



January 2015
PE 14-12-566

PERFORMANCE UPDATE
BUREAU FOR CHILDREN AND FAMILIES
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

AUDIT OVERVIEW

The Bureau for Children and Families Has Improved Its Management of Child Protective Services Workforce Resources But Further Progress Is Needed.

The Bureau for Children and Families Has Developed and Implemented a Centralized Intake System to Improve Child Protective Services.

The Bureau for Children and Families States That It Intends to Take a State-Level Responsibility to Review, Analyze, and Publicly Report Annually on Child Protective Services' Child Fatality and Near Fatality Data as a Way to Improve Child Protective Services and Public Accountability.



JOINT COMMITTEE ON GOVERNMENT OPERATIONS

Senate

Herb Snyder, Chair
Mike Green, Vice-Chair
Sam Cann
Rocky Fitzsimmons
Craig Blair
Evan H. Jenkins

House of Delegates

Jim Morgan, Chair
Dale Stephens, Vice-Chair
Brent Boggs
Eric Nelson
Ruth Rowan

Agency/ Citizen Members

John A. Canfield
Terry Lively
W. Joseph McCoy
Kenneth Queen
Vacancy

JOINT COMMITTEE ON GOVERNMENT ORGANIZATION

Senate

Herb Snyder, Chair
Ronald F. Miller, Vice-Chair
Sam Cann
Donald Cookman
Rocky Fitzsimmons
Mike Green
Art Kirkendoll
Ronald Stollings
Bob Williams
Jack Yost
Craig Blair
Donna J. Boley
Evan H. Jenkins
Dave Sybolt

House of Delegates

Jim Morgan, Chair
Dale Stephens, Vice-Chair
Gary G. Howell, Minority Chair
Tom Azinger
Joshua J. Barker
Mike Caputo
Phil Diserio
Jeff Eldridge
Ryan Ferns
William G. Hartman
Ronnie D. Jones
Timothy Kinsey
Brady Paxton
Margaret D. Smith

Margaret A. Staggers
Randy Swartzmiller
Karen Arvon
Scott Cadle
Larry Faircloth
Michael Folk
Larry D. Kump
Joshua Nelson
William Romine
Anna Sheppard
Randy Smith



WEST VIRGINIA LEGISLATIVE AUDITOR

PERFORMANCE EVALUATION & RESEARCH DIVISION

Building 1, Room W-314
State Capitol Complex
Charleston, West Virginia 25305
(304) 347-4890

Aaron Allred

Legislative Auditor

John Sylvia
Director

Jill Mooney
Research Manager

Christopher F. Carney
Research Analyst

Elizabeth Belcher
Referencer

CONTENTS

Executive Summary 5

Issue 1: The Bureau for Children and Families Has Improved Its Management of Child Protective Services Workforce Resources But Further Progress Is Needed 7

Issue 2: The Bureau for Children and Families Has Developed and Implemented a Centralized Intake System to Improve Child Protective Services 13

Issue 3: The Bureau for Children and Families States That It Intends to Take a State-Level Responsibility to Review, Analyze, and Publicly Report Annually on Child Protective Services’ Child Fatality and Near Fatality Data as a Way to Improve Child Protective Services and Public Accountability 17

List of Tables

Table 1: CPS Workforce Regular and Overtime Earnings FY 2010 Through FY 2014 11

List of Appendices

Appendix A: Transmittal Letter 21

Appendix B: Objective, Scope and Methodology 23

Appendix C: Centralized Intake Implementation Schedule 25

Appendix D: Child Fatality/Near Fatality Review Format 27

Appendix E: Agency Response 39

EXECUTIVE SUMMARY

The Performance Evaluation and Research Division (PERD), within the Office of the Legislative Auditor, conducted this compliance review of the Department of Health and Human Resources (DHHR) Bureau for Children and Families' (BCF) Child Protective Services (CPS) as authorized under the authority of the Legislative Auditor, Chapter 4, Article 2, Section 5, of the West Virginia Code. A primary purpose of CPS is to investigate child abuse and neglect allegations in a timely manner as stipulated by statute. The objective of this update is to determine to what extent the BCF has complied with the recommendations made in an August 2013 performance review.

Frequently Used Acronyms in This Report:

DHHR: Department of Health and Human Resources
BCF: Bureau for Children and Families
CPS: Child Protective Services
CIU: Centralized Intake Unit
OHRM: Office of Human Resources Management

Report Highlights

Issue 1: The Bureau for Children and Families Has Improved Its Management of Child Protective Services Workforce Resources But More Improvement Is Needed.

- The BCF is in full compliance with one recommendation and partial compliance with five recommendations made in Issue 1 of the 2013 performance review.
- The BCF has improved its management of CPS workforce resources, however, it has not yet addressed all the specifics discussed in the August 2013 PERD report such as establishing a detailed long-term plan for the CPS workforce, incorporating CPS-specific questions focusing on the nature of work and work environment into an employee exit survey, determine what impact the social worker licensure requirement may have on the CPS workforce, and minimize the need for overtime by CPS workers.

Issue 2: The Bureau for Children and Families Has Developed and Implemented a Centralized Intake System to Improve Child Protective Services Investigations.

- The BCF is in full compliance with two recommendations and planned compliance for a third recommendation made in Issue 2 of the 2013 performance review.
- The BCF has implemented a centralized intake system to receive reports of alleged child abuse and neglect. According to the BCF, the centralized intake system is almost

fully staffed and is ahead of schedule with more than 65 percent of the districts rolled into the centralized intake system for both calls and referral screening.

Issue 3: The Bureau for Children and Families States That It Intends to Take a State-Level Responsibility to Review, Analyze, and Publicly Report Annually on Child Protective Services' Child Fatality and Near Fatality Data as a Way to Improve Child Protective Services and Public Accountability.

- The BCF is in full compliance with two recommendations and planned compliance with two recommendations made in Issue 3 of the 2013 performance review.
- The BCF has compiled data in order to finalize its first annual report of state-wide child fatalities or near-fatalities due to abuse or neglect for FFY 2014. Although it has not done so, the BCF intends to report this information to the Governor and the Legislature as recommended.
- The BCF has yet to apply actual child fatality information to written child fatality reviews which are to be presented at BCF staff meeting in order to determine trends and administrative improvements.

PERD's Evaluation of the Agency's Written Response

The Office of the Legislative Auditor's Performance Evaluation and Research Division received the Bureau for Children and Families' response to the draft copy of this compliance review on January 7, 2015. The BCF generally concurs with the findings of the review. The BCF indicates that it is continuing to actively implement recommendations. The BCF has implemented a centralized intake system for reports of child abuse and neglect and are finalizing a report on child fatalities due to abuse or neglect. The agency response can be found in Appendix E.

Recommendation

1. *The Legislative Auditor recommends that another update be conducted at an appropriate time to allow PERD to verify the CPS workforce turnover rates and to determine the progress made on recommendations that are not in full compliance.*

ISSUE 1

Updated Issue 1 of 2013 PERD Report

The Bureau for Children and Families Has Improved Its Management of Child Protective Services Workforce Resources But Further Progress Is Needed.

Recommendation 1 (2013)

The Bureau for Children and Families should develop a long-term plan that establishes appropriate Child Protective Services turnover rates, timelines for achieving the appropriate turnover rates, and sufficient workforce levels for the state, regions and districts.

Level of Compliance: Partial Compliance

The Bureau for Children and Families (BCF) has not developed a written long-term plan establishing appropriate child protective service (CPS) turnover rates, timelines for achieving those turnover rates, or what would constitute a sufficiently sized CPS workforce level at the state, regional, and district levels. However, the BCF states that in the fall of 2013 it formed a retention and recruitment team to develop plans to address all areas concerning the BCF workforce.

According to the BCF, each month since January 2014, the retention and recruitment team has developed plans to improve its CPS workforce in the long-term and provides feedback to BCF leadership to assist in decision-making about the CPS workforce. The BCF stated that the retention and recruitment team developed a workforce strategy document that the BCF is currently using to guide its planning for its CPS workforce needs.

The BCF indicated to PERD that every month since August 2013 its district offices are reporting the number of vacant CPS positions. According to the BCF, from 2012 to 2014, the turnover rate for its CPS worker trainees has decreased from approximately 70 percent to 39 percent; and for its CPS workers, the turnover rate has decreased from 35 percent to 27 percent¹. BCF has stated it has established a **turnover rate goal** of 20 percent by 2016. The Department of Health and Human Resources (DHHR) Office of Human Resource Management (OHRM) provides the BCF a report monthly on the turnover rate of CPS workers and trainees.

The BCF measures should help provide the agency with information to address the recommendation. However, the BCF has a long-term CPS workforce retention problem. Retention goals are important because they can help secure an experienced and knowledgeable workforce. The

The Bureau for Children and Families (BCF) has not developed a written long-term plan establishing appropriate child protective service (CPS) turnover rates, timelines for achieving those turnover rates, or what would constitute a sufficiently sized CPS workforce level at the state, regional, and district levels.

¹PERD did not audit the BCF's numbers.

BCF needs to be able to document vacancy trends in its child protective service workers. The agency needs to use that information to aid it in determining the workforce size and the rate of turnover that will allow it to achieve and maintain a desirable rate of face-to-face meetings with children who are alleged victims of child abuse and neglect. **Since the BCF has not yet addressed all the specifics discussed in the August 2013 report, the Legislative Auditor determined that the BCF is in partial compliance with recommendation 1.**

Recommendation 2 (2013)

The Bureau for Children and Families should improve the exit survey process to include more questions that focus on the nature of the work and the work environment and other factors mentioned in this report that may contribute to CPS workers terminating their employment.

Level of Compliance: Partial Compliance

The Office of Human Resources Management (OHRM) administers an exit survey to all exiting DHHR employees. The OHRM did not incorporate CPS-specific questions focusing on the nature of the work and the work environment into the *exit survey*. However, the BCF reports it has conducted four *employee surveys* that are specific to CPS and relate to the aspects addressed in the August 2013 report.

In the fall of 2013, the BCF retention and recruitment team developed a CPS Employee Satisfaction Survey for the entire CPS workforce. The BCF used employee responses to a survey about CPS worker attitudes towards their safety while on the job to develop a state plan for activities and initiatives regarding staff and their supports. According to the BCF, these surveys have provided insight concerning recognition of employees, workloads, and supports from both leadership and supervisors to enhance both the trainee and worker experience.

Two of the four employee surveys focused primarily on the CPS supervisor/worker relationship. A third consisted of gauging employees' feelings on safety while on the job. The fourth survey focused on organizational effectiveness and the tone of management. These surveys incorporate some of the concerns mentioned in the August 2013 report, namely safety concerns. However, other factors mentioned in the August 2013 report such as the inability to meet statutory or paperwork requirements, stress or emotional drain, caseload levels, frustrations with available computer systems and the work's impact on personal family life are not explicitly addressed.

The DHHR has not added questions to its employee exit survey that focus on the nature of work for specific employee positions, the work environment or other factors mentioned in the August 2013 report that may contribute to CPS workers terminating their employment. However,

The OHRM did not incorporate BCF-specific questions focusing on the nature of the work and the work environment into the exit survey.

BCF has implemented employee surveys that address some of the concerns raised in the August 2013 report. **Therefore, the Legislative Auditor determined that the BCF is in partial compliance with recommendation 2.**

Recommendation 3 (2013)

The exit survey information should be centrally compiled and made useful for workforce analysis.

Level of Compliance: In Compliance

The OHRM adjusted its online exit survey so it could compile and query data. The exit survey data can be queried and distributed at a state, regional and district level. This allows the OHRM to track reasons employees report leaving, which could help management to identify areas related to retention.

The BCF stated that in September 2014, it began receiving monthly exit survey information from the OHRM. According to the BCF, its leadership team reviews the information monthly and then distributes the information to BCF directors and managers statewide. The agency states that it uses exit survey results in conjunction with employee surveys to better understand and implement changes. **As a result, the Legislative Auditor determined that the BCF is in compliance with recommendation 3.**

The exit survey data can be queried and distributed at a state, regional and district level. This allows the OHRM to track reasons employees report leaving, which could help management to identify areas related to retention.

Recommendation 4 (2013)

The Bureau for Children and Families needs to improve its method of compiling and monitoring its workforce information for district and regional allocated positions.

Level of Compliance: Partial Compliance

In response to the Legislative Auditor's query as to how the agency had responded to this recommendation the BCF emphasized creating management level stability. According to the BCF, since January 2014, it has filled all of its Deputy Commissioner, Regional Director and Program Manager positions. The BCF perceives filling these positions will create stability in BCF leadership enabling all levels to monitor and evaluate the collection of data to effectively manage the workforce.

The BCF also indicated that it evaluates monthly the caseloads of CPS workers as well as the ratio of workers to supervisors. Although BCF has increased its focus on identifying the number of vacant CPS positions and stabilizing management, the agency still has not addressed the primary concerns discussed in the August 2013 report.

Although BCF has increased its focus on identifying the number of vacant CPS positions and stabilizing management, the agency still has not addressed the primary concerns discussed in the August 2013 report.

The August 2013 report focused on the BCF identifying a sufficiently sized CPS workforce and CPS worker retention. The BCF still needs to identify the size and experience of a workforce that will permit it to achieve better performance measures. **The Legislative Auditor determines the BCF is in partial compliance with recommendation 4 because, like in recommendation 1, the BCF has indicated it is taking steps to learn more about its workforce.**

Recommendation 5 (2013)

The Bureau for Children and Families should determine to what extent the social work licensure requirement is affecting recruitment and retention.

Level of Compliance: Partial Compliance

The BCF informed PERD that the DHHR had developed course work and implemented a program with Concord University to allow its employees who fall under the new social work licensure rules to complete their 12 hours of course work. This measure would be expected to assist the BCF in lessening any impact the social work licensure requirement might have on retention. However, the BCF did not demonstrate that it has determined the extent the social work licensure requirement is affecting its recruitment and retention. Although the BCF is assisting its current employees in obtaining their social work license, the agency has not determined the impact the requirement will have on retention and recruitment. For example, the BCF should show how many employees are working on obtaining the necessary course work and how many employees are at risk of not meeting the licensure requirement within the four-year provisional license period, and thus, their provisional license will expire making them ineligible to work as CPS workers. Furthermore, the provisional license requires the completion 20 hours of continuing education every two years during the four-year provisional period. The agency should compile a frequency analysis that shows how many CPS workers have completed 0, 3, 6, 9, and 12 credit hours of the 12 hours required, the number of continuing education hours, and the number of employees that the agency is at risk of losing as CPS workers. Also, the BCF has not determined how the social work licensure requirement will affect its recruitment of qualified candidates. The BCF has a log that records those employees who have provisional licenses, temporary permits, and social worker licenses; however, the agency needs to expand these data to include the educational progress being made by employees, including continuing education. **Since the BCF has compiled some of the data needed to assess the impact the social work licensure requirement may have on the CPS workforce, the Legislative Auditor concludes that the BCF is in partial compliance with recommendation 5.**

The August 2013 report focused on the BCF identifying a sufficiently sized CPS workforce and CPS worker retention. The BCF still needs to identify the size and experience of a workforce that will permit it to achieve better performance measures.

Although the BCF is assisting its current employees in obtaining their social work license, the agency has not determined the impact the requirement will have on retention and recruitment.

Recommendation 6 (2013)

The Bureau for Children and Families should enforce its overtime policy by scheduling regular work assignments in a manner that minimizes the need for overtime.

Level of Compliance: Partial Compliance

According to the BCF, it has reviewed all policies and procedures with managers and supervisors during the year to implement alternative hours of work, telework options, and flex schedules to minimize overtime, but more importantly to use the options to optimize the ability of employees to complete work activities and to provide schedules to meet the needs of its workforce. However, PERD reviewed earnings and overtime for CPS staff for FY 2013 and FY 2014 and determined that the total amount of overtime paid to CPS staff remains comparable to the recent past fiscal years even though the overall number of staff has decreased (see Table 1). Although the BCF has implemented actions with the purpose of minimizing its need for overtime, these actions have not had an effect on the overall amount of overtime being paid to CPS staff. **Therefore, the Legislative Auditor determined that the BCF is in partial compliance with recommendation 6.**

Although the BCF has implemented actions with the purpose of minimizing its need for overtime, these actions have not had an effect on the overall amount of overtime being paid to CPS staff.

Table 1
CPS Workforce Regular and Overtime Earnings
FY 2010 Through FY 2014

Fiscal Year	2010	2011	2012	2013	2014
Regular Earnings	\$15,102,412	\$15,047,732	\$15,972,592	\$15,705,858	\$15,604,062
# Employees Paid	514	538	559	516	517
Overtime Earnings	\$637,092	\$964,693	\$1,258,506	\$1,280,247	\$1,125,246
# Employees Paid	419	457	495	412	412

Source: Legislative Auditor's calculations using payroll data from the State Auditor's Employee Payroll Information Control System.

Conclusion

The BCF is in full compliance with one recommendation and partial compliance with five recommendations from Issue 1. Since most recommendations are in partial compliance, it is clear that further progress is needed by the BCF. The BCF has taken some measures to improve its management of the CPS workforce which have had a positive effect on staff turnover rates, which gives it a better understanding of the workforce perspective and has allowed it to promote and oversee a licensure incentive program intended to support job retention. However, the BCF needs to gain a fuller understanding of the CPS workforce. **The Legislative Auditor recommends that another update be conducted at an appropriate time to allow PERD to verify the CPS**

The BCF is in full compliance with one recommendation and partial compliance with five recommendations from Issue 1.

workforce turnover rates and to determine the progress made in those recommendations that are not in full compliance.

Recommendation

- 1. The Legislative Auditor recommends that another update be conducted at an appropriate time to allow PERD to verify the CPS workforce turnover rates and to determine the progress made on recommendations that are not in full compliance.*

ISSUE 2

Updated Issue 2 of 2013 PERD Report

The Bureau for Children and Families Has Developed and Implemented a Centralized Intake System to Improve Child Protective Services Investigations.

Recommendation 7 (2013)

The Bureau for Children and Families should implement a centralized intake system for receiving reports of child abuse and neglect.

Level of Compliance: In Compliance

The BCF initiated a centralized intake system to receive reports of alleged child abuse and neglect, creating a Centralized Intake Unit (CIU) on July 1, 2014, at which time a six-month implementation schedule was established for transferring telephone calls reporting alleged child abuse and neglect from the district offices to the CIU. See Appendix C for the implementation schedule.

The CIU will receive and screen all reports of child abuse and neglect. The BCF expects centralized intake to increase its efficiency in investigating child abuse and neglect allegations, improve consistency in screening decisions and improve processing cases after normal business hours. According to the BCF, as of November 1, 2014 the CIU is fully staffed for supervisors and is currently at 80 percent capacity for workers and the implementation plan is currently ahead of schedule with more than 65 percent of the districts rolled into the CIU for both calls and referral screening.

According to the BCF, the CIU is made up of 10 CPS worker positions converted to Social Worker/Social Service Worker III and 24 new Social Worker/Social Service Worker III positions. The BCF re-allocated four CPS supervisor positions and allocated five new CPS supervisor positions to the CIU. The BCF transferred positions from Region 1 based on a lower number of caseloads. All tenured staff were provided with refresher training and familiarized with CIU protocols and procedures. The BCF trains new employees in accordance with the centralized intake training plan.

The BCF Deputy Commissioner of Field Operation is provided with reports daily regarding centralized intake staffing, scheduling, and production. The BCF reported that careful monitoring of these positions and the implementation of the new unit has been imperative and will remain so during the implementation and for the next year as the BCF determines the need for additional transition of positions between the field and the new unit.

The BCF initiated a centralized intake system to receive reports of alleged child abuse and neglect, creating a Centralized Intake Unit (CIU) on July 1, 2014, at which time a six-month implementation schedule was established for transferring telephone calls reporting alleged child abuse and neglect from the district offices to the CIU.

As a result of the BCF implementing centralized intake, the Legislative Auditor determined that the BCF is in compliance with recommendation 7.

Recommendation 8 (2013)

The Bureau for Children and Families should create an online form to allow mandated reporters to report suspected child abuse and neglect.

Level of Compliance: Planned Compliance

The BCF has indicated that in 2016 it will be upgrading its website and exploring options to allow this reporting method for mandated reporters. The BCF is working with a company named West Virginia Interactive who will create the website's shell. According to the BCF, 14 content managers were trained on October 14 to begin building out the web pages and are now organizing and entering content to build out specific pages. **As a result, the Legislative Auditor determined that the BCF is in planned compliance with recommendation 8.**

The BCF has indicated that in 2016 it will be upgrading its website and exploring options to allow this reporting method for mandated reporters.

Recommendation 9 (2013)

If the Bureau for Children and Families implements a centralized intake system, it should establish a method for law enforcement personnel to have call priority.

Level of Compliance: In Compliance

According to the BCF, the CIU telephone system allows law enforcement personnel in West Virginia to select option one and receive a wait of less than 30 second before a CPS worker is available to provide assistance. In addition, the BCF indicated that if a caller inadvertently selects the law enforcement option and is not calling with a true emergency, they are "respectfully educated" as to the purpose of this option and the need to select a different option on their next call. Nevertheless, their information is taken and entered into the system for an appropriate response. **As a result, the Legislative Auditor determined that the BCF is in compliance with recommendation 9.**

According to the BCF, the CIU telephone system allows law enforcement personnel in West Virginia to select option one and receive a wait of less than 30 second wait before a CPS worker is available to provide assistance.

The BCF is in full compliance with two recommendations and planned compliance for a third recommendation made in Issue 2.

Conclusion

The BCF is in full compliance with two recommendations and planned compliance for a third recommendation made in Issue 2. A centralized intake system has been implemented and is nearly completely

staffed. The newly implemented system should enable BCF to efficiently receive and screen reports of child abuse and neglect. In addition, the future upgrading of the BCF website should further improve the capability of reporting child abuse and neglect.

ISSUE 3

Updated Issue 3 of 2013 PERD Report

The Bureau for Children and Families States That It Intends to Take a State-Level Responsibility to Review, Analyze, and Publicly Report Annually on Child Protective Services' Child Fatality and Near Fatality Data as a Way to Improve Child Protective Services and Public Accountability.

Recommendation 10 (2013)

The Bureau for Children and Families should conduct a formal child fatality review for each child abuse and neglect death or near death in each state fiscal year.

Level of Compliance: Planned Compliance

PERD requested a copy of all child fatality review reports the BCF had written since August 2013. However, the BCF did not provide any child fatality review reports with actual child fatality occurrence data. Instead, the BCF provided a draft of the format that it intends to use for FFY 2015 and indicated, "Reviews are conducted and verbal reports provided to the Child Fatality Team quarterly. During the quarterly meeting a determination is made concerning preventive measures, best practices, training needs, and the development of corrective procedures." (see Appendix D).

In August 2013, the BCF developed a pilot process to review child fatalities occurring as a result of abuse and neglect. In October 2013, the BCF Child Fatality Review Team was formed and implemented. The team has four meetings each federal fiscal year pursuant to federal reporting requirements. A joint team of a regional employee from outside the region where the child fatality occurred and a BCF Division of Program and Quality Improvement Specialist review the case record and interview personnel involved in the child fatality. According to the BCF, the review is presented at team meetings to determine trends and improvements that can be implemented.

Since the BCF has not begun to apply actual child fatality or near fatality data to a formal written review, but has a draft of the format it plans to use for a child fatality report, the Legislative Auditor determined that the BCF is in planned compliance with recommendation 10.

Since the BCF has not begun to apply actual child fatality or near fatality data to a formal written review, but has a draft of the format it plans to use for a child fatality report, the Legislative Auditor determined that the BCF is in planned compliance with recommendation 10.

Recommendation 11 (2013)

The Bureau for Children and Families should issue an annual report of its child fatality review to the Governor and the Legislature to include trends, demographics, maltreatment type, prior involvement, and information relating to prevention such as age of victim and contributing factors such as substance abuse.

Level of Compliance: In Compliance

The BCF is finalizing its first annual report of child fatality reviews for FFY 2014. The BCF provided the Legislative Auditor with report drafts. The report draft includes the number of occurrences for abuse and neglect related critical incidents for each county along with incident demographics such as child victim age, gender, race; the maltreater's age, gender, race, relationship to child victim, and risk factors; and CPS strategies for prevention. Additionally the report draft indicates whether or not the child's family had prior contact with the BCF.

The BCF informed the Legislative Auditor that it is its intent to provide the annual report on child fatalities to the Governor and Legislative leaders. **As a result, the Legislative Auditor determined that the BCF is in compliance with recommendation 11.**

The BCF informed the Legislative Auditor that it is its intent to provide the annual report on child fatalities to the Governor and Legislative leaders.

Recommendation 12 (2013)

The Legislature should consider legislation mandating the formal Bureau for Children and Families Child Protective Services child fatality and near fatality report and annual presentation to the Health and Human Resources Committee.

Level of Compliance: Requires Legislative Action

No legislative action has been taken on this issue.

In May 2014, the BCF provided its first presentation to its managers about identified trends and information concerning the first two quarters of information gathered by the BCF Child Fatality Review Team.

Recommendation 13 (2013)

The Bureau for Children and Families should identify trends and use information as necessary to change policy, procedures and training of Child Protective Service workers.

Level of Compliance: In Compliance

In May 2014, the BCF provided its first presentation to its managers about identified trends and information concerning the first two quarters of information gathered by the BCF Child Fatality Review Team. In August 2014 at the BCF Annual Supervisor Conference,

training was provided to all supervisors and managers concerning trends and information from the first three quarters to improve and to provide educational materials. In addition, a Blackboard presentation is currently being developed for distribution to all BCF employees (not only in CPS) to improve understanding and educational activities. **As a result, the Legislative Auditor determined that the BCF is in compliance with recommendation 13.**

Recommendation 14 (2013)

The Bureau for Children and Families should identify trends and use information to educate and inform the public.

Level of Compliance: Planned Compliance

According to the BCF, it is currently working with a charitable organization (TEAM for WV Children) to increase public awareness of trends concerning Safe Sleeping for infants. As of November 2014, the BCF has outlined the costs to expand the Safe Sleep Pilot Project statewide from the 12 hospitals currently participating to its goal of including all 27 birthing hospitals and corresponding home visitation programs by June 30, 2016. The program expansion is designed to reduce the incidence of sudden unexpected infant death by providing new and expectant parents and infant caregivers with consistent research-based safe sleep measures and tools. The expansion would include 21,000 packets of information being given to every family having a baby, along with project coordination and evaluation. In addition, the first annual report on child fatalities or near fatalities due to abuse or neglect is intended to be used to increase public awareness and educational activities for the public. **As a result, the Legislative Auditor determined that the BCF is in planned compliance with recommendation 14.**

Conclusion

The BCF is in full compliance with two recommendations, and planned compliance with two recommendations from all the applicable recommendations of Issue 3. Although the BCF has developed a format for a formal child fatality review and an annual report of its formal child fatality review, it has not yet published either of these reports with actual child fatality or near fatality data. Although CPS employees have been meeting to verbally review child fatality and near fatality information, without a formal written review there is no documentation to distribute for further analysis and public educational purposes.

As of November 2014, the BCF has outlined the costs to expand the Safe Sleep Pilot Project statewide from the 12 hospitals currently participating to its goal of including all 27 birthing hospitals and corresponding home visitation programs by June 30, 2016.

The BCF is in full compliance with two recommendations, and planned compliance with two recommendations from all the applicable recommendations of Issue 3.

Appendix A Transmittal Letter

WEST VIRGINIA LEGISLATURE *Performance Evaluation and Research Division*

Building 1, Room W-314
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0610
(304) 347-4890
(304) 347-4939 FAX



John Sylvia
Director

December 23, 2014

Karen L. Bowling, Cabinet Secretary
Department of Health and Human Resources
One Davis Square, Suite 100 East
Charleston, WV 25301

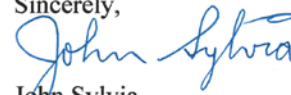
Dear Secretary Bowling:

This is to transmit a draft copy of the update to the August 2013 PERD report on the Bureau for Children and Families' management of Child Protective Services. This report is scheduled to be presented during the January 11-13, 2015 interim meeting of the Joint Committee on Government Operations, and the Joint Committee on Government Organization. We will inform you of the exact time and location once the information becomes available. It is expected that a representative from your agency be present at the meeting to orally respond to the report and answer any questions the committees may have.

If you would like to schedule an exit conference to discuss any concerns you may have with the report, please notify us by Tuesday, December 30, 2014. We need your written response by noon on Monday, January 5, 2015 in order for it to be included in the final report. If your agency intends to distribute additional material to committee members at the meeting, please contact the House Government Organization staff at 340-3192 by Thursday, January 8, 2015 to make arrangements.

We request that your personnel not disclose the report to anyone not affiliated with your agency. Thank you for your cooperation.

Sincerely,


John Sylvia

Enclosure

Joint Committee on Government and Finance

Appendix B

Objective, Scope and Methodology

The Performance Evaluation and Research Division (PERD), within the Office of the Legislative Auditor, conducted this compliance review of the Department of Health and Human Resources (DHHR) Bureau for Children and Families' (BCF) Child Protective Services (CPS) as authorized under the authority of the Legislative Auditor, Chapter 4, Article 2, Section 5, of the West Virginia Code. A primary purpose of CPS is to investigate child abuse and neglect allegations in a timely manner as stipulated by statute.

Objective

The objective of this compliance review is to determine BCF's level of compliance to each of the 14 recommendations made in the Legislative Auditor's August 2013 agency review.

Scope

The scope of this compliance review focuses on the agency's responses to the recommendations made in the August 2013 agency review. The scope was limited to the activities documented in the agency's response to the entrance letter for this compliance review, the agency's Centralized Intake: Protocols and Desk Guide for workers and supervisors, the agency's social worker licensure contract and tracking log and child fatality and near fatality annual report.

Methodology

The principal research methods used to examine report issues included interviews and documentation review.

- 1. Interviews.** PERD, DHHR and BCF representatives met on November 14, 2014 to discuss what actions the BCF had taken in regards to the recommendations made in the August 2013 PERD report and to what extent it was in compliance with those recommendations. At that meeting, the BCF provided PERD staff with a written testimonial indicating what actions BCF had taken in regards to the report since August 2013. Key DHHR and BCF staff interviewed included the DHHR Director of Internal Control and Policy Development, the BCF Commissioner, and DHHR's Director of Employee Management. Interviews and verbal comments made by the agency were confirmed by written statements and, in most cases, by corroborating evidence.
- 2. Documentation Review.** PERD reviewed a variety of agency documents including CPS workforce turnover plans; employee surveys (specifically exit surveys); centralized intake program documentation; social worker licensure contract and tracking log; web site information; and all child fatality and near fatality reviews and annual reports completed since 2013.

In order to determine the level of compliance of the BCF to the appropriate recommendations from the August 2013 report PERD used the following table:

Levels of Compliance	
In Compliance	The agency has corrected the problems identified in the previous audit report.
Partial Compliance	The agency has partially corrected the problems identified in the previous audit report.
Planned Compliance	The agency has not corrected the problem, but it has provided sufficient and appropriate evidence that it is in the planning stages of resolving the problem.
In Dispute	The agency does not agree does not agree with either the problem identified or the proposed solution.
Non-Compliance	The agency has not corrected the problem identified in the previous audit report.
Requires Legislative Action	The recommendation was directed to the Legislature for statutory amendment.

This compliance review was conducted in accordance with generally accepted government auditing standards. Those standards require that the audit is planned and performed to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for the report's findings and conclusions based on our audit objectives.

Appendix C

Centralized Intake Implementation Schedule

August 1, 2014	August 15, 2014
Region I- Ritchie/Doddridge/Pleasants; Marion/Monongalia Region II-Jackson/Mason/Roane Region III-Barbour/ Taylor/Preston Region IV-Braxton/Clay	Region II-Putnam Region II-Logan Region III-Hampshire/Mineral Region IV-Wyoming

September 1, 2014	September 15, 2014
Region II- Kanawha	Region I- Harrison Region III-Hardy/Grant/Pendleton

October 1, 2014	October 15, 2014
Region I-Marshall/Tyler/Wetzel Region II-Mingo	Region IV-McDowell

November 1, 2014	November 15, 2014
Region I-Gilmer/Calhoun/Wirt Region II-Boone, Lincoln Region IV-Nicholas/Webster	Region III-Lewis/Upshur Region IV-Greenbrier/Monroe/ Summers/Pocahontas

December 1, 2014	December 15, 2014
Region I- Wood Region II-Wayne	Region III- Randolph/Tucker Region IV-Raleigh

January 1, 2015	January 15, 2015
Region I-Ohio/Brooke/Hancock Region II-Cabell Region IV-Fayette	Region III-Berkeley/Jefferson/Morgan Region IV-Mercer

Appendix D

Child Fatality/Near Fatality Review Format



Confidential Information-For internal use only

Child Fatality/Near Fatality Review

BCF Internal Child Fatality Review Workgroup

Quarter X

Date Presented

CHILD'S LEGAL NAME

DOB

AGE

DATE OF DEATH

DATE OF REPORT TO CPS

Presenter's Name, Title, and Location



Objectives of the Review Process

To determine what can be done to prevent similar future fatal or near fatal incidents of children known to Child Protective Services by

- **Modifying internal procedures, policies or programs of the Bureau for Children and Families**
- **Identifying areas needing additional internal training or technical assistance**
- **Developing recommendations for external stakeholders for improving services to children and families that can reduce or eliminate future incidents**
- **Identifying community resources for children and families that are needed, but not currently available or accessible**

Overview of Case Presentation



- ❖ **Family Members at Time of Review**
- ❖ **Case Summary**
- ❖ **Family Strengths and Challenges**
- ❖ **Human Services Involvement**
- ❖ **Criminal Justice Involvement**
- ❖ **Office of the Medical Examiner Summary**
- ❖ **Law Enforcement Involvement in Current Incident**
- ❖ **Discussion and Recommendations**

Family Members at Time of Review



Human Services Involvement



Case Summary



- ❖ Discussion and Recommendations
- ❖ Law Enforcement Involvement in Client Incident
- ❖ Office of the Medical Examiner Summary
- ❖ Criminal Justice Involvement
- ❖ Human Services Involvement
- ❖ Family Strengths and Challenges
- ❖ Case Summary
- ❖ Family Members at Time of Review

Family Strengths and Challenges



Office of the Medical Examiner's Summary

Criminal Justice Involvement

Discussion and Recommendations

Law Enforcement Involvement in Current Incident



8

7

10

9

Appendix E Agency Response



STATE OF WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES

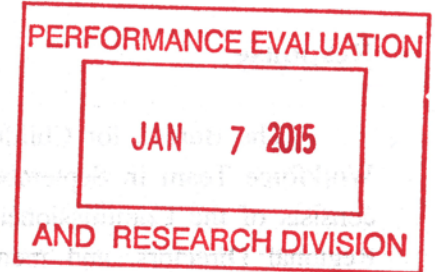
Earl Ray Tomblin
Governor

**Bureau for Children and Families
Commissioner's Office
350 Capitol Street, Room 730
Charleston, West Virginia 25301-3711
Telephone: (304) 558-0628 Fax: (304) 558-4194**

Karen L. Bowling
Cabinet Secretary

January 7, 2015

**Mr. John Sylvia, Director
West Virginia Legislature
Performance Evaluation and Research Division
Building 1, Room W-314
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0610**



Dear Mr. Sylvia:

Included with this letter is the response of the Department of Health and Human Resources, Bureau for Children and Families, to the updated August 2013 PERD report.

We appreciate the opportunity to respond to this legislative audit report, and will be available to respond to any questions when it is presented during the January 11-13, 2015 interim meeting of the Joint Committee on Government Operations and the Joint Committee on Government Organization.

Sincerely,

A handwritten signature in black ink that reads "Nancy N. Exline".

Nancy N. Exline
Commissioner

/sv

The Bureau for Children and Families Has Improved Its Management of Child Protective Services Workforce Resources But Further Progress Is Needed.

Recommendation 1 (2013)

The Bureau for Children and Families should develop a long-term plan that establishes appropriate Child Protective Services turnover rates, timelines for achieving the appropriate turnover rates, and sufficient workforce levels for the state, regions and districts.

Level of Compliance: Partial Compliance

Response

The Bureau for Children and Families (BCF) developed a Retention and Recruitment Workforce Team in September 2014 in response to the findings of the auditors. This team consists of the Commissioner, Community Services Managers, the Human Resource Director, Regional Directors, and members as needed from the DHHR Office of Human Resource Management (OHRM). This team provides insight at every level of the Bureau with various levels of tenure to provide a balanced approach from every region and division in the Bureau. This team reviewed the findings of the auditors and information concerning child welfare retention and recruitment from the National Child Welfare Information Gateway from the US DHHR Administration for Children and Family to develop a strategic plan on the development of the Bureau workforce. The Bureau along with our OHRM staff completed extensive research during the year to determine turnover rates, appropriate rates, and workforce levels that will continue to focus on our long-term planning for Child Protective Services. Although the team did not present to the Commissioner of the Bureau a written plan with the specific areas highlighted by the auditors in this review, this team has primarily focused on ways to retain not only our Child Welfare Workforce but every classification within the Bureau by utilizing employee surveys developed with assistance from employees with direct experience in the field and utilizing long term antidotal information in a format that allows our staff to anonymously provide input and feedback. This tool along with new work teams that focus on allowing each group to assist in making recommendations in a Results Based Accountability Model allow our line staff to provide input on how to meet agency requirements and provide valuable feedback during implementation. In addition, the Department has provided website access to employees to provide suggestions for improvement that can be anonymous or to provide their names. These surveys, focus groups, and website provide the ability for our employees to provide information and for the leadership to communicate and implement their ideas and suggestions. The team has developed a long term strategy and focus points for this year that have been implemented and continue to be developed. This year as the Bureau completes the implementation of Centralized

Intake our Workforce Team will utilize our data to continue to evaluate our workloads and workforce to determine new and additional goals.

Recommendation 2 (2013)

The Bureau for Children and Families should improve the exit survey process to include more questions that focus on the nature of the work and the work environment and other factors mentioned in this report that may contribute to CPS workers terminating their employment.

Level of Compliance: Partial Compliance

Response

The Bureau for Children and Families (BCF) will continue this year to work closely with our DHHR partners at the Office of Human Resource Management (OHRM) to improve the exit survey, but exit surveys provide only a small piece of data concerning retention and recruitment, they are not completed by all employees and cannot be mandatory for all employees exiting employment from the Bureau or other Bureaus in the Department.

The Bureau believes that gaining knowledge of our current workforce utilizing survey information is a more valuable form of assessing and understanding the current workforce needs that will allow the Bureau to reduce the number of employees leaving the Bureau. The areas suggested by the auditors will be integrated into the next round of surveys developed for child welfare staff later in 2015, but our process of survey development as indicated in Recommendation 1 was determined by a group of individuals from across the whole state with direct knowledge of the positions and requirements of the job. The information from our surveys have been used to address safety concerns from our staff, safety policies and procedures, the development of a plan to place iPhones in the hands of all staff conducting home visits over the next year, placing dog repellent spray in the hands of all staff working in the field, implementation of a statewide local office system that allows our staff to signal for assistance in our local offices in emergency situations, the implementation of new training methods to reduce the time our staff spend in class room based training, the development of additional Resiliency programs across the state to assist our child welfare employees dealing with secondary trauma and a new program beginning the end of January 2015 to assist our employees who are working on child fatality and near fatality situations.

The positive steps completed by the Bureau this year are only the first steps in a strategic plan to assist our employees and listen to their needs and understand what we can do prevent talented employees from leaving the Bureau.

Recommendation 3 (2013)

The exit survey information should be centrally compiled and made useful for workforce analysis.

Level of Compliance: In Compliance

Recommendation 4 (2013)

The Bureau for Children and Families needs to improve its method of compiling and monitoring its workforce information for district and regional allocated positions.

Level of Compliance: Partial Compliance

Response

The Bureau for Children and Families continues to improve the tracking and review of allocated positions. The review of our allocated positions continues as it has in the past to review the current workload of our positions against the national workload standards to determine to need for reallocation between areas of the state and the need to request additional workforce. As stated in Recommendation 1, the Bureau during 2015 will have the ability to fully determine the workload standards needed after the full implementation of Centralized Intake. While in an implementation process it is unrealistic for the Bureau to make determinations concerning additional staff. Our current methods to track county, district, and regional workloads will allow the Bureau to maintain these records and will allow the Bureau to utilize the national information on child welfare retention to make solid, well-documented decisions concerning the workforce needs in the coming year.

Recommendation 5 (2013)

The Bureau for Children and Families should determine to what extent the social work licensure requirement is affecting recruitment and retention.

Level of Compliance: Partial Compliance

Response

The Bureau for Children and Families continues to evaluate the licensure requirements affecting recruitment and retention. Our Workforce Team during this year conducted a review of the changes and developed a priority list for the leadership of BCF to use in the coming year to improve both recruitment and retention. The individuals impacted by the new requirements began attending the college courses in the 2014 Fall Semester and most are at less than one year into a four year period to complete 12 hours of college course work for the Licensure requirement. Since the audit findings in September of 2014, the Bureau has implemented tracking procedures statewide to identify employees and to assist in tracking, although our tracking log did not have the exact items that have been suggested by the auditors the Bureau has taken diligent effort to identify, track and provide the means for every employee to begin the process of completing the new requirements. During this year, the coursework for the 12 hours was developed in collaboration; means to assist employees in the enrollment process for the courses and means to utilize our existing programs to reimburse employees for courses by our Employee Education Reimbursement Program have all been completed this year. The Bureau is tracking the employees in the program and those who meet the new requirements. Efforts are underway to educate all employees at hiring and currently employed concerning the requirement and what is available to them for the coursework. The Bureau continues to develop ways to assist our staff and determine ways to address and track recruitment and retention issues that may or may not be associated with licensure. No determinations at this time can be made concerning the effects of these new requirements since it will be several years before employees will be impacted by a failure to complete the course work.

Recommendation 6 (2013)

The Bureau for Children and Families should enforce its overtime policy by scheduling regular work assignments in a manner that minimizes the need for overtime.

Level of Compliance: Partial Compliance

Response

The Bureau will continue to stress the use of alternative and flexible scheduling. The nature of Child Welfare will always result in the use of overtime and even under the most stable workforce situation the use of overtime to meet the needs of medical leave and areas that have short term workforce issues will require the need for overtime.

Updated Issue 2 of 2013 PERD Report

The Bureau for Children and Families Has Developed and Implemented a Centralized Intake System to Improve Child Protective Services Investigations.

Recommendation 7 (2013)

The Bureau for Children and Families should implement a centralized intake system for receiving reports of child abuse and neglect.

Level of Compliance: In Compliance

Recommendation 8 (2013)

The Bureau for Children and Families should create an online form to allow mandated reporters to report suspected child abuse and neglect.

Level of Compliance: Planned Compliance

Response

The Bureau continues to develop the use of online reporting in conjunction with the redesign of our public website during 2015.

Recommendation 9 (2013)

If the Bureau for Children and Families implements a centralized intake system, it should establish a method for law enforcement personnel to have call priority.

Level of Compliance: In Compliance

Updated Issue 3 of 2013 PERD Report

The Bureau for Children and Families States That It Intends to Take a State-Level Responsibility to Review, Analyze, and Publically Report Annually on Child Protective Services' Child Fatality and Near Fatality Data as a Way to Improve Child Protective Services and Public Accountability.

Recommendation 10 (2013)

The Bureau for Children and Families should conduct a formal child fatality review for each child abuse and neglect death or near death in each state fiscal year.

Level of Compliance: Planned Compliance

Recommendation 11 (2013)

The Bureau for Children and Families should issue an annual report of its child fatality review to the Governor and the Legislature to include trends, demographics, maltreatment type, prior involvement, and information relating to prevention such as age of victim and contributing factors such as substance abuse.

Level of Compliance: Planned Compliance

Recommendation 12 (2013)

The Legislature should consider legislation mandating the formal Bureau for Children and Families Child Protective Services child fatality and near fatality report and annual presentation to the Health and Human Resources Committee.

Level of Compliance: Requires Legislative Action

Recommendation 13 (2013)

The Bureau for Children and Families should identify trends and use information as necessary to change policy, procedures and training of Child Protective Service workers.

Level of Compliance: In Compliance

Recommendation 14 (2013)

The Bureau for Children and Families should identify trends and use information to educate and inform the public.

Level of Compliance: Planned Compliance

Response

The Bureau has developed and successfully implemented a Child Fatality Review system for the Federal Fiscal Year 2014. Each child fatality or near fatality was reviewed by a team of child welfare experts to determine basic information, the involvement of the Bureau, circumstances surrounding the death or near death of a child, and any improvements that could be made in our practice as a Bureau. Quarterly meetings were conducted where the results of the review were discussed with a Child Fatality Review Team consisting of the Commissioner, Deputy Commissioners, Child Welfare Policy Director, and Child Welfare Consultants/Program Managers from each Region, Bureau review staff as well as our data and analysis unit. Our Bureau will be presenting in January our first annual report providing data concerning our findings, trends, and practice improvements. As a Bureau, we believe that we are in compliance with the recommendations made last year by the auditors, but we continue to improve our process and will be utilizing a power point outline that will feed into a matrix for the federal fiscal year 2016 report. As a Bureau our employees have successfully implemented a review process, data gathering, trend gathering, practice improvements, and training concerning child fatalities. In addition, the Bureau will be providing online a presentation concerning our findings and the process for educational purposes.



WEST VIRGINIA LEGISLATIVE AUDITOR

PERFORMANCE EVALUATION & RESEARCH DIVISION

Building 1, Room W-314, State Capitol Complex, Charleston, West Virginia 25305

telephone: 1-304-347-4890 | www.legis.state.wv.us/Joint/PERD/perd.cfm | fax: 1-304-347-4939