

West Virginia Commission to Study Residential Placement of Children

Meeting Notes

Group Meeting: Quarterly Full Commission Meeting

Meeting Date: March 22, 2012
Location: Charleston, WV

Members Present: Susan Perry (representing Dr. Michael Lewis); Honorable Jack Alsop; Nora McQuain (representing Nancy Atkins); Nikki Tennis (representing Steve Canterbury); Rocco Fucillo; Susan Fry, Pat Homberg; Denny Dodson (representing Dale Humphreys); Honorable Gary Johnson; Vickie Jones; Caren Bills (representing Mike Lacy); Kathy D'Antoni (representing Joreau M. Marple); Rhonda McCormick; Nancye Bazzle (representing Dr. Marian L. Swinker); and Fran Warsing

Members Absent: Honorable John A. Hutchison; Honorable Mike Kelly; and Phillip W. Morrison III

Guests Present: Karen Yost; Linda Kennedy; Ghaski Browning; Debbie Ashwell; Linda Watts; Tricia Kingery; Doug Robinson; Raymona Preston; Melissa Lazear; Tara Stevens; Frank Andrews; Jennifer Taylor; John Price; Kimberly Walsh; Jackie Payne; Debi Gillespie; Janet Scarcelli; Barbara Braadus; and Scott Boileau

Administrative Assistance: Deputy Commissioner Sue Hage (BCF); Carl Hadsell (CESD); Linda Dalyai (BCF)

Key Discussions

Welcome and Introductions – Deputy Secretary Susan Perry welcomed all the members and guests and called the meeting to order at approximately 10:30AM.

Rhonda McCormick was welcomed as a new Commission member representing families.

Rocco Fucillo was welcomed to the Commission as the new Commissioner for the Bureau for Children and families.

Carl Hadsell brought two Resolutions for Recommendations before the Commission members for approval, on behalf of former members, Honorable O. C. Spaulding and former WVDHHR BCF Commissioner John (Jason) Najmulski for their outstanding service to the Commission and for making a difference in the lives of West Virginia children in out-of-home care. Both resolutions were adopted and approved.

The December 1, 2011 Meeting Notes were approved, and copies provided to members.

Nikki Tennis advised the Commission that Steve Canterbury had submitted recommendations to the Supreme Court Justices for additional representation in the Commission. A letter will be forwarded upon approval.

The draft 2011 Annual Progress Report was provided.

Status of Automatic Placement Referral (APS)

Laurah Currey, one of the co-chairs for the APR workgroup, provided a handout of *Strategies for Increased Use of the Automated Placement Referral System* and a brief overview of the APR. At the September 2011 meeting, the Commission members reviewed an abbreviated report on the APR and requested recommendations on increasing the use of the APR. Additional members, which include Probation Officers, were added to the

Key Decisions/Actions

❖ The December 1, 2011 Meeting Notes as well as the full-worded Resolutions for Recommendations for the Honorable O. C. Spaulding and Jason Najmulski will be posted on the Commission's website at www.residentialplacementcommission.org.

❖ Commission members were asked to review the 2011 Annual Progress Report and provide revisions or comments to Linda Dalyai at Linda.L.Dalyai@wv.gov by April 10th.

❖ Judge Johnson will be distributing the *4 Important Questions to Ask Before Placement* at the Judicial Conference. DHHR Program Managers have received this information. All staff who make placements for children will receive these

<p>workgroup to ensure the recommendations of the workgroup were inclusive and accurate. The workgroup recommends:</p> <ul style="list-style-type: none"> • Develop/Update New DHHR Staff Training. • Develop/Update Provider Training. <ul style="list-style-type: none"> ◦ Training for both DHHR staff and providers took place over 3 years ago. ◦ Sue Hage will link the APR workgroup with the Division of Training. • Educate DHHR/JPO/Court Personnel on instate provider services; revise and distribute the Provider Booklet. The booklet will be reviewed and revised periodically. • Explore State Process of Placing Children in Residential Care. Decision-making models are being reviewed along with examining the residential provider system in conjunction with the Bureau for Children and Families. • Add Demographic Items to Provider List in FACTS. The BCF SACWIS system (FACTS) does not include the criteria for each provider. Workers may not be familiar with the criteria of the providers and may be selecting providers who are not appropriate for the child they are seeking placement. Additionally, the name of a provider is not always the “known name” because FACTS uses the “legal” name. • Communicate APR Data to All Systems (disciplines). The workgroup would like to send the data to Judges. Providers want data (requests and responses) that is specific to their own agency. • Provide APR Data to Commission Members during meetings. The workgroup would like to provide a report to the Commission on a regular base to develop a means of accountability. It was recommended that the report be provided every 6 months. <p>Currently, only residential care providers use the APR.</p>	<p>questions electronically.</p> <ul style="list-style-type: none"> ❖ Judge Alsop recommended a small language change to the 4 questions which will be done when new cards are ordered. ❖ Develop a model report for the Commission that will be provided every six months regarding the use of the APR and lessons learned to include recommendations the Commission may need to consider.
<p><u>Parental Placements</u></p> <p>Based on a question raised in the meeting, Sue Hage noted that Medicaid is in the process of changing their manual that will help manage inappropriate parental placements to providers claiming to be a qualified PRTF when they may not meet the criteria. If a provider is not listed as a PRTF in their state or does not meet the criteria, Medicaid will not cover the treatment/placement.</p> <p>To eliminate placements to an agency that is under suspension, the Bureau for Children and Families (BCF) will notify Medicaid of providers that are suspended. Medicaid, in turn, will suspend Medicaid coverage.</p>	<ul style="list-style-type: none"> ❖ This issue is still being reviewed to ensure that parents’ rights are not violated.
<p><i>Focused Discussion: Governor’s Regional Substance Abuse Task Forces</i></p> <p>Vicki Jones, Commissioner for Bureau for Health and Health Facilities, provided a presentation regarding substance abuse nationally and statewide. Drug overdose is the leading cause of death in West Virginia. In 2009, 20% of babies born were exposed to drugs. In 2010, the</p>	<ul style="list-style-type: none"> ❖ Send out handouts to Commission members (and put on Commission’s web site).

<p>percentage increased to 33%.</p> <p>Since then, the Governor formed the Governor's Advisory Council on Substance Abuse (GACSA) through Executive Order 5-11. The GACSA provides the oversight for the Governor's Regional Substance Abuse Task Forces. The Task Forces have been developing the Statewide Substance Abuse Action Plan with recommendations. The four strategic goals are:</p> <p>1) <i>Assessment and Planning</i> – Implement an integrated approach for the collection, assessment and planning analysis; interpretation and use of data to inform planning, allocation and monitoring of West Virginia's substance abuse service delivery system;</p> <p>2) <i>Capacity</i> – Build the capacity and competency of West Virginia's capacity substance abuse workforce and other stakeholders to effectively plan, implement, and sustain comprehensive, culturally relevant services;</p> <p>3) <i>Implementation</i> – Increase access to effective substance abuse prevention, implementing early identification, treatment, and recovery management that is high-quality and person-centered; and</p> <p>4) <i>Sustainability</i> – Manage resources effectively by promoting good sustainability stewardship and further development of the West Virginia substance abuse service delivery system.</p> <p>The following can be found at the Governor's Regional Substance Abuse Task Forces website www.governorssubstanceabusetaskforceswv.com:</p> <ul style="list-style-type: none"> • West Virginia's Comprehensive Substance Abuse Strategic Action Plan (including Substance Abuse Priorities & Implementation Plan and Systems Review and Analysis) • Behavioral Health in West Virginia – A State Epidemiological Profile • Substance Abuse Task Force meeting schedule • Governor's Executive Order 5-11 • Council Member List <p>The "next steps" for the Governor's Regional Substance Abuse Task Forces include assessing what we have and what is needed for each community; maps showing a full continuum of care; and a directory with contact information to be distributed statewide.</p> <p>The Governor, in his State-of-the-State Address (January 6, 2012) stated he was pleased with what is being done to deal with the WV substance abuse issue.</p>	
<p>Performance Benchmarks/Definitions and Data Analysis</p> <p>The Commission is in the second year of tracking the required percentage reduction in out-of-state placements. The Commission's Performance Scorecard includes children in State Custody in Residential Group Care and Psychiatric Residential Treatment Facilities (long term), and Psychiatric Hospital (short term) placements, and shows that in February 2012, we are below the baseline (174). However, the total out-of-home</p>	

<p>population is gradually increasing.</p> <p>West Virginia PRTF providers address specific populations (e.g., those with substance abuse, those who are sexually reactive, and those that are sexual offenders). There continues to be a need for the general population that needs intensive psychiatric mental health treatment. Currently, River Park, Barboursville School, and Chestnut Ridge provide the PRTF level of care in West Virginia.</p> <p>Initiatives (levers) are being identified that will have the greatest impact on addressing the number of children who are being placed out-of-state.</p>	
<p>Key Updates</p> <p><u><i>Summer Youth Program Presentation</i></u></p> <p>Jake Hunt, Executive Director with the South Western Region II Workforce Investment Board, provided an overview of programs funded by the Department of Health and Human Resources, Bureau for Children and Families. Seven regional Workforce Investment districts provide coverage across the state. The programs, that include the Summer Youth Program, have standards that give recognition to the youth for a job well done. The Workforce Investment Board tries to place youth in non-governmental jobs. Although not constrained to income, preference is given to youth whose family receives TANIF (133% below the poverty level).</p> <p>Mr. Hunt provided newspaper articles on youth involved in the Workforce program that were supporting their community through the work they did. Among these youth were those from Stepping Stones, a group facility. For youth between the ages of 14 through 21, 86% finish the program. 275 youth participated last year. They have better job placement outcomes for youth aged 18 – 21 because youth aged 14 – 17 cannot work for a private employer. The goal is to place youth age 17 – 21 in jobs that have the potential for continued employment. Employers that hire youth through Workforce Investment can be reimbursed 100% of wages during their first year involved with the program.</p> <p>The program has an education component that does not encourage getting a General Education Diploma because youth will have a more difficult time finding work outside “fast food” restaurants. Instead, they work with youth after their sophomore year of high school to increase their scores. They also help youth with job readiness.</p> <p>Dan Hartwell, with the DHHR, challenged each Executive Director, to expand the number of youth they serve to 100. While Mr. Hunt originally felt this was an unattainable goal, he reported that after 9 more youth go through the program, his region will have met that challenge and that did not include the 20 employers who did not want 100% reimbursement.</p> <p>The challenge with working with youth has less to do with their age and more to do with their involvement in drugs. Mr. Hunt reported that on average, employment was 6 months for those involved with using or selling drugs. Many times they tell youth what companies do drug testing. It’s difficult to keep youth that sell drugs employed because they can make more selling drugs.</p> <p><u><i>Eligibility Criteria:</i></u></p> <ul style="list-style-type: none"> • TANF recipient; if positions are still vacant, they open enrollment to include: 	

<ul style="list-style-type: none"> ○ Previous Youth in Program ○ School System ○ General Population <p>Susan Fry spoke regarding the benefits to youth that use the program. She said it boosts their self-esteem and worth in the community.</p> <p>Fran Warsing stated that the Anthony Correctional Program offered a Job Keeping Skills workshop that will be offered again this year.</p> <p><u>Joint Task Force on Children's Behavioral Issues</u></p> <p>Karen Yost, on behalf of Jackie Payne, reported that the Task Force will have their first meeting in April. The Task Force was reconstituted to include additional members.</p> <p><u>Children in Out-of-Home Care Education Advisory Committee</u></p> <p>Fran Warsing provided an update on this Committee. The Committee recently added Court partners: Judge Swope, Attorney Catherine Munster, and Attorney Nikki Tennis, with the Supreme Court of Appeals. The Committee is working on several goals identified by the American Bar Association in their <i>Blueprint for Change: Education Success for Children in Foster Care</i>. The Committee will be working on Goals 1 through 3 and Goal 7 (refer to your handout). Children involved in the <i>Birth to Three</i> programs will also be included.</p> <p>In conjunction with <i>the Blueprint for Change</i>, the Committee has entered into a <i>Cooperative Agreement for Ensuring Educational Success for Children in Out-of-Home Care</i> between the WV Department of Education, the WV Department of Health and Human Resources, and the Supreme Court of Appeals.</p> <p>The biggest problem identified is that there is so much diversity (different rules) among the schools across the state. It would also be beneficial if the WVDE and providers were aware of when children were expected to return from an out-of-state placement. All children in out-of-state that have an Individualized Educational Plan (IEP – Special Education) are already reviewed. Roadblocks with regards to sharing data are being addressed. Staff in Information Technology (IT) presented questions that will need to be answered to move forward.</p> <p>Three Memorandums of Understanding are being developed: 1) Department of Education and the Department of Health and Human Resources; 2) Supreme Court and the Department of Health and Human Resources; and 3) Department of Education and the Department of Health and Human Resources, Early Care & Education. Educational records obtained by the WVDE could be added to provider contracts. However, it will be the responsibility of the DHHR to monitor providers and apply corrective action when contracts are not followed.</p> <p><u>Out-of-State Facility Reviews</u></p>	<ul style="list-style-type: none"> ❖ Good discussion on ensuring out-of-state returning children have their education records come immediately. The Judges spoke to court ordering them. It might be put in contract for providers – action is to come up with a document protocol for this by the June meeting. ❖ To assist in addressing the truancy issues for all children, BCF Commissioner Rocco Fucillo is drafting a MOU between the various stakeholders. ❖ The draft WV Blueprint for Change Strategic Plan will be developed by the June meeting for review (framework for Data Sharing and Timeframe around the exchange for Information). The WV Blueprint for Change Strategic Plan will be finalized in September so it can be reviewed prior to the Judicial Conference in October 2012.
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<p>Two handouts regarding the out-of-state reviews were provided. These included:</p> <ul style="list-style-type: none"> • The protocol for on-site monitoring review of out-of-state facilities where children in state custody are placed out-of-state for non-educational purposes: <i>“Members/Students placed by the West Virginia Department of Health and Human Resources in Out-of-State Facilities for Non-Educational Purposes.”</i> • Out-of-State Facility Review for NECCO Center, a Psychiatric Residential Treatment Facility in Pedro, OH (January 23-25, 2012) <p><u><i>In-State and Out-of-State Provider Matrix</i></u></p> <p>The In-state and Out-of-State Provider Matrix is completed, and it will be put on the Commission’s website.</p> <p><u><i>West Virginia Three Branch Institute</i></u></p> <p>Sue Hage provided an update on The Three Branch Institute for Adolescents in Foster Care that includes the Executive (child & family welfare); Judicial; and Legislative members. The Three Branch Institute has developed a statewide plan to safely reduce the number of older youth (13 and up) in-state and out-of-state; reduce re-entry rates for all children; and reduce length of stay to improve permanency outcomes.</p> <p>The Core Group consisting of Judge Bailey; Judge Swope, Sue Hage, Rocco Fucillo (replacing Jason Najmulski), and Linda Dalyai (staff administration) will be traveling to Chicago, IL for the 2012 National Three Branch Institute meeting tentatively scheduled for July 9-11, 2012.</p> <p><u><i>West Virginia Permanency Roundtables</i></u></p> <p>Sue Hage provided an update on the WV Permanency Roundtables (PRT). West Virginia Bureau for Children and Families is partnering with Casey Family Programs to implement WV PRTs. The goal is to develop permanency plans that can be realistically implemented, and identify and address barriers to permanency. The PRTs are in the planning phase. PRTs are being planned for September 2012 – October 2012.</p> <p><u><i>Status Actions Monitoring Plan</i></u></p> <p>The Commission’s Status Actions Monitoring Plan will be updated to reflect current activities that are in-progress and those that need to be added.</p>	<ul style="list-style-type: none"> ❖ Once Commission members have reviewed and commented on the protocol, it will be provided to out-of-state providers. ❖ 2012 Out-of-State Review Schedule <ul style="list-style-type: none"> ○ NECCO Center – Pedro, OH – January 23-25 ○ Hermitage Hall – Nashville, TN – April 30-May 2 ○ The Bradley Center, Pittsburgh, PA – June 11-13 ○ Southwood PRTF – Pittsburgh, PA – June 13-15 ○ Universal Health Services/Coastal Harbor – Savannah, GA – October 1-3 ❖ Efforts will be made to identify two legislators and a representative from the private sector (to replace Laurah Currey) prior to the July Institute. ❖ The Status Actions Monitoring Plan will be provided at the June meeting.
<p>June Commission Meeting – Burlington UMFS, Beckley, WV</p> <p>The June Commission “Community” meeting is going to be at the Burlington Center in Beckley, WV on June 7, 2012. As with last year, the time will be from 10AM to 2PM, with tours of the grounds prior to the meeting. The agenda will include a brief business meeting and time set</p>	<ul style="list-style-type: none"> ❖ Everyone is asked to make every effort to attend this session and to invite those within their organization who work in the Beckley area.

<p>aside to hear from community members about their challenges as well as their accomplishments. Further information including driving directions, hotel accommodations, and agenda will be provided prior to the meeting.</p> <p>Susan Perry also stated that the Behavioral Health and Health Facilities has opened a new co-occurring facility in Beckley called the “<i>Turning Pointe</i>,” for mothers and children with drug-related problems.</p>	
<p>Commission Member Reflections</p> <p>Judge Johnson stated that a Project Coordinator will be hired for the Cold Case Project.</p> <p>Included in the Commission members’ notebooks are <i>Senate Bill No. 636</i> that reconstituted the Commission; the <i>Commission’s Operating Procedures & Guidelines</i>; and the <i>Key Values & Principles Underlying West Virginia’s System of Care</i>.</p> <p>Commission members will need to review and respond with any revisions or updates for the Advancing New Outcomes Progress and Future Direction Report by April 10th.</p> <p><i>Meeting was adjourned at approximately 1:30 PM.</i></p>	