



KIDS ARE WAITING
Fix Foster Care Now

Overview of Child Welfare Services in Washington State

July 2007

This memo summarizes the results of my research into recent legislative activity pertaining to child welfare in Washington State. Compared to other states, child welfare is high on the list of legislative priorities in Washington. This high level of legislative activity can be attributed in part to a number of recent events that are briefly described below. In addition, the legislature, particularly the House, has a number of experienced champions of children's issues, including Rep. Ruth Kagi, chair of the House Early Learning and Children's Services Committee, and Rep. Mary Lou Dickerson, chair of the House Human Services Committee, among others.

Background

The most recent wave of reform of Washington's child welfare system began in 2005 and was a response to a number of highly-publicized events. In February 2004 the federal CFRs scored Washington among the bottom third of all states in compliance with national child welfare standards. In August of that year, the state settled the *Braam* class action lawsuit, which required the state to implement a number of expensive foster care reforms. Finally, three high-profile deaths of children raised serious questions about the ability of the Children's Administration (CA), the state's child welfare agency, to keep children safe from harm. The deaths of Raphael Gomez and Sirita Sotelo highlighted the need for more and better assessments and services to families when children are reunified from foster care. The deaths of two infants, Justice and Raiden Robinson, from starvation and dehydration raised awareness of the dangers and prevalence of chronic neglect.

In response to these events, the Children's Administration proposed a comprehensive reform plan called *Kids Come First Phase II*. In early 2005, Governor Gregoire identified child safety as a priority and proposed funding the plan with \$18 million in additional appropriations. In April of that year, a \$12 million deficit in the CA budget led to the resignation of Uma Ahluwalia, who had been appointed head of CA 19 months earlier. The budget issue led to calls for greater accountability and threatened to derail reform efforts. In the end, however, Governor Gregoire and Rep. Ruth Kagi provided nearly \$23 million in new state and federal funding for a number of reforms, including child welfare redesign (now called *Safe Kids, Healthy Families*), 24-hour response times for critical child abuse reports, 30-day caseworker visits, education coordinators for foster youth, and \$5 million in new funding to give CA greater flexibility and resources in intervening in cases of chronic neglect where substance abuse plays a role. Finally, \$200,000 in state funds were appropriated for a kinship care navigator program.



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Recent State Legislation

Over the past three years, the legislature has enacted a number of provisions relating to child welfare.

- Requirement, within available funds, for the state children's trust fund to fund evidence-based home visitation programs (SB 5830 (2007));
- Requirement for an advisory committee to analyze and make recommendations concerning disproportionate representation of children of color in the child welfare system (HB 1472 (2007));
- Extension of Medicaid coverage to former foster youth (HB 1201 (2007));
- Creation of a passport to college program to help former foster youth apply and plan for post-secondary education (HB 1131 (2007));
- Requirement that parents in dependency cases receive priority for court-ordered services and authorization to provide services to in-home caregivers to facilitate reunification (HB 1333 (2007));
- Authorization for up to 50 youth per year to remain in foster care up to age 21 to complete a post-high school academic or vocational program (HB 2002 (2006));
- Authorization for the child welfare agency to enter into agreements with tribes for tribal licensure of foster care agencies (HB 3182 (2006));
- Establishment, within existing resources, of a foster care health unit and a foster parent critical support and retention program (HB 2985 (2006));
- Formation of joint task force on child safety for children in the child welfare system (HB 2156 (2005));
- Formation of joint task force to determine the most appropriate and effective administrative structure for the delivery of social and health services to children and families (SB 5872 (2005));
- Joint development by child welfare and corrections of a plan to support children of incarcerated parents (HB 1426 (2005));
- Formation, within existing resources, of an oversight committee to monitor kinship care recommendations and activities (HB 1280 (2005));
- Requirement for comprehensive services for drug- or alcohol-affected mothers and infants (SB 5763 (2005));
- Strengthening of the child welfare system's capacity and authority to act in cases of chronic neglect, including capacity for early engagement of parents in services (SB 5922 (2005)).

In 2007, a number of child welfare-related bills were not enacted, but may be of interest to you. These include a bill that would have established a pilot program for providing preschool tuition scholarships for children in foster care. The bill's fiscal note estimated a state general fund cost of \$580,000 in the 2007-09 biennium and \$538,000 in the 2009-11 biennium. Another bill



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would have established a post-adoption services pilot program. The general fund cost of that bill was estimated at \$470,000 in the 2007-09 biennium and \$466,000 in the 2009-11 biennium.

2007-2009 Biennial Budget

The recently approved biennial budget for the Children's Administration within the state Department of Social and Health Services also contains some interesting items. These include the following:

- Additional funding to increase the number of children placed with extended family members. This provision funds relative searches, home studies and support services. The total funding is \$4.9 million, of which \$4.4 million are state general funds.
- A general fund savings of \$5,685,000 (\$11,506,000 total) due to increased use of unlicensed relative caregivers. The savings result from HB 1377, which expanded the definition of persons who may qualify as a kinship caregiver.
- Increased funding for services to parents and other in-home caregivers at the time a child returns home from foster care. This funding accompanies HB 1333, which implements a recommendation of the task force on child safety formed after the beating death of 4-year old Sirta Sotelo by her mother after the girl was returned from foster care in 2005. Total funding for this item is \$6.4 million, of which \$4.5 million are state general funds.
- Increases state general funding for Indian child welfare from \$5 million to \$6.6 million. This funding supports contracts with Indian tribes for direct delivery of services that mirror those delivered by the Children's Administration.
- Appropriates \$1.5 million, including \$1.08 million in state general funds, to implement the Children's Administration practice model and to train caseworkers and supervisors to support better engagement of families receiving services.
- Appropriates \$1.6 million in state general funds to replace "lost" federal intensive family preservation funds. I am trying to find out the source of these "lost" federal funds and the reason for the loss.

Child Welfare Agency Priorities

The CA's Strategic Plan for 2007-2011 identifies major goals and priorities, which closely track the federal CFSR outcomes. The plan identifies a number of strategies to accomplish those goals, including design and implementation of a new child welfare practice model, increased use of family team decision-making and interagency domestic violence protocols to prevent child



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removal, increased services to unlicensed relative caregivers, enhanced collaboration with courts, and development and monitoring of contracts to include evidence-based practices, among others.

According to the strategic plan, 40 percent of CA's budget is spent on contracted services. A major issue in the state is the mismatch between the needs of clients and the array and quality of services offered by contract service providers. The report states that "CA is undertaking a number of activities that will clarify and improve the use of contracted services."

Conclusions

Washington is a good example of a state whose vision for child welfare emphasizes use of evidence-based services and practice, engagement of families, prevention of foster care placement, reduction of racial disproportionality, improving educational outcomes for foster children, and use of kinship care, all of which are in accord with principles of family-centered practice endorsed by the federal Children's Bureau. Nevertheless, these practices are not fully supported by federal financing policy, even though federal funds account for about 52 percent of CA's budget. The following are evidence of this:

- The state has emphasized the use of relative caregivers, who are ineligible for federal IV-E funding if they are unlicensed. More flexibility to use federal IV-E funds for unlicensed relatives could enable more relatives to become caregivers for children.
- Reunification services to parents and other in-home caregivers has become a priority after the deaths of Raphael Gomez and Sirita Sotelo. Federal funding for this purpose is limited. Of the funds appropriated for this purpose in the current budget, 70 percent are state general funds.
- Another priority is services to families reported for chronic neglect, which almost always involves parental substance abuse. In 2005, the legislature appropriated \$2.2 million to fund chemical dependency specialists in each CA office. As stated above, 2007 legislation requires that parents in dependency cases be given priority for services. Again, federal child welfare funding for substance abuse services is limited.
- An issue just recently addressed by the legislature is the disproportionate representation of children of color in the child welfare system (see list of legislation above). Strategies to address racial disproportionality include a range of services to prevent foster placement, such as family group decision-making, and increasing support for relative caregivers through subsidized guardianship. None of these strategies is adequately supported by federal child welfare funding.

In sum, the current policy framework underlying federal child welfare financing is not aligned with the goals of Washington's child welfare system.