

West Virginia Commission to Study Residential Placement of Children Summary Notes	
Group Meeting: Quarterly Commission Meeting	Meeting Date: March 7, 2019 Location: Charleston Coliseum – Parlor Room A & B
<p>Members Present: Cabinet Secretary Bill J. Crouch; Commissioner Linda Watts; Keith King (Proxy for Cindy Beane); Jacob Green; Frank D. Andrews (Proxy for Jacob Green); Brenda Hoylman (Proxy for Cindy Largent- Hill); Sheila Paitzel (Proxy for Susan Beck); Debi Gillespie (Proxy for William K. Marshall); Jim Jeffries (Proxy for Dr. Catherine Slempt); Chase Holcomb (Proxy for The Honorable Philip M. Stowers); Steve Tuck; Cammie Chapman and Debi Gillespie (proxy for William Marshall)</p> <p>Members Absent: The Honorable Jack Alsop; Stephanie Bond; Susan Fry; Jessica Ritchie-Gibson; The Honorable David W. Hummel, Jr.; Rhonda Hayes, The Honorable Gary Johnson; Philip W. Morrison II; Christina Mullins; Dr. Steven Paine</p> <p>Guests Present: Gabe Conley; Rebecca Derange; Renee Ellenberg Brady; Ric Renquest; Amy Lawson Hymes; Andrea Darr; Cassandra Toliver; Tahnee Bryant; Jennifer Eva</p> <p>Administrative Assistance: Linda Gibson and Mary Thompson</p>	
Commission Meeting	Decisions/Notes
<p><u>Opening</u></p> <p>Secretary Crouch called the meeting to order at approximately 10:30am. He welcomed everyone to the meeting. He brought to everyone's attention about the new venue we will be using going forward in 2019. He also stated that we will be looking at the Commission's responsibility as stated in WV Code and be more specific with the Commission's goals and the changes ahead regarding Child Welfare.</p>	
<p><u>Meeting Notes</u></p> <p>Secretary Crouch asked if anyone had any questions regarding the meeting notes from the last commission meeting on December 6, 2018. The meeting notes were reviewed, and Secretary Crouch asked for a motion and second to approve and all in favor agreed. Notes were approved without any questions or revisions.</p>	<p>The meeting notes were approved and will be posted on the Commission's website:</p> <p>http://www.wvdhhr.org/oos_comm/</p>
<p><u>2018 Commission's Annual Report</u></p> <p>Linda Gibson provided the overview on the Annual Report.</p> <p>Because some of the Appendixes were PDFs and were difficult to read when copied, Mary Thompson will e-mail Commission members copies of the report which will be easier to read.</p> <p>This year's "Accomplished Goals" section in the Annual Report was organized under the responsibilities given to the Commission (§49-2-125). Linda noted that at the end of 2018, the Commission members had discussed looking at the Commission's purpose (based on the West Virginia Code) and that this year's report reflects these discussions.</p> <p>Development on the report begins soon after the December meeting. In January, they begin contacting Commission members, who are involved with projects that align with the goals of the Commission, requesting their year-end reports. The information from these reports are added throughout the Annual Report and the reports are found in the Appendixes.</p> <p>The Appendix includes:</p> <p>Appendix A – Distance Report;</p> <p>Appendix B – System of Care Out of State Statistics;</p>	<p>We will send a copy by email to the Commission and its guests and post the review to the Commission's website listed above.</p>

<p>Appendix C – Service Delivery & Development Workgroup members and organizational charts;</p> <p>Appendix D – Safe at Home;</p> <p>Appendix E – Court Improvement Program;</p> <p>Appendix F – Education of Out of Home Care Advisory Committee; and</p> <p>Appendix G – Juvenile and Adult Drug Courts</p> <p>The draft report is sent to both the DHHR Communications office and Legal team. Although the turnaround time is very short, moving forward, members will be sent the draft report to review and make comments.</p> <p>The report is submitted to the Legislative Oversight Commission on Health and Human Resources Accountability (LOCHHRA) before the end of the regular Legislative session.</p> <p>The information from the Annual Report is also incorporated into the Child and Family Services Plan (CFSP) and the Annual Progress and Services Report (APSR) to reflect the collaborative work in West Virginia.</p> <p>A Commission member asked if LOCHHRA responded to the report or had questions and Secretary Crouch said there were not any questions, but this is typical as they provide several reports to them and do not receive responses to these either.</p> <p>Linda thanked the partners for their efforts in working on this with us.</p>	<p>Send Steve Tuck an Org Chart of where Linda and Mary fit into the Commission, our roles.</p> <p>Post the Commission’s 2018 Annual Report to the Website and send copy by email to the members and guests.</p> <p>Future reports, the Commission members will be sent the draft Annual report to review and make comments.</p>
<p><u>Family First Prevention Services Act (FFPSA) Update</u></p> <p>Laura Barno provided a PowerPoint Presentation on the Family First Prevention Services Act. The Children’s Bureau (CB) has already issued the basic Program Instructions and the first 12 prevention service programs and models that will be permitted and available on their clearinghouse. The list only includes the interventions that meet a set criteria (threshold) for “evidence-based”. The DHHR is still waiting on the final instructions that we anticipate will include more information on the review process for inclusion of additional service programs and models. Understandingly, this is time-consuming because what is currently in the existing clearinghouse does not have the same criteria.</p> <p>Having additional information on the 12 allowable services is important because this information will provide the evidentiary basis for the allowable services criteria under Family First.</p> <p>After March 21st we are expecting the CB to provide additional instructions. We need the information/criteria to allow us to begin working on the 5-year prevention plan that is required. We have workgroups, that include stakeholders, that will assist West Virginia in the development of this plan.</p> <p>The funding for the prevention services can only be used for families where the child is designated to be a “candidate for foster care”, pregnant or parenting youth in foster care, or a child whose adoption or guardianship arrangement is at risk of a disruption or dissolution that would result in a foster care placement.</p> <p>One of the workgroups is reviewing and revising the comprehensive Family Case Plan to include the required Permanency Plan. This group is also revising the DHHR policy the staff will need to use.</p>	

<p>October 1st is the deadline to have the Permanency Plan in place. The DHHR has contracted with Barry Dunn who is developing a traceability matrix to help track the activity that West Virginia is doing. We have spent time with them looking at the operational system, system implications, financial implications, etc.</p> <p>A member asked if Level 2 (residential) would be eligible to meet the Qualified Residential Treatment Program (QTRP). Laura stated that although the work hasn't been completed yet, it important to note that the QTRP is more than a facility, but instead a system that supports the higher levels of care. The DHHR is still in the process to determine what that will be. However, we do know that the child must qualify as a "vulnerable youth" and as it is now, a child in all levels of residential would be considered "vulnerable". <i>(One of the requirements to become a QTRP is receiving accreditation by an independent, nonprofit" accrediting agency. West Virginia is in a good position because many of WV residential providers are already accredited).</i></p> <p>As we move through the process, (taking a 5-year period), we want to see shorter stays and build up community-based services to get the care they need. When they do come into care, we would like to get them stabilized, then provide community services while they are back home.</p> <p>There should be no changes on how the Dept. of Education provides their own services or education to children.</p> <p>The Multidisciplinary Treatment (MDT) team process will need to improve so that the child/family case plan is reviewed at critical junctures in the case. For instance, when a child is in the foster care system, the MDT will need to consider when the child can safely be discharged, what is needed to allow a smooth transition, and what the child and family will need (in their own community) to be successful and not have the child re-enter into foster care.</p> <p>Laura stated that this is the first time we will be able to use IV-E money for preventative services (if we identify the children at risk of out of home care and put services there). We will be able to pull down 50% of IV-E funds and IV-B funds for some reunification, permanency, etc. We will also be using State funds/revenue to compensate for the difference. The IV-B funds is a defined "sum of funds", whereas the IV-E funds is based on eligible children. Under "Family First" criteria, IV-E funds are also limited to the 12 prevention services and possible more as the CB continue to add services to the clearinghouse.</p> <p>As required, West Virginia will have to hire an independent Evaluator to evaluate the prevention services (that meet the CB criteria) and evaluate over the 5-year period if the services provided are making a difference and improving outcomes for children/families.</p> <p>Laura stated that the DHHR wants to involve all stakeholders.</p> <p>Laura will be assigned as a project lead for Family First and will provide more information as it becomes available.</p>	
<p><u>Department of Justice Update</u></p> <p>Secretary Crouch said discussions and negotiations with the Department of Justice (DOJ) are still taking place. He had a meeting 2-3 weeks ago that went well and is hoping to have an agreement in the next 2 weeks. This agreement is expected to impact child welfare in WV.</p>	

<p>The DOJ inquiry that started in 2014 and became a formal investigation in 2015, looks at WV population and reasons why there are so many children in congregate care.</p> <p>Secretary Crouch asked what their definition of “congregate care” was and did that include residential care for children and their interpretation was that it did include residential care for children.</p> <p>DHHR is pursuing a Serious Emotional Disturbance (SED) waiver through Medicaid that will tie in to what the DOJ is wanting and has discussed with us. It was at this time, that Legislators then presented House Bill 2010 which calls for a Managed Care Organization (MCO) program be put in place. Separately, we have been working on this since late Summer. We sent out a Respond for Proposals (RFP) for Socially Necessary Services. Legislature doesn’t agree with DHHRs RFP, and so, we sent out another RFP for the MCOs. There isn’t a lot of differences from what we currently do (we pay the bills while the Administrative Service Organizations (ASO) provide service care management for the children as needed). Applications were due but extended 30 days for comments and they are still in the middle of the process.</p> <p>The requirements we have talked about today, and other days, are pushing us in the same direction...to keep children home with their families. We are 10th in the country in the number of children placed in congregate care and 1st in taking kids out of the home. We want the Commission’s input, comments, questions, to help us think how we proceed. Ironically, the federal government previously would only give funding when children were taken from the homes and now, they are suing the DHHR for taking too many kids out of the home. Family First focuses on the direction we need to move; keeping the children home and safe. However, when they are unsafe, we will need to remove them, but the goal is to prevent that.</p> <p>The drug issue needs resolved to begin to turn a corner on removing kids from the home. Currently, approximately 85% of removals are because one or both parents have substance abuse problems. We are hopeful that Family First will allow service development where parents can get help while keeping their children at home.</p> <p>Secretary Crouch said the Agreement was still outstanding and that they wanted the DHHR to sign a Consent Decree (meaning both parties sign an agreement that this is the direction we go, and it is filed in court then they could withdraw the complaint, but it also opens a door for a lawsuit). Secretary Crouch stated he has refused to sign a Consent Decree and prefers an Agreement that would allow DHHR more flexibility to make the decisions. He feels we are best at making decisions for our state. He is willing to sign a Memorandum of Understanding on how to move forward.</p> <p>The Department of Justice could file a lawsuit against us which would make it a little harder to get where we need to go, so we are wanting to follow a plan to fix the issue and they agree to finding a plan as well.</p>	
<p><u>Commission Legislative Responsibility and Goals Update</u></p> <p>Linda Gibson provided an overview of Goal 1: Transformational Collaborative Outcomes and Goal 4: Transitioning Youth from Foster Care. Linda stated that Susan Fry recently resigned her position as the Chair for the Service Delivery and Development SDD workgroup. Linda stated that at the next meeting in April she will have the SDD members vote in a new Chair and discuss what they wish to</p>	

work on, and if other workgroups are working on similar issues, how the workgroup can bring this information together.

For instance, Transformational Collaborative Outcomes Management (TCOM) that include the use of the Child and Adolescent Needs and Strengths (CANS) and the Family Advocacy and Support Tool (FAST) are already getting information from multiple places. The SDD is looking at how providers are using CANS and how to make it better, the Department will be using FAST and is currently involved in a Pilot involving youth service staff, and the possibility of a University partnership.

With the Family First Workgroups, the SDD members may decide to join one of these workgroups and terminate the SDD, but she would like to meet with the members and have them provide input into this decision. Linda will provide an update on the outcome at the next Commission meeting.

TCOM Update:

Commissioner, Linda Watts provided additional information on TCOM.

Linda stated that CANS was developed over 10 years ago and over the years the Commission established practice guidelines and the DOJ recognizes this is a strong tool for our children and we will continue to use CANS and FAST for the Family Assessment. DHHR is working with Marshall University to provide the initial CANS training and oversight on implementation of CANS for the Fidelity.

Susan Fry has been a great partner who has provided the training for the trainers, recertification, and is the expert in the state. Susan has worked with Tammy Pearson who was the former System of Care Director and now works for Marshall University. The DHHR is looking at an agreement with Marshall University to provide training and recertification. Dr. Lyons (TCOM model and original CANS developer) is assisting with this as well. In the short run, Linda Gibson, with the Bureau for Children and Families, will be the contact. Mary Thompson will the administrative assist to her and to the commission.

Goal 2: Provider Input at MDT and Court

Cindy Largent-Hill was unable to attend, her proxy Brenda Hoylman provided an update. Brenda Hoylman and Gabe Conley, both with the Courts, are asking the stakeholders about the MDT process, speaking with Regional Directors with the DHHR and planning to talk to more shareholders and working on getting a survey out.

Goal 3: Implementation of Every Student Succeeds Act – ESSA (focus on the Education of Children in Foster Care)

Jacob stated the Out of Home Education Advisory Committee hasn't met since the last Commission meeting, but they are meeting on April 24th.

His office is currently working on the demographics as mentioned in the December meeting. They identified in the West Virginia Education Information System (WVEIS), 1,756 students are with special needs and 20% of these were in out of home care. The largest group is those students with specific learning disabilities, followed by students with Intellectual Disabilities. They were able to compare special education students to non-special needs student. It was not surprising that special needs students perform lower. The data is being broken down by gender, race, special education and build a data profile.

The Committee is hoping to also look at strengths found within the study. They

Out of Home Education Advisory Committee will provide a report on the Education of Children in Foster Care

<p>would like to know what is happening with the 8% of students with special needs in the 8th grade who are in out of home placement were proficient. They are looking at why these students are successful and how can we replicate this.</p> <p>Five years ago, there was approximately 1000 missing test scores for children in out-of-home care. Currently, there are only 139 scores still missing. They are still looking for the remainder and will have a larger report at the June meeting as several people will be working on it over the next 6 weeks or so.</p> <p>The Study includes data for children in all placements types and follows how many times they may have been moved to a new placement. Student Stability is important so having this data would be valuable.</p> <p>A meeting was held at the Department of Education for the data piece for the educational coding of students for Out of Home Care to look at which county should keep the students enrolled (to differentiate between shelters and residential facilities). WVEIS will show the last school attended in WVEIS and it is the county that will be responsible for the child. For instance:</p> <p>Shelters are expected to enroll the student in the county in which the shelter is in.</p> <p>Treatment facilities enroll children in the child's home county (i.e., the home county will be responsible for the student even if the child is in a treatment facility in another county).</p> <p>Out-of-State placements would enroll the child in the last district the student attended were for 45 days.</p> <p>Adoption – the child would be considered and new enrollment and would remain or be enrolled where their adoptive parents are living.</p> <p>In June, the Out of Home Education Advisory Committee will provide a report on the Education of Children in Foster Care that will include a preliminary data profile on a successful student and another with a student who performs poorly. They are using 2017-2018 data so next year they will have 2019 data and can have something to compare and generate the reports much faster.</p> <p><u>Transitioning Living</u></p> <p>Bureau for Behavioral Health is working on transitional living. The Department of Education, Stepping Stones in Wayne County, and Prunty Town Correctional Center inmates are building the first 3 Tiny Homes, progress is being made.</p>	
<p><u>Other Commission Member Updates</u></p> <p><u>Emergency Foster Care Service</u></p> <p>Commissioner, Linda Watts discussed the new service, Emergency Foster Family Service began March 1st. The Emergency Foster Family service was needed to provide staff with a resource when a placement can be found and prevent keeping children in the offices or in a hotel overnight. The service will be available from 8pm until 8am. NYAP, Pressley Ridge, NECCO and Blueprints have a total of 6 beds for children who have been removed during those evening/overnight hours to have a safe place to go despite what time they may need to be removed. The timeframe of a stay is 48 hours to allow time to find another relative or a foster family. An additional 24 hours for special circumstance may be given an exception but this will not be “normal practice”.</p>	

<p><u>Refugee Resettlement</u></p> <p>Jacob stated that they should have the first residents at the Board of Child Care through the agreement that they have with the Office of Refugee Resettlement. Ten (10) children are scheduled to be placed on Sunday. The undocumented minors will be placed at the Board of Child Care for 45 days until they are placed with a host family somewhere in the country. They will receive education services while placed there. An English Speaking or Other Languages (ESOL) teacher has been hired to oversee these students. The teacher's native language is Spanish so that will help these children with the transition. Another position for an ESOL teacher is also posted.</p> <p><u>Judges to Serve on the Commission</u></p> <p>Steve Tuck asked about Judge Stowers speaking with other judges who may join the Commission meetings and Chase Holcomb (proxy for Judge Stowers) said Judge Stowers has had e-mailed Chief Justice Walker to identify some additional judges to fill in those gaps. Cabinet Secretary said that there isn't a set process to add members to the Commission, so we are trying to follow the intent and invite individuals, especially Judges, to participate, provide input and be a part of the group.</p>	
<p>Meeting Adjourned: Secretary Crouch adjourned the meeting at 12pm.</p>	
<p>Next meeting: June 6, 2019</p> <p><u>2019 Approved Quarterly Meeting Dates</u></p> <p>March 7, 2019 June 6, 2019 September 5, 2019 December 5, 2019</p>	