



West Virginia Foster Care Ombudsman Program
State Fiscal Year 2021 | Quarterly Reports
July 1, 2020 - June 30, 2021





**STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
OFFICE OF INSPECTOR GENERAL**

**Bill J. Crouch
Cabinet Secretary**

**Foster Care Ombudsman
State Capitol Complex
Building 6, Room 817-B
Charleston, West Virginia 25305
Telephone: (304) 558-1117 Fax: (304) 558-1992**

**Jolynn Marra
Interim Inspector General**

November 9, 2021

Governor Jim Justice
Joint Standing Committee on Government and Finance
Legislative Oversight Commission on Health and Human Resources Accountability
West Virginia Supreme Court of Appeals
West Virginia Department of Health and Human Resources, Bureau for Social Services

I am pleased to submit the first quarterly reports of the Foster Care Ombudsman office. This report captures all four quarters of the 2021 state fiscal year, beginning July 1, 2020. Future reports will be submitted on a quarterly basis then consolidated after the conclusion of each fiscal year.

Please contact the Foster Care Ombudsman office with questions, comments, or for additional information.

Sincerely,

/s/ Pamela M. Woodman-Kaehler

Pamela M. Woodman-Kaehler, Director
Foster Care Ombudsman
Pamela.M.Woodman-Kaehler@wv.gov

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Foster Care Ombudsman Quarterly Report

Reporting Period: State Fiscal Year - July 1, 2020 to June 30, 2021

Voices Heard. People Empowered. Systems Informed.

Introduction

The Foster Care Ombudsman (FCO), located within the West Virginia Department of Health and Human Resources (DHHR), Office of Inspector General, receives, investigates, and resolves complaints filed on behalf of foster children, foster parents, kinship parents, and on the Foster Care Ombudsman's own initiative. This quarterly report provides summary data relating to complaints pursuant to the requirements of W. Va. Code §9-5-27, §49-9-102, and §49-2-126 *et seq.*

Mission:

The Foster Care Ombudsman is an independent, impartial, and confidential resource that advocates for the rights of foster children and foster/kinship parents, investigates and resolves complaints, and makes recommendations for systemic reform.

Vision:

We envision an empathic, healing, and accountable child welfare system where voices are heard, people are empowered, and systems are responsive.

Complaint Count by Month and Quarter

Data reflects complaints received by month and quarter within the state fiscal year (SFY). Complaint data in this report, unless otherwise specified, is presented to reflect complaints that were in a closed/concluded

status as of October 5, 2021. As of that date, 23 complaints

Complaint Count by Month and Quarter													
SFY 2021	2020						2021						State Fiscal Year End Total
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	
	17	31	26	37	42	25	30	35	47	33	32	36	
	Quarter 1			Quarter 2			Quarter 3			Quarter 4			
Total	74			104			112			101			391

received were still in open/active status. The total incoming complaints combining open/active and closed/concluded equals 414. Due to rounding, not all column totals will compute to 100%.

Complaint Count by Alleged Bill of Rights Violations

Data reflects complaints received when a Bill of Rights provision is alleged to be violated. The count reflects DHHR's Bureau for Social Services region by case county and the Foster Care Ombudsman

determination of complaint validity. The date span for this table is June 5, 2020 through

Complaint Count by Alleged Bill of Rights Violations						
Bill of Rights	Region 1	Region 2	Region 3	Region 4	Total	Percent Validated
Both BOR	5	9	5	7	26	50.0%
Foster/Kinship BOR	24	27	18	10	79	44.3%
Child BOR	12	9	10	9	40	30.0%
Total	41	45	33	26	145	43.4%
06/05/2020 - 06/30/2021						

June 30, 2021 to encompass the entirety of the period for which the Foster Care Ombudsman is initially reporting alleged Bill of Rights violations (2020 House Bill 4092, which added the requirement to report on alleged reports of rights violations, became effective law on June 5, 2020). Of 433 total complaints received during this period, 145 complaints (33.5% of the total) included alleged Bill of Rights violations and of

those, 43.4% were determined wholly or partially valid. More detailed information around this topic will be addressed in future FCO reports.

Complaint Count by Bureau for Social Services (BSS) Unit

Data reflects complaints received according to the BSS unit that is most closely associated with a complaint's main theme, for each quarter of the state fiscal year. The Interstate Compact on the Placement of Children governs the placement of children in other states. The Institutional Investigative Unit is responsible for child abuse and neglect investigations in residential facilities, schools, and foster homes.

Complaint Count by Bureau for Social Services Unit						
Bureau for Social Services Unit	Q1	Q2	Q3	Q4	Total	Percent
Child Protective Services	64	92	103	93	352	90.0%
Adoption	9	9	3	3	24	6.1%
Other	0	0	4	3	7	1.8%
Post-Adoption	0	1	2	0	3	0.8%
Youth Services	0	1	0	1	2	0.5%
Institutional Investigative Unit	0	0	0	1	1	0.3%
Centralized Intake (Abuse & Neglect Hotline)	0	1	0	0	1	0.3%
Interstate Compact on the Placement of Children	1	0	0	0	1	0.3%
Homefinding	0	0	0	0	0	0.0%
Total	74	104	112	101	391	
	18.9%	26.6%	28.6%	25.8%		100.0%

Complaint Count by Main Complaint Theme

Data reflects complaints received according to the main theme of the complaint as expressed to the Foster Care Ombudsman by the complainant, for each quarter of the state fiscal year. Additional theme levels and greater specificity regarding the topical content of complaints will be provided in future FCO reports.

Complaint Count by Main Complaint Theme						
Main Complaint Theme	Q1	Q2	Q3	Q4	Total	Percent
Action/Inaction of Agency/Employee	25	52	40	43	160	40.9%
Lack of Communication	11	16	18	14	59	15.1%
Financial Issue/Reimbursement	10	14	8	14	46	11.8%
Decision of Agency/Employee	4	5	12	14	35	9.0%
Removal of Children	12	2	9	6	29	7.4%
Policy/Regulation Issue	3	5	10	3	21	5.4%
Placement of Children	3	3	8	1	15	3.8%
Threat/Retaliatory Treatment	2	4	2	3	11	2.8%
Other	3	1	2	2	8	2.0%
Rude/Unfair Treatment	1	2	3	1	7	1.8%
Total	74	104	112	101	391	
	18.9%	26.6%	28.6%	25.8%		100.0%

Complaint Count by Complainant Relationship to Child

Data reflects complaints received according to the relationship of the complainant to the child, for each quarter within the state fiscal year.

Complaint Count by Complainant Relationship to Child						
Relationship to Child	Q1	Q2	Q3	Q4	Total	Percent
Foster/Kinship Parent	29	37	29	34	129	33.0%
Grandparent	11	14	33	22	80	20.5%
Other Relative	8	10	14	13	45	11.5%
Parent	13	11	10	10	44	11.3%
Other or Unspecified	6	11	6	9	32	8.2%
Community Professional/Service Provider	2	6	5	6	19	4.9%
Adoptive Parent	2	8	4	2	16	4.1%
State Employee	1	2	2	4	9	2.3%
Legal Guardian	0	2	2	1	5	1.3%
Child	1	1	2	0	4	1.0%
Child's Attorney/GAL	1	1	2	0	4	1.0%
Parent's Attorney	0	1	1	0	2	0.5%
Other Attorney	0	0	2	0	2	0.5%
Total	74	104	112	101	391	
	18.9%	26.6%	28.6%	25.8%		100.0%

Complaint Count by FCO Case Intensity

Data reflects complaints received according to the level of assistance provided by the Foster Care Ombudsman for each quarter of the state fiscal year.

Complaint Count by FCO Case Intensity						
FCO Case Intensity	Q1	Q2	Q3	Q4	Total	Percent
Intervention	60	83	82	68	293	74.9%
Information	11	16	22	32	81	20.7%
Investigation	3	5	8	1	17	4.3%
Total	74	104	112	101	391	
	18.9%	26.6%	28.6%	25.8%		100.0%

- *Intervention* (formerly titled *Assist*) involves routine case documentation review, interaction by the FCO with four or fewer contacts inside or outside of DHHR, facilitating communications between the complainant and other case participants and authorities, as well as providing education, context, and referrals to other entities, people, or resources. Cases of this intensity level may involve or exceed 20 hours of FCO time.
- *Information* involves providing education, context, and referrals to other entities, people, or resources. Cases of this intensity level vary significantly in content and may involve or exceed 10 hours of FCO time.
- *Investigation* involves non-routine, systemic, or more intensive/on-site review, interaction with five or more contacts inside or outside of DHHR, and may necessitate formal meetings/reports involving internal or external agency leadership. Cases of this intensity level may be case-specific or systemic and involve a team of FCO personnel.

Complaint Count by Referral Source

Data reflects complaints received according to the referral source, i.e., the means by which the complainant learned about or was encouraged to contact the Foster Care Ombudsman, for each quarter of the state fiscal year.

Complaint Count by Referral Source						
Referral Source	Q1	Q2	Q3	Q4	Total	Percent
Prior Contact with FCO	18	20	26	22	86	22.0%
Friend/Family	19	28	14	13	74	18.9%
Conference/Training	2	15	19	14	50	12.8%
Community Professional/Service Provider	3	10	9	18	40	10.2%
Social Media/Internet	12	9	11	7	39	10.0%
State Employee	5	7	12	12	36	9.2%
Media	5	2	8	2	17	4.3%
Unspecified	2	7	3	4	16	4.1%
Attorney/GAL	5	1	7	2	15	3.8%
Email	0	4	1	4	9	2.3%
Other	0	0	2	1	3	0.8%
Elected Official	2	0	0	1	3	0.8%
Initiated by FCO	1	1	0	0	2	0.5%
Teacher/School Employee	0	0	0	1	1	0.3%
Total	74	104	112	101	391	
	18.9%	26.6%	28.6%	25.8%		100.0%

Complaint Count by Closure

Data reflects complaints received according to the nature of the case closure, for each quarter of the state fiscal year. The Foster Care Ombudsman is continuing to examine and label complaint closings with greater specificity, which will be reflected in future reports. In nearly all cases, complaints determined valid are with the concurrence of the involved agency *which may or may not be BSS*.

Complaint Count by Closure						
Closure	Q1	Q2	Q3	Q4	Total	Percent
Information Exchange	15	18	48	35	116	29.7%
Not Valid	21	28	29	24	102	26.1%
Valid - Resolved	28	28	10	16	82	21.0%
Insufficient Information to Rate Validity	5	23	9	5	42	10.7%
Partially Valid	2	1	8	13	24	6.1%
Withdrawn by Complainant	1	5	2	4	12	3.1%
Valid - Not Resolved	1	0	6	4	11	2.8%
Declined by FCO	1	1	0	0	2	0.5%
Other	0	0	0	0	0	0.0%
Total	74	104	112	101	391	
	18.9%	26.6%	28.6%	25.8%		100.0%

Complaint Count by Bureau for Social Services (BSS) Case County

Data on the right reflects complaints received according to the BSS case county and quarter for the state fiscal year. Complaints are geographically determined by the county of the BSS case. It is important to consider that each county exhibits differences, including population, demographics, and number of child abuse and neglect petitions filed.

Complaint Count by Bureau for Social Services (BSS) Region

Data below reflects complaints received according to the BSS region and quarter for the state fiscal year. Complaints are geographically determined by the county of the BSS case.

Complaint Count by Bureau for Social Services Region						
Region	Q1	Q2	Q3	Q4	Totals	Percent
1	19	25	39	26	109	27.9%
2	27	24	27	35	113	28.9%
3	15	25	26	20	86	22.0%
4	10	20	17	18	65	16.6%
Unspecified	3	10	3	2	18	4.6%
Total	74	104	112	101	391	
	18.9%	26.6%	28.6%	25.8%		100%

Complaint Count by Method of Initial Contact with FCO

Data below reflects complaints received according to the means by which the complainant made initial contact with the Foster Care Ombudsman, for each quarter of the state fiscal year.

Complaint Count by Method of Initial Contact with FCO						
Method of Contact	Q1	Q2	Q3	Q4	Total	Percent
Telephone	31	39	67	63	200	51.2%
Email	43	65	41	37	186	47.6%
Fax/Letter/Text/Other	0	0	4	1	5	1.3%
Face to Face	0	0	0	0	0	0.0%
Total	74	104	112	101	391	
	18.9%	26.6%	28.6%	25.8%		100.0%

Conclusion

The Foster Care Ombudsman is committed to providing a helping service, and to vigorously endorsing that the voices of those served and affected by West Virginia's foster care system are valued, respected, and integrated to the system's development and improvement.

Complaint Count by Bureau for Social Services Case County						
County	Q1	Q2	Q3	Q4	Total	Percent
Barbour	1	7	2	2	12	3.1%
Berkeley	3	1	3	2	9	2.3%
Boone	1	1	0	0	2	0.5%
Braxton	1	1	0	1	3	0.8%
Brooke	0	1	0	0	1	0.3%
Cabell	2	3	3	6	14	3.6%
Calhoun	0	0	0	0	0	0.0%
Clay	1	2	1	2	6	1.5%
Doddridge	2	0	0	1	3	0.8%
Fayette	0	1	2	3	6	1.5%
Gilmer	0	0	1	0	1	0.3%
Grant	1	1	1	0	3	0.8%
Greenbrier	1	1	0	1	3	0.8%
Hampshire	1	3	1	1	6	1.5%
Hancock	0	1	1	0	2	0.5%
Hardy	0	1	1	2	4	1.0%
Harrison	7	4	15	7	33	8.4%
Jackson	2	0	0	0	2	0.5%
Jefferson	1	1	0	0	2	0.5%
Kanawha	19	14	14	13	60	15.3%
Lewis	1	0	5	0	6	1.5%
Lincoln	0	0	0	2	2	0.5%
Logan	0	2	0	0	2	0.5%
Marion	1	3	2	2	8	2.0%
Marshall	0	0	1	0	1	0.3%
Mason	0	0	0	2	2	0.5%
McDowell	0	0	0	2	2	0.5%
Mercer	4	3	4	5	16	4.1%
Mineral	0	0	1	1	2	0.5%
Mingo	1	1	4	2	8	2.0%
Monongalia	4	3	11	8	26	6.6%
Monroe	0	0	0	0	0	0.0%
Morgan	0	0	1	0	1	0.3%
Nicholas	2	5	5	3	15	3.8%
Ohio	0	3	2	2	7	1.8%
Pendleton	0	0	0	0	0	0.0%
Pleasants	0	1	0	0	1	0.3%
Pocahontas	0	0	1	0	1	0.3%
Preston	0	5	2	1	8	2.0%
Putnam	1	2	1	3	7	1.8%
Raleigh	0	1	0	1	2	0.5%
Randolph	3	4	2	2	11	2.8%
Ritchie	0	0	1	0	1	0.3%
Roane	1	0	2	3	6	1.5%
Summers	1	3	1	1	6	1.5%
Taylor	4	1	4	1	10	2.6%
Tucker	0	1	0	0	1	0.3%
Tyler	0	0	0	0	0	0.0%
Upshur	0	1	4	3	8	2.0%
Wayne	0	0	2	5	7	1.8%
Webster	0	3	1	0	4	1.0%
Wetzel	0	0	0	0	0	0.0%
Wirt	0	1	0	2	3	0.8%
Wood	5	9	7	5	26	6.6%
Wyoming	0	1	0	2	3	0.8%
Unspecified	3	8	3	2	16	4.1%
Total	74	104	112	101	391	
	18.9%	26.6%	28.6%	25.8%		100.0%