

**STATE OF WEST VIRGINIA**

**UPDATE OF THE**  
**FULL PERFORMANCE EVALUATION OF THE**  
**CHILD PROTECTIVE SERVICES**

---

**Improvements in CPS Continue**

**Counties in Family Options Initiative Need  
Improvement**

---

**OFFICE OF LEGISLATIVE AUDITOR**  
**Performance Evaluation and Research Division**  
**Building 1, Room W-314**  
**State Capitol Complex**

**CHARLESTON, WEST VIRGINIA 25305**  
**(304) 347-4890**

PE98-15-107

## JOINT COMMITTEE ON GOVERNMENT OPERATIONS

### House of Delegates

Vicki V. Douglas, Chair  
David "O.B." Collins, Vice Chair  
Scott G. Varner  
Douglas Stalnaker  
James E. Willison

### Senate

Edwin J. Bowman, Chair  
Billy Wayne Bailey, Jr., Vice Chair  
Oshel B. Craigo  
Martha Y. Walker  
Sarah M. Minear

### Citizen Members

Dwight Calhoun  
John A. Canfield  
Willard (Bill) Phillips, Jr.  
Mayor Jean Dean  
W. Joseph McCoy

Aaron Allred, Legislative Auditor  
Office of the Legislative Auditor

Antonio E. Jones, Ph.D., Director  
Performance Evaluation and Research Division

John Sylvia, Research Manager  
Brian Armentrout, Senior Research Analyst  
Becky Stollar, Research Analyst  
Paul Barnette, Research Analyst

October 1998

**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



Antonio E. Jones, Ph.D.  
Director

October 18, 1998

The Honorable Edwin J. Bowman  
State Senate  
129 West Circle Drive  
Weirton, West Virginia 26062

The Honorable Vicki Douglas  
House of Delegates  
Building 1, Room E-213  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305-0470

Dear Chairs:

Pursuant to the West Virginia Sunset Law, we are transmitting an Update of the Preliminary Performance Review of Child Protective Services, which will be presented to the Joint Committee on Government Operations on Sunday, October 18, 1998. The issues covered herein are "Improvements in CPS Continue; and, Counties in Family Options Initiative Need Improvement."

Appendix A contains a copy of my transmittal letter to Secretary Ohl delivered during a meeting at 1:30 p.m. on October 9, 1998, at which I discussed the findings of the audit. We met again on October 13 at approximately 3:30 p.m., to further discuss the report. Also in Appendix A is a copy of a letter to Secretary Ohl explaining in detail the method used by PERD staff to assure that information collected in case reviews was correct. Secretary Ohl's response to the audit is in Appendix B.

Should you have any questions, let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Antonio E. Jones".

Antonio E. Jones

AEJ/wsc

\_\_\_\_\_ *Joint Committee on Government and Finance* \_\_\_\_\_



## TABLE OF CONTENT

Executive Summary .....	7
Review Objective, Scope and Methodology .....	9
<b>Issue Area 1:</b> Further Improvements Have Been Made in Timeliness of Child Abuse Investigations; However, There Is Still Variation Among Some Counties .....	11
<b>Issue Area 2:</b> Counties within the Family Options Initiative did not Respond Timely to Referrals .....	17
<b>Appendix A:</b> Transmittal Letter to Secretary Joan Ohl  Letter to Secretary Joan Ohl Explaining Method Used by Staff on Collection of Information in Case Reviews .....	21
<b>Appendix B:</b> Agency Response .....	27

## LIST OF TABLES

<b>Table 1:</b> 1998 Compliance Review of Calendar Year 1997 Cases .....	13
<b>Table 2:</b> County Performance Regarding the Completion of Initial Assessments .....	14
<b>Table 3:</b> Average Number of Days to Conduct Face-to-Face Interviews .....	15
<b>Table 4:</b> Performance of Counties Involved in the Family Options Initiative .....	18



## Executive Summary

This is the second compliance review of a full performance audit conducted in 1996 on Child Protective Services (CPS) as required by West Virginia Code §4-10-10a. A previous compliance review was conducted in 1997 which recommended that a second compliance review be completed.

### **Issue Area 1: Further Improvements Have Been Made in Timeliness of Child Abuse Investigations, However There Is Still Variation Among Some Counties**

In 1996, the Legislative Auditor found that an estimated 37% of CPS cases statewide had no record of face-to-face interviews with alleged victims of child abuse, as required by §49-6A-9 of the Code. Furthermore, 33% of the cases surveyed had face-to-face interviews within the statutorily required **14 days from referral**. Overall, **66% of the cases were out of compliance** with the statute's standard for appropriate response time.

In 1997, the Legislative Auditor found improvement within CPS. There was an estimated 6% of CPS cases statewide that had no record of face-to-face interviews with alleged victims of child abuse. An estimated 72% of cases surveyed had face-to-face interviews within the required 14 day time period. Overall, **28% of the cases were out of compliance**.

The 1998 compliance review shows that an estimated 2% of CPS cases statewide had no record of face-to-face interviews with alleged victims of child abuse. An estimated 75% of cases surveyed had face-to-face interviews within the required 14 day time period. Overall, **25% of the cases were out of compliance**.

Most counties performed well in the areas that were analyzed, however, Preston and Taylor counties had significant problems in conducting face-to-face interviews within the fourteen day time period. It should also be noted that Preston and Taylor counties are part of a pilot project, the Family Options Initiative, and this is addressed in the second issue of the report. The report also noted that these two counties had staffing problems that likely affected performance.

### **ISSUE 2: Counties within the Family Options Initiative did not Respond Timely to Referrals**

This issue discusses a pilot project, the Family Options Initiative, that DHHR is considering implementing statewide. This year's performance update of CPS included two counties, Preston and Taylor, that are part of this pilot program. Also, last year's performance update included Barbour county which is part of this pilot program. **The evidence from the case surveys of these counties showed that they are having problems in meeting the 14 day requirement for conducting face-to-face interviews**. Of particular concern is that this pilot program has cost the state approximately \$900,000 a year since FY 1996; yet an important outcome, timely responses to child abuse allegations, is not being achieved in three of the five pilot counties.





## Review Objective, Scope and Methodology

This is the second compliance review of the Child Protective Services agency since the original report was completed in 1996. The original report found that the agency had a slow response time in investigating referrals of child abuse allegations. The objective of the review is to monitor the performance of CPS since the initial report. The review period covered CPS case records for calendar year 1997.

A sample of 377 CPS cases was taken from twelve counties. These counties were selected systematically with the intention to include counties that have not been examined in previous years. Examining new counties would measure whether a statewide policy has been implemented for CPS. The approach was similar to the original report in that counties with relatively high, medium and low caseloads were selected from each of the agency's four geographical regions.

CPS cases were randomly selected from each county's total number of accepted cases (cases that required investigation) in calendar year 1997. Visits were made to each county office where sampled cases were reviewed for timeliness in investigating child abuse allegations from the date of the initial referral. Also, an evaluation was made concerning the extent to which the *Initial Assessment* instrument was being used in the investigations.

Data collected from the case records were verified by allowing staff at each county office to inspect the information collected from each case for accuracy against the case file. Any exceptions taken by the county office were forwarded to the Legislative Auditor's Office. We also requested comments that would explain any extenuating circumstances that affected performance. The agency provided a 100% response rate to information collected from their office. **Any case information that was not responded to was assumed to be correct.** If a case was: 1) missing; 2) had justification for not having a face-to-face interview; or 3) was transferred out of the sampled county to another county, they were not included in calculating sample statistics. Justification for not having a face-to-face interview included, but were not limited to, reasons such as the family moved, or the wrong address was given. The Legislative Auditor's Office corresponded with the agency verbally or in writing to fill in any missing information or to clarify information. Every effort was made to ensure the fair and accurate representation of CPS performance, as required by **Generally Accepted Government Auditing Standards.**



**Issue Area 1: Further Improvements Have Been Made in Timeliness of Child Abuse Investigations, However There Is Still Variation Among Some Counties**

This is the second compliance review of Child Protective Services (CPS) as required by West Virginia Code §4-10-10a. The original report was completed in 1996 based on 1995 CPS case records. The first compliance review was conducted in 1997 based on 1996 cases. For this year's review, the Legislative Auditor's Office reviewed 377 CPS cases from twelve counties for calendar year 1997. For the most part, **the improvements that were documented in the first compliance review of CPS have continued.** However, as in the first compliance review, there were a few counties that still did not respond on average within the statutory time frames. Consequently, there remains room for improvement in the area of responding to referrals in a timely manner.

**The 1996 audit showed relatively low response time**

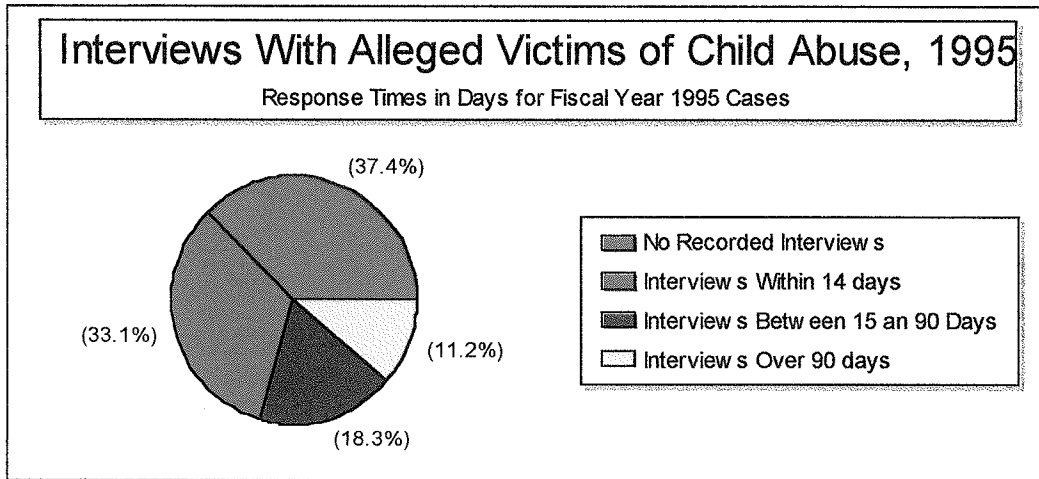
During the initial audit, the Legislative Auditor's Office sampled 663 CPS case records for fiscal year 1995 from twelve counties. The primary focus was to determine how effective CPS was in its investigation of child abuse allegations. As part of the agency's investigative response, West Virginia Code §49-6A-9 requires that Child Protective Services have a face-to-face interview with the child or children within 14 days of the child abuse report. The audit showed that 33.1% of all the CPS cases surveyed met the 14 day requirement for a face-to-face interview, 18.3% had face-to-face interviews between 15 and 90 days and 11.2% had face-to-face meetings over 90 days. However, 37.4% of all CPS cases surveyed did not have any record of a face-to-face interview taking place (see Figure 1).

**1997 compliance review showed improvement but with some county variation**

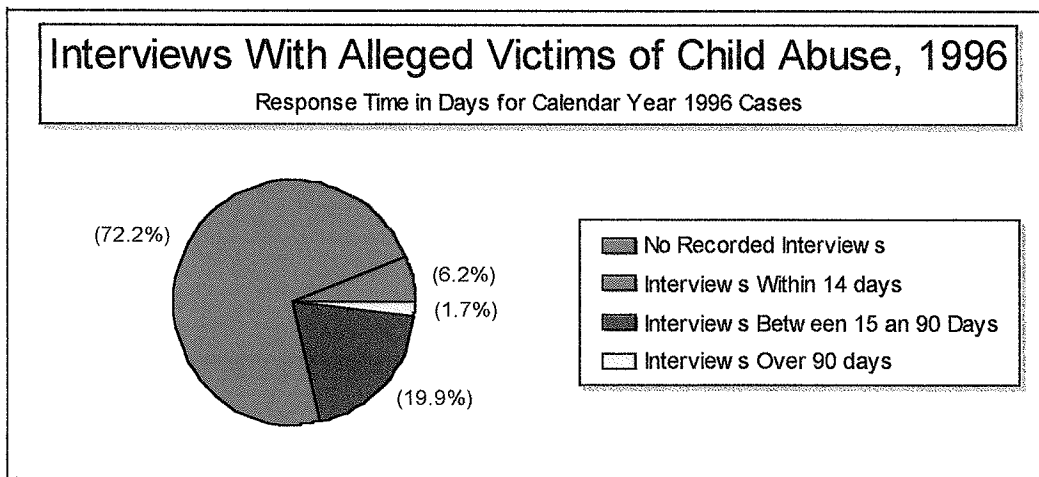
The 1997 compliance review consisted of examining CPS cases from the four counties that had the poorest response time among the twelve counties that were surveyed in 1996. Also, four randomly selected counties that were not in the 1996 sample. The purpose for reviewing these new counties was to determine if the recommendations of the 1996 audit were being implemented statewide as opposed to only the counties that were reviewed in 1996.

The results of the 1997 compliance review of calendar year 1996 cases showed an overall improvement statewide (see Figure 2). The four counties that were part of the 1996 sample noticeably improved. However, among the four new counties sampled, only two performed very well with over 90% of referrals having a face-to-face interview within the required 14 day time period. They also had no cases that didn't have face-to-face interviews. The other two counties had less than 55% of their referrals having a face-to-face interview within 14 days. One of these counties had 13.6% of its cases that didn't have any record of face-to-face interviews while the other one had 7.7% (see Figure 2).

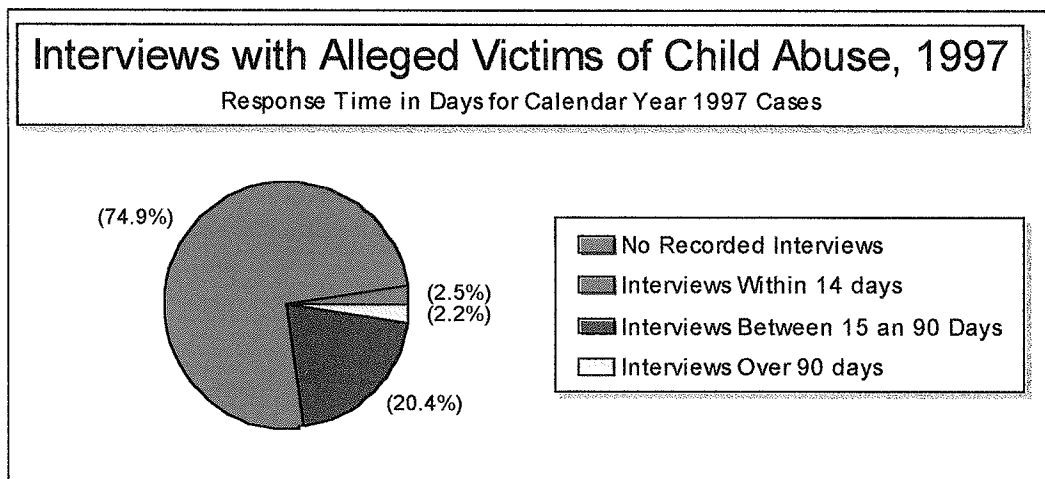
**Figure 1**



**Figure 2**



**Figure 3**



**The 1998 compliance review of 1997 cases showed a more broad scale improvement**

The 1998 compliance review used a new sample of systematically selected counties that were not in either the 1996 or the 1997 surveys. The purpose for reviewing only new counties was a further extension of that part of the methodology of the 1997 compliance review, to determine if the recommendations of the 1996 audit are being implemented statewide. The results of the 1998 compliance review of calendar year 1997 cases showed continued improvement (see Figure 3).

However, the 1998 surveyed counties all performed closer together than the new counties did in the 1997 survey, (see Table 1) where there were two counties performing exceptionally well and two performing not so well. Still, this year’s survey of 1997 cases showed that three of the twelve counties sampled did have problems. Statewide there is still a problem in retaining staff due to high caseloads, high stress and low salaries.

<b>Table 1 1998 Compliance Review of Calendar Year 1997 Cases</b>				
<b>County</b>	<b>Interviews Within 14 Days</b>	<b>Interviews Between 15 an 90 Days</b>	<b>Interviews over 90 Days</b>	<b>Cases Without Face-to-Face Interviews</b>
<b>Region 1</b>				
Marshall	78.1%	18.8%	0.0%	3.1%
Monongalia	87.1%	12.9%	0.0%	0.0%
Wetzel	86.2%	13.8%	0.0%	0.0%
<b>Region 2</b>				
Cabell	81.5%	14.8%	0.0%	3.7%
Jackson	75.0%	25.0%	0.0%	0.0%
Putnam	66.7%	29.2%	0.0%	4.2%
<b>Region 3</b>				
Morgan	100.0%	0.0%	0.0%	0.0%
Preston	44.4%	44.4%	11.1%	0.0%
Taylor	27.3%	31.8%	18.2%	22.7%
<b>Region 4</b>				
Mercer	57.1%	42.9%	0.0%	0.0%
Nicholas	93.5%	6.5%	0.0%	0.0%
Summers	96.0%	4.0%	0.0%	0.0%

Even with this continued improvement in the area of conducting face-to-face meetings within the state-mandate of 14 days, there is still one in five referrals (20%) that do not meet this time frame. This should be a concern for obvious reasons that children are at risk of further abuse the longer the case is not investigated. It also becomes more difficult to substantiate an allegation of abuse the longer it takes to conduct a face to face interview. An example of this may be the healing of a child's wounds.

**Investigation Process Continues to Improve**

The 1998 compliance review found that CPS continues to increase the use of the Child at Risk Field System (CARF). In 1996, only 56% of the previous year's cases surveyed used the initial assessment instrument (CPS-2). In 1998, approximately 87% of last year's cases sampled used the initial assessment instrument. However, a small number of counties still have room for improvement in this area (see Table 2). The Initial Assessment Instrument is important because it assists the agency in making objective conclusions as to what action should be taken by DHHR in a case.

Table 2 County Performance Regarding the Completion of Initial Assessments	
County	Percentage of Cases With Initial Assessments
<b>Region 1</b>	
Marshall	87.5%
Monongalia	83.9%
Wetzel	75.0%
<b>Region 2</b>	
Cabell	96.4%
Jackson	96.4%
Putnam	91.7%
<b>Region 3</b>	
Morgan	89.5%
Preston	92.6%
Taylor	68.2%
<b>Region 4</b>	
Mercer	89.3%
Nicholas	96.8%
Summers	96.0%

**Most of the counties surveyed conduct face-to-face interviews within 14 days**

Nine of the twelve counties surveyed met the fourteen day requirement to conduct face-to-face interviews on average (see Table 3). Mercer, Preston and Taylor counties were the only counties that failed to meet this mandate, on average. Mercer was only one day over the limit. However, there is particular concern for Preston and Taylor counties which are discussed in the next issue. For these two counties, the average time to conduct face-to-face interviews was two to three times slower than the statutory standard.

<b>Table 3</b>	
<b>Average Number of Days to Conduct Face-to-Face Interviews</b>	
<b>County</b>	<b>Number of Days</b>
<b>Region 1</b>	
Marshall	11
Monongalia	10
Wetzel	8
<b>Region 2</b>	
Cabell	10
Jackson	10
Putnam	14
<b>Region 3</b>	
Morgan	5
<b>Preston</b>	<b>32</b>
<b>Taylor</b>	<b>45</b>
<b>Region 4</b>	
Mercer	15
Nicholas	5
Summers	7

**Conclusions**

Improvements have continued, however, there are still signs of variation among the counties that were surveyed and room for improvement still exists. Consequently, the Legislative Auditor found that in 1997 there was a need for DHHR to improve its oversight of county offices that are

having difficulty to ensure that such counties can experience the success that other counties have had in meeting face-to-face interview time requirements. The Legislative Auditor recommends that the Legislature consider amending state law to require DHHR to conduct detailed performance evaluations of child protective services program of every local county office, once every two years.

***Recommendation 1:***

*The Department of Health and Human Resources should continue monitoring county CPS offices to ensure continued improvement in performance statewide.*

***Recommendation 2:***

*The Legislature should consider amending state law to require the Department of Health and Human Resources to conduct detailed performance evaluations, to include, but not be limited to, the child protective services program of every local county office, once every two years. The Legislature should consider requiring such evaluations to be conducted with a sample size that is statistically significant. The Legislature should also consider requiring the Department of Health and Human Resources to prepare a full and detailed report of its findings and to include any proposals to rectify any deficiencies noted, upon completion of each county audit.*

***Recommendation 3:***

*The Legislative Auditor recommends that an additional compliance review of Child Protective Services be conducted within the next year.*



**Issue Area 2: Counties within the Family Options Initiative did not Respond Timely to Referrals**

This issue area discusses a pilot project that the agency is considering implementing statewide.<sup>1</sup> This year's performance update of CPS included two counties, Preston and Taylor, that are part of the pilot project, the Family Options Initiative, being conducted by DHHR. Also, last year's performance update included Barbour county which is also part of this program. The evidence from the case surveys of these counties show that they are having difficulty in conducting face-to-face interviews in a timely manner.

According to DHHR:

*The Family Options Initiative was one of several initiatives that began in the 1990's to retool and refine Child Protective Services in West Virginia. It is a project intended to demonstrate a multiple response system of intervention and services for all abused and neglected children and their families reported to the Department, which best matches the needs of the child and family, with the intervention provided. It also seeks to improve workload management and to maximize the use of community resources in providing protection to children. It is based upon the assumption that all referrals and cases do not require the same response (one size does not fit all), yet provides for the statutorily required general duties of child protective services.*

The Family Options Initiative is implemented in Barbour, Taylor, Preston, Fayette, and Raleigh counties. The program was initiated in July 1995. Annual funding for the project which began in FY 1996 is approximately \$900,000. DHHR completed its final evaluation report on this pilot program in June 1998. The agency claims that the findings show an increase in the total numbers of families served; clients were satisfied with services provided; the recidivism rate was lower than expected; services were provided to families that would not have received such services under the traditional CPS system. It is out of the scope of this compliance review to provide a comprehensive evaluate of this pilot project in comparison with the CPS procedures used in the rest of the state. However, it is clear from this review that an important outcome, a timely response to referrals, is not being achieved in this project.

Barbour, Preston and Taylor counties have only been conducting interviews within fourteen days in approximately a third to a half of their cases (see Table 4). Preston and Taylor had between 10% and 20% of their interviews take place over ninety days after the referral was received. Taylor county had a little over 20% of its cases with no record of a face-to-face interview. It should be noted that Preston and Taylor counties did have some staff turn over problems during this time. The

---

<sup>1</sup>*In an exit conference with DHHR, the Cabinet Secretary indicated that a decision has not been made on whether to implement the program statewide.*

CPS Supervisor for Preston and Taylor counties responded to this situation with the following statement:

*In our exit interview following your review, you asked me to outline any extenuating circumstances that our CPS Intake Unit had experienced during the 1997 review period. Our Barbour County Intake Worker returned to the Intake Unit in January, 1997 following a six month assignment to the FACTS Project in Charleston. During her absence the Taylor County worker covered both Barbour and Taylor counties which caused a backlog of referrals that did not meet the 14 day contact requirement. The Taylor county worker then was approved for educational leave from January through April again requiring a worker from another county to absorb Taylor county's referrals for that period of time. Also from April through October, 1997, I was short one worker in Preston County when a worker there resigned. Prior to his resignation, this worker was under-productive and upon resignation left 18 referrals which had to be reassigned to existing intake staff. In addition to losing a worker in Preston county, the other intake staff were attempting to cover most of Barbour county's referrals in late 1997. Because our Barbour county staff person was having difficulties meeting workload requirements, she was restricted to the office to complete pending assessments.*

County	Interviews Within 14 Days	Interviews Between 15 and 90 Days	Interviews Over 90 Days	Cases Without a Record of a Face-to-Face Interview
Barbour*	54.5%	31.8%	0.0%	13.6%
Preston	44.4%	44.4%	11.1%	0.0%
Taylor	27.3%	31.8%	18.2%	22.7%

\*Data for Barbour County is from the 1997 compliance report.

DHHR's final evaluation report also showed that counties that were part of the Family Options Initiative had a slight decline in staff morale and there were delays in the completion of some casework tasks. The findings of our survey of cases from Preston and Taylor counties in 1998 and Barbour county in 1997 also showed problems in completing casework tasks such as conducting face-to-face interviews with the child within the state mandated fourteen days.

### **Effects of an Untimely Response can be Serious**

When the agency does not respond within an acceptable time, it runs the risk of children being further abused. A case in Taylor county illustrates this point. The case record indicated that:

*This is a 4 year old child with bruising on his buttocks. Allegations as presented indicated that the child has been physically abused and emotionally abused by having water squirted in his ears, being put in closets, cars, or basements in the dark as punishment....The child has a large bruise on his buttock, see photos, that appear to be clearly hand prints.*

The initial referral date for this case was February 14, 1997. The first record of a face-to-face interview was April 2, 1997, 47 days later, which was in response to a second referral on April 2nd. The CPS worker attempted to make contact with the family on February 18, four days after the initial referral with no success. As it turned out, the case was serious enough where the agency had to file a petition as a result of the second referral. The Legislative Auditor provided each county office with the collection instruments containing all information collected from each case file. Each county office was given the opportunity to respond to the data collected. Taylor county's response to the above mentioned case is as follows:

*Worker originally assigned had notes (not converted to a recording log) indicating 2 attempted face-to-face contacts on 2/18/97. This worker left the agency without completing the initial assessment. Case was evaluated on 4/2/97 when a 2<sup>nd</sup> referral was received. Initial Assessment focused on both incidents. A petition was filed as a result of the 4/2/97 referral.*

Although the CPS worker attempted to contact the family four days after the initial referral, over 40 days went by where no record of CPS action occurred. During this time the child was at risk of abuse. It was only after the second referral came in did the agency respond.

In another case, the agency took 155 days to respond to a referral. When the case was evaluated, the risk of further abuse was determined to be significant, which is the second highest risk factor. The agency opened the case for services. Again, the children in this family were subject to significant risk of abuse without CPS intervention.

## **Conclusions**

As a result of its final evaluation report on the Family Options Initiative, DHHR is recommending that the program's model for intake, initial assessment and safety evaluation be used statewide. It is not within the scope of this review to evaluate whether this pilot project is superior to the delivery procedures of CPS used in the rest of the state. This pilot project costs the state close to \$900,000 annually. Yet, for three of the five counties in the program, a critical outcome, a timely response, is not being achieved. In fact, it takes these counties, on average, nearly three times the amount of time to conduct face-to-face interviews than the state mandated fourteen days. The Legislature should consider withholding any further funding for this program until DHHR can explain why the response time to referrals of abuse is considerably slower than counties surveyed in this review.

***Recommendation 4:***

*The Legislature should consider withholding funding for continuing or replicating the Family Options Initiative statewide until the Department of Health and Human Resources can explain why state mandated time standards are not being achieved in this project.*

**APPENDIX A:**

**Transmittal Letter to Secretary Joan Ohl**

**Letter to Secretary Joan Ohl Explaining Method Used by  
Staff on Collection of Information in Case Reviews**



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



Antonio E. Jones, Ph.D.  
Director

October 9, 1998

Ms. Joan E. Ohl, Cabinet Secretary  
Department of Health and Human Resources  
Building 3, Room 206  
State Capitol Complex  
Charleston, WV 25305

Dear Secretary Ohl:

This is to provide you with a draft copy of the Child Protective Services update to be presented at the October interims. Please review the data and conclusions and let me know of any factual errors or discrepancies regarding conclusions of the report.

I am requesting that we review the specifics on Tuesday morning, October 13, 1998.

Thank you very much.

Sincerely,

A handwritten signature in cursive script, appearing to read "Antonio E. Jones".

Antonio E. Jones

\_\_\_\_\_ *Joint Committee on Government and Finance* \_\_\_\_\_

**WEST VIRGINIA LEGISLATURE**  
*Joint Committee on Government and Finance*

Building 1, Room E-132  
1900 Kanawha Boulevard, East  
Charleston, WV 25305-0610  
(304) 347-4800  
(304) 347-4819 FAX



Aaron Allred  
Legislative Manager

October 15, 1998

Joan E. Ohl, Secretary  
WV Department of Health and Human Resources  
State Capitol Complex  
Building 3, Room 206  
Charleston, WV 25305

Dear Secretary Ohl:

This is to provide you with an overview of the process used in working with your staff to arrive at the figures in the *Child Protective Services* (CPS) report. The Legislative Auditor's staff visited each county office that was in our sample. For each case sampled, we had a one-page collection instrument that contained all the information we intended to use from each case. The collection instruments also identified the case file. Case information that appeared to be missing in the file was noted on the instrument.

After the auditors collected the information from sampled cases, they provided the Community Service Manager with a copy of every collection instrument before they left the office. A cover page was attached to the collection instruments requesting the Community Service Manager to inspect each instrument for accuracy against the case file. The auditors also requested any comments that would explain any extenuating circumstances that affected performance. We gave each county a week to respond. However, we did not hold them to that strictly. In some cases counties responded in two to three weeks. I would like to compliment your staff for providing us with a 100% response rate.

Attached are responses from each of the 12 counties sampled. Some of the responses are only the cover pages and some of the responses included APS and CPS. (We used the same procedure for APS.) Some counties needed to provide us with documentation of information that may not have been in the case file at the time of our visit. As you can see, some counties simply wrote a letter indicating satisfaction with the process and indicating the information was completely correct. In some cases they provided us with corrections. **Any case that was not responded to was assumed by my office to be correct.**



Joan E. Ohl, Secretary  
Department of Health and Human Resources  
October 15, 1998  
Page 2

The auditors worked with your staff through written and verbal correspondence to fill in any missing information or to clarify information. The purpose for this process was to ensure the accuracy of the report. My staff has noted some errors in the report that have been corrected. However, the errors are relatively small and the number of cases involved are less than 10 out of a sample of 377 cases.

Sincerely,

A handwritten signature in black ink that reads "Aaron Allred". The signature is written in a cursive style with a large initial "A".

Aaron Allred

Enclosures



**APPENDIX B:**  
**Agency Response**





STATE OF WEST VIRGINIA  
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Cecil H. Underwood  
Governor

Office of the Secretary  
State Capitol Complex, Building 3, Room 206  
Charleston, West Virginia 25305  
Telephone: (304) 558-0684 Fax: (304) 558-1130

Joan E. Ohi  
Secretary

October 14, 1998

Antonio E. Jones, Ph.D., Director  
Performance, Evaluation and Research Division  
Office of the Legislative Auditor  
State Capitol Complex, Building 1, Room W-314  
Charleston, West Virginia 25305-0610

RECEIVED

OCT 14 1998

RESEARCH AND PERFORMANCE  
EVALUATION DIVISION

Dear Dr. Jones:

The Department of Health and Human Resources accepts the Preliminary Performance Evaluation of the Department of Health and Human Resources, Child Protective Services Update. The Department has thoroughly reviewed the analysis, conclusions, and recommendations contained in the update and appreciates the opportunity to respond.

**Comment**

Please note that this review of Child Protective Services (CPS), as required by West Virginia Code § 4-10-10a, was conducted on Child Protective Services cases which were active in the 1997 calendar year. The 1996 review focused on cases which were active in the 1995 calendar year. The Department feels that significant progress has been made during the 1998 calendar year, which will be the first complete year of operation under the leadership of Cabinet Secretary Ohi, in the reduction of the number of CPS cases which were not reviewed within fourteen days as required by West Virginia Code § 49-6A-9. Statistics will show that process and procedural changes initiated during the 1997-1998 calendar year, in conjunction with increased monitoring, a more hands-on approach by the Secretary and the Commissioner, as well as increased communication on all levels have resulted in minimal non-compliance.

**ISSUE 1: Further Improvements Have Been Made in Timeliness of Child Abuse Investigations, However There is Still Variation Among Some Counties.**

The Department agrees that 1995 cases reviewed during the 1996 audit showed, overall, a relatively slow response time. At that time, 37.4% of all CPS cases surveyed did not have any record of a face-to-face interview taking place.

1996 cases reviewed during the 1997 compliance review showed significant improvement statewide with the four counties which were part of the original 1996 sample exhibiting noticeable improvement. The 1997 review did, however, still note that there was room for significant improvement.

This audit report notes that **“the 1998 compliance review of 1997 cases showed a more broad scale improvement.”** The counties surveyed were not part of the 1996 or 1997 surveys and, overall, reflect what the Department considers to be a continuing improvement in overall compliance. The audit notes that three of the twelve counties surveyed have problems with the statutorily mandated requirement for a face-to-face interview with the child. Also of note is the fact that the 1996 audit found only 56% of the cases surveyed used the initial assessment (CPS-2) Child at Risk Field (CARF) System while the 1998 audit of 1997 cases showed a usage rate of 87%.

The Department is encouraged by this audit report and, as stated on page 12, **“most of the counties surveyed conduct face-to-face interviews within 14 days.”**

### **Conclusion**

The Preliminary Performance Review Update on Child Protective Services notes that three of the twelve counties surveyed did have problems regarding compliance with the statutorily mandated fourteen-day face-to-face interview. These counties are Mercer, Preston, and Taylor Counties. Mercer County shows a 57.1% compliance rate while Preston County shows only a 42.9% compliance rate. Taylor shows a 27.3% compliance rate. Statistics for calendar year 1998 show that Mercer County still continues to show compliance rates below what is acceptable to the Department. However, Mercer County is averaging only three cases per month which fail to meet the fourteen-day requirement. Contributing to the Mercer County problem is a 100% supervisory staff turnover over the past eighteen months and a 50% turnover in Child Protective Service Workers. Hiring and retention continue to be a problem for these worker classifications for the Department.

Over the past eight months, Preston County has shown 100% compliance with the fourteen day face-to-face requirement and Taylor County has shown a 100% compliance for the past five months (**see chart below**). The Department believes that these statistics are indicative of the current condition of the Child Protective system in West Virginia.

CPS 14 DAY CONTACT - CALENDAR YEAR 1998							
County	January/ February	March	April	May	June	July	August
	14 Day Contact	14 Day Contact	14 Day Contact	14 Day Contact	14 Day Contact	14 Day Contact	14 Day Contact
Tyler/ Wetzel	0	0	0	1	1	0	0
Taylor	13	2	0	0	0	0	0
Preston	0	0	0	0	0	0	0
Mercer	0	2	2	4	2	10	5

**Recommendation 1:**

The Department of Health and Human Resources conducts extensive statewide monitoring of Child Protective Services in order to ensure quality and improve performance. Regional Directors require monthly submissions of CPS case data from each county office with a detailed explanation of any failure to meet the fourteen-day requirement. These reports are forwarded to the Commissioner of the Bureau for Children and Families who also monitors compliance and shares the information with the Secretary. Community Services Managers for counties with consistent compliance issues are required to have corrective action plans developed by their staff. These plans are submitted to the Regional Directors, the Commissioner, and the Secretary for monitoring purposes. Both the Secretary and Commissioner, as well as the Regional Directors, communicate with county staff on compliance concerns both in writing and verbally. In addition, the Office of Social Services within the Bureau for Children and Families conducts quality assurance reviews of Child Protective Services cases on the county level and submits written reports and recommendations to the Community Services Managers and Supervisors.

**Recommendation 2:**

The Department disagrees with the recommendation that state law needs to be amended to require detailed performance evaluations of Child Protective Services programs on the county level. Detailed examination of Child Protective Services is conducted on a monthly basis and results are reviewed by Regional Directors, the Commissioner, and the Secretary. Corrective Action Plans are required and monitored on

all levels. 1998 performance data reflects the success of our oversight. We would be happy to share these reports with the Legislature as well as the Office of the Legislative Auditor.

**Recommendation 3:**

We welcome additional compliance reviews. The Department feels that a review of 1998 cases will show dramatic improvement over the 1997 cases which were reviewed for this update.

**ISSUE 2: Counties with the Family Options Initiative Did Not Perform Well.**

The Family Options Initiative (FOI), implemented in 1995, is a pilot project intended to demonstrate a multiple response system of intervention and services for all abused and neglected children and their families reported to the Department. The project is designed to demonstrate alternative ways to intervening in CPS families and to increase the opportunity for the Department to form partnerships with community agencies or individuals who are licensed professionals. The Family Options Initiative is being implemented in Barbour, Taylor, Preston, Fayette, and Raleigh Counties.

The FOI is based upon a tracking scheme for CPS cases which is used to determine the type(s) of services and service response which the family will receive. Some of the principles upon which the case tracking scheme is based are:

- Families have different needs and can benefit from different options.
- Specific criteria is rigorously applied in the selection of a track.
- Track selection always involves supervisory approval.
- The least, but best intervention is preferred.

A flow chart is provided as an attachment which graphically depicts the tracking process.

At the time of intake, a CPS Supervisor reviews the referrals to determine which should be accepted for CPS action. The tracking process is completed for accepted referrals. Criteria have been developed and are used by the CPS Supervisor in making the tracking determination. A case is either tracked into A, B, or C at the point of intake. If it is tracked A, it is assigned to a CPS worker to complete a full initial assessment and safety analysis. If it is tracked B, it is assigned to a CPS worker for completion of a safety check. If it is tracked C, it is given directly to a Community Provider with whom a letter of agreement exists to complete a short term service needs assessment and no more than



60 days of service provision. Upon completion of the service provision by the Track C Community Provider, a report form and billing invoice are submitted to the local CPS Supervisor. Reimbursement for no more than 60 days of services is authorized by the Supervisor based on provider's satisfactory performance of service delivery.

A final pilot evaluation report for the FOI was completed by an independent, non-profit child welfare organization at the request of the Department in June 1998. The findings were based upon their review of case records, summary data from the FOI data management system, various community surveys, and data provided by the county supervisors. Some of the findings were very favorable, such as the increase in the number of families served, improvement in community satisfaction and the provision of services to moderate and low risk cases which previously would probably not have received services from the Department. The evaluation also revealed areas of workflow and workload management that require improvement.

As indicated in the performance report, two of the five counties participating in the FOI pilot were reviewed during this audit report period. The report indicates that evidence from the case surveys of these counties (Preston and Taylor) show that they are having difficulty conducting face-to-face interviews in a timely manner. The report also recognizes that these counties had some severe staffing problems during the 1997 review period. The loss of the manpower of four people in a program year for varying lengths of time had a dramatic impact on CPS staff's ability to carry out our mandates effectively.

It should also be noted that the number of referrals accepted for an initial assessment increased by 36% from 1,095 accepted referrals in FY 1995 to 1,715 accepted referrals in FY 1997 in the five project counties. For Barbour, Taylor and Preston Counties, the result was even greater, increasing from 184 to 402, more than doubling the number of referrals accepted. This increase represents an improvement in the Department's ability to provide services to those families who may fall into the moderate and low risk categories for further abuse or neglect.

***Recommendation 4: The Legislature should consider withholding funding for continuing or replicating the Family Options Initiative until the Department of Health and Human Resources can explain why state mandated time standards are not being achieved in this project.***

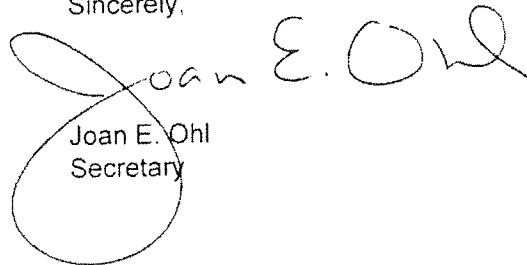
According to management reports completed by Regional Directors, Barbour, Taylor, Preston, and Fayette Counties have no cases exceeding the fourteen-day face-to-face mandate from March through August 1998. It appears that significant improvement has taken place in the FOI counties in 1998 compared to the 1997 statistics described in the audit report.

Antonio E. Jones, Ph.D.  
October 14, 1998  
Page 6

Based on the results of the independent evaluation, DHHR staff involved in the FOI pilot counties have recommended that the intake and initial assessment and safety evaluation model be replicated statewide. The Bureau for Children and Families is taking that recommendation into consideration and will be reviewing the potential cost of statewide implementation. The Bureau for Children and Families will then share its findings and recommendations with the Secretary. Upon my review of the recommendations, future funding needs will be predicated on the results of the program findings.

In conclusion, the Department would like to thank you for the opportunity to respond to the performance evaluation report. We are committed to improving services to children and families and will use these findings to continue our efforts to improve child protective services in West Virginia.

Sincerely,

Handwritten signature of Joan E. Ohi in cursive script.

Joan E. Ohi  
Secretary

JEO/cs

# FAMILY OPTIONS INITIATIVE

8/19/96

