the child welfare system should be a priority for OCFS in 2023. The state gained significant institutional learning from the former pilot program, including training and practice manuals that were co-designed by Maine parents with lived expertise, and long-term program outcomes. These materials and data should be examined alongside information from national evidence-based programs and used to re-establish direct peer support services for parents who are currently navigating the child welfare system in Maine.

## **Questions and Discussion:**



The panel engaged in a discussion about the recommendation language including “evidence-based practice.” Members noted that evidence-based practice is not equivalent to best practice that has not been formally studied, and a recommendation was made to change that language. One member shared her knowledge about a model being used in Washington that has a promising status allows for parents to have presence for support in the courtroom. Members discussed adding language to the recommendation to reconsider parent supports being present in court.

OCFS shared concerns about the recommended October 1, 2023, deadline due to legislative, research, and development timelines that could impact implementation. Members shared a sense of urgency based on need of parents. The panel engaged in a discussion about the role of MCWAP panel members that includes making recommendations that reflect the sense of urgency, and OCFS’ ability to respond to the recommendation with their anticipated timeframe in the formal report.

#### **Panel Strategic Goal Recommendation #4**

*MCWAP should examine the policies, procedures, and practices of family team meetings and evaluate the extent to which FTMs are effectively engaging families and improving their ability to respond to the requirements of the rehabilitation and reunification plan.*

Background: OCFS first implemented Family Team Meeting (FTM) practice in 2002, recognizing the importance of including the voices of parents, children, youth, providers, and family supports in the case process. Since this time, there have been revisions to policy and practice expectations to incorporate best practice standards. OCFS recognizes that due to implementation challenges and the increase in new staff, Family Team Meeting practice has been inconsistent throughout the state. MCWAP has made several recommendations over the years (2016, 2019, 2021) regarding FTMs but has not conducted dedicated, in-depth study of the both the policy and practice of this model. Given this is the primary mode of collaboration between the state and community organizations and the parents they serve, the subject warrants a deeper exploration by the panel over a full panel year.

#### Questions and Discussion:

The panel engaged in a discussion about feedback from FTM participants. In the past, surveys were completed that provided feedback about FTM experiences. They have not been completed for 10 years. The new child welfare technology system does not currently track individuals that are invited to the Family Team Meeting. It does track individuals that attend the meeting. Members discussed whether it would be beneficial to include a recommendation to track those data points as part of the FTM recommendation.

#### **1:45p.m. – OCFS Updates**

*See attached PDF*

The Panel heard from Bobbi Johnson, Associate Director of Child Welfare, regarding various OCFS updates, including the system-wide efforts that the Department is engaged in.

Data was shared with the Panel about Collaborative Safety Recommendations and implementation, OCFS Policy Updates, and Maine CFSR and Federal Program Improvement Plan Updates.

### Presentation and Discussion:

There has been a lack of information sharing between OCFS and behavioral health providers for adults. OCFS shared that in collaboration with community partners, a guidance document has been developed and disseminated to providers to bridge the gap and promote collaboration. Additionally, information sharing barriers existed between law enforcement and hospitals. OCFS has convened a collaborative workgroup with representatives from law enforcement, the hospitals and the Attorney General's Office to consider the establishment of a joint protocol agreement, as well as other strategies, such as legislation to enhance information sharing, and joint training opportunities.

The panel engaged in a discussion about mandated reporting requirements. The statute identifies the components of the mandated reports but varies in defining what can be reported to DHHS or to law enforcement from a criminal investigation perspective. Members raised the possibility that differences in reports are related to diversity and racial inequities and would be interested in exploring this information further. Members also raised some confusion around Family Educational Rights and Privacy Act (FERPA) and HIPAA compliance requirements and how that relates to mandated reporting requirements and noted there may be an opportunity to provide clarity. The CAC model consistently works with a multidisciplinary team (MDT) and has included guidance on consistent practice and clarity for information sharing. Members expressed willingness to share information that has made that work successful to promote this goal.

The panel heard about staffing changes that are being made in OCFS to support strategic goals. In collaboration with OCFS, USM has hired 2 Family Engagement Specialists with lived experience and a third Policy Specialist who has experience as a parent partner and will provide support to the Family Engagement Specialists. In July, OCFS was approved by the legislature to hire 16 caseworker positions and 3 regional supervisor positions for afterhours coverage. Eleven of the 16 caseworkers have been hired and OCFS is building the framework for the afterhours/weekend/holiday shifts.

OCFS has convened a workgroup of staff, consulted with national experts, and asked the Capacity Building Center to research data regarding investigation timeframes and has also evaluated the policy to reduce redundancy. Eleven recommendations were made from OCFS staff. Of those 11 recommendations, only 2 were not supported as there are other strategies that will address these two recommendations. There is a likelihood, based on this research, that the investigation timeframes will be changing slightly in the future.

The Panel was briefed about OCFS' initiatives in partnering with Collaborative Safety, LLC to provide systemic/case reviews. OCFS has completed 8 full reviews. The multifaceted process first involves reviewing case materials to complete a technical review and present qualifying cases to a multidisciplinary team (MDT). Qualifying cases include a near fatality or fatality, with CPS history in the last 3 years. The safety science analysts then identify learning points based on their review of the case and present information to the MDT. Once established, the OCFS staff who were directly involved with the case are invited to share more information about their experience through a 'human factors debriefing' process. From there, the process of 'systems mapping' is initiated, whereby other district staff and external partners (those who were not involved in the case) are invited to provide insight into the system. As a result of the mappings, recommendations are made, and trends are analyzed. Members asked OCFS how these recommendations and trends can be shared with the MCWAP panel. This will continue to be explored, as the integration of collaborative safety into the panels is an ongoing

discussion for development. Collaborative Safety can continue to offer orientation sessions to members in the future. There will be one held at the upcoming Judicial Branch conference.

OCFS shared updates related to policy and the policy development process. There have been a few policies that have not gone out for comment as they are legal policies, such as the ICPC and Safe Haven policies. These are reviewed by the AAGs office. MCWAP contributed to the Family Team Meeting policy and of the 31 comments, 15 were accepted, 11 were rejected, and 5 were partially accepted. In response to panel feedback, the policy review timeframe is being expanded for longer policies to 10 days to allow for comment. After the updates take place, OCFS will provide a summary of the comments and response to the panel members for review.

The panel engaged in a discussion about communication with families during an open investigation and the family's expectations of case closure. Members shared that families sometimes assume the case is closed when they have not received communication from OCFS staff indicating otherwise. Community partners are seeking guidance to support families. OCFS shared that when a new report is received, a caseworker is required to respond within 24/72 hours. The expectation is that there is then communication back to the families, depending on the level of intervention including next steps. Subsequently, OCFS staff gathers information including details from collateral contacts. Families should be provided with a clear explanation of the process and the timeline. Best practice includes a phone call to talk about findings and there is also a system generated closing letter. Community partners can empower families to call OCFS staff and ask about the process and their own timelines.

The Panel heard about Maine's Advisory Oversight Structure with focus on the OPEGA Report and Recommendations, the CFSR, and the PIP. A link to the report can be found here:

<https://legislature.maine.gov/doc/8493>

The Child and Family Services Review (CFSR) is central to federal oversight of state child welfare. The CFSR is used by the Children's Bureau: to ensure conformity with federal child welfare requirements; to determine what is happening to children and families as they are engaged in child welfare services; and to assist states in enhancing their capacity to help children and families achieve positive outcomes. The Children's Bureau conducts CFSRs with states on a rotating schedule (referred to as "rounds"). Maine has completed three rounds of the CFSR process in 2003, 2009, and 2017. In the third round, Maine was found to be in substantial conformity with one of the seven outcomes and four of the seven systemic factors and was required to develop and implement a Performance Improvement Plan (PIP) to address the remaining areas.

Any state that has not achieved "substantial conformity" for each of the child and family outcomes and systemic factors must develop and implement a PIP to address these areas. Development of a state PIP is standard practice – in fact, no state has achieved substantial conformity with all seven outcome areas and systemic factors in round three of the CFSR. The state PIP must specify the state agency's goals, strategies and key activities designed to improve performance, and the plan must be approved by the Children's Bureau. Upon approval, the state has a two-year PIP implementation period followed by an evaluation period. During these periods, state progress is monitored through case reviews and any progress is measured against specific PIP goals. These goals are negotiated with the Children's Bureau and are based upon the state's actual CFSR results, rather than the CFSR's federal performance standards. These PIP goals are lower, more attainable than the CFSR standards, but still promote improvement.

The assessment of the financial penalties is suspended throughout the PIP implementation and evaluation periods. During this time, no funds are withheld as long as the State is actively engaging in and adhering to the provisions of the PIP. If a state successfully achieves its PIP goals, the financial penalty is rescinded, meaning that no funds are actually withheld at any point. If the state fails to make required improvements under the PIP, however; the financial penalty is imposed. The goal percentages are negotiated goals. Members questioned if there is any consideration in the goals for factors that are beyond OCFS control including but not limited to court dates. These factors are considered when creating goals. The CFSR quality assurance team reviews 120 cases per year and the OCFS Continuous Quality Improvement team reviews 11 cases per month. OCFS Staff, Parents, Resource parents, and youth are participants in the CFSR quality assurance reviews. Despite ongoing challenges with transportation, visitation, and reunification services, OCFS has completed all of the key strategies.

Various state outcomes can be viewed here:

<https://www.acf.hhs.gov/cb/monitoring/child-family-services-reviews/round3>

### **2:45 p.m. Panel's Next Steps**

Subcommittees will refine their recommendations based on discussion and submit to panel coordinator by the last week in September for an electronic vote prior to the panel meeting on 10/07/2022

Panel members will determine what subcommittees make sense to move work forward throughout the next year and who from OCFS should participate in those subcommittees. Panel members will send ideas and thoughts to the panel coordinator.

### **3:00 p.m. – Adjourn**

**Next Panel Meeting: October 7, 2022, 9a.m. -11a.m.**