

# Pennsylvania Citizen Review Panels' 2018 Annual Report

## Collaboration Statement

The Citizen Review Panels' Annual Report was produced in collaboration with individual citizen review panels, the Department of Human Services' Office of Children, Youth, and Families, the Pennsylvania Child Welfare Resource Center, and the Pennsylvania Children and Youth Administrators, Inc.

### The Mission and Vision of the Citizen Review Panels

**Mission:** To facilitate citizen participation and provide opportunities for citizens to evaluate state and local child protection systems to ensure that these systems: provide the best possible services; prevent and protect children from abuse and neglect; and meet the permanency needs of children.

**Vision:** Children will be safe; placed timely in stable, permanent living arrangements; have the opportunity for continuity of relationships; and have the opportunity to develop to their full potential.



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Dear Citizens:

Thank you for taking a moment to read the Pennsylvania Citizen Review Panels' (CRP) 2018 Annual Report. The panels are represented by a wide array of citizen volunteers who join together to conduct comprehensive reviews of state and local child protection responsibilities and offer collaborative solutions to identified challenges. The panels play an important role in efforts to promote positive child welfare outcomes for children and families. Pennsylvania's CRPs are part of a national network of panels. More information about each state's citizen review panels can be found on the National Child Abuse and Neglect Technical Assistance and Strategic Dissemination Center website at [www.cantasd.org/crp.html](http://www.cantasd.org/crp.html).

The CRP 2018 Annual Report contains an update on the panels' work over the past year and their recommendations for enhancements in policy, procedure, and practice within the Commonwealth's child protection system. The panels' thought-provoking recommendations and the Department of Human Services, Office of Children, Youth and Families' response to those recommendations are contained in this report. Within the panels' recommendations and rationale, I hope you will see their deep commitment to the protection of Pennsylvania's children.

From January through March of this year, recruitment for a third panel, as well as new members for the two existing panels was completed. DHS partnered with the Pennsylvania Child Welfare Resource Center (CWRC) and the CRPs to complete outreach to stakeholders, various agency employees, social workers, and community members within the state. In August, six members joined the newly formed Southwest CRP and an additional ten joined the already existing Northeast and South Central CRPs. Additionally, Pennsylvania's Statewide Youth Advisory Board (YAB), a group of youth and alumni from the child welfare system who educate, advocate, and form partnerships to create positive change, has been designated as a fourth CRP.

Protecting Pennsylvania's children from abuse and neglect is a vitally important responsibility. Child protection requires the collective collaboration of lawmakers, community partners, the child protective services system, citizens, and families to provide local safety nets for children and families within our communities who are facing challenges. All Pennsylvanians have an obligation to protect and keep our children safe.

Thank you to the CRP members for their diligent work and dedication to system improvement. We look forward to ongoing collaboration as we tackle the very serious issue of child protection. I hope that this report will become part of the larger conversation about each of our responsibilities in protecting Pennsylvania's children.

Sincerely,

Amy Grippi  
Acting Deputy Secretary

## **Pennsylvania Introduction**

### **Commonwealth of Pennsylvania**

Pennsylvania (PA) consists of 67 counties covering 44,817 square miles and is home to approximately 12.7 million residents. The city of Philadelphia is the largest metropolitan area within the six-county Southeast region which includes Philadelphia, Berks, Bucks, Chester, Delaware, and Montgomery counties and encompasses approximately 35 percent of the total statewide population. Allegheny County is the second largest metropolitan area and includes the city of Pittsburgh and its surrounding suburbs. The diversity across Pennsylvania's urban, suburban, and rural areas creates the need for both flexibility and consideration of regional, county, cultural, and other differences in the child welfare and juvenile justice systems.

### **Structure of Child Welfare**

Pennsylvania is one of 12 states that operates a state-supervised but county-administered child welfare system. The county-administered system means that child welfare and juvenile justice services are organized, managed, and delivered by 67 County Children and Youth Agencies (CCYA), with staff in these agencies hired as county employees. Each county elects its county commissioners or executives who act as the governing authority. Pennsylvania has a rich tradition of hundreds of private agencies delivering the direct services and supports needed by at-risk children, youth, and their families through contracts with CCYAs. The array of services delivered by private providers includes prevention, in-home, foster family, kinship care, permanency services, and congregate care. A variety of related behavioral health and education programs are also provided.

The Department of Human Services' (DHS) Office of Children, Youth, and Families (OCYF) is the state agency that supports the provision of quality services and best practices designed to ensure the safety, permanency, and well-being of Pennsylvania's children, youth, and families. There are some intrinsic differences in operating a state supervised and county-administered system, which impacts statewide outcomes for children and families. Within this structure, Pennsylvania provides the statutory and policy framework for delivery of child welfare services and monitors local implementation. Given the diversity that exists among the 67 counties, this structure allows for the development of county-specific solutions to address the strengths and needs of families and communities. Each county, through planning efforts, must develop strategies to improve outcomes.

This structure also presents challenges in ensuring consistent application of policy, regulation, and program initiatives and has impacted Pennsylvania's performance on federal outcome measures. These federal measures require county-specific analysis to determine the factors that influence statewide data. Because of the variance in county practice, it is challenging to identify statewide solutions that would have the most impact on improving county outcomes.

In November of 2016, the department held the first official convening of the Pennsylvania Child Welfare Council (the Council). The Council was formed to provide shared leadership and guidance to support collaborative, strategic visioning for Pennsylvania's child welfare system. The Council is comprised of multidisciplinary members who are broadly representative of the child welfare system and reflect the Commonwealth in geographic, racial, ethnic, and cultural diversity. Efforts of the

Council are aligned with OCYF's mission, vision, values, and Pennsylvania's Child Welfare Practice Model. The Council utilizes quantitative and qualitative data to guide the establishment of priorities related to federal, state, and locally-driven improvement efforts through the use of a Continuous Quality Improvement (CQI) process/framework. CQI serves as the vehicle to guide the achievement of Pennsylvania's child welfare goals. The Council exists to:

- Help build a sustainable structure to support collaborative strategic visioning for PA's child welfare system;
- Foster a unity of effort to achieve common and shared goals by sharing ideas/expertise in guiding priorities for the child welfare system, sharing data to identify priorities/monitor achievement of goals, and considering how best to ensure the system has the capacity/resources to support achievement of common goals;
- Enhance communication based on shared values of respect and honesty by reinforcing clear and transparent communications regarding the strengths/challenges of the system;
- Increase proactive responses to address systemic issues and concerns; and
- Enhance capacity to use data to drive decision-making.

The Council identified that purposeful, active, and effective implementation work should be carried out by individual subcommittees. Each subcommittee focuses on one of four distinct areas of child welfare practice, which are: Safety, Permanency, Well-Being, and Resources/Cross-Categorical work. While the subcommittees are accountable for implementation, the Council is charged with establishing priorities and expectations, providing necessary support, and helping identify and secure resources to support strategies for improvement.

The Council provides the means for key stakeholders to come together, to provide shared leadership, purpose, and accountability to enhance our ability to work collaboratively to improve outcomes for children, youth, and families. By gathering feedback from the subcommittees and others, the Council will take steps to be more proactive in response to system needs, be more responsible in the use of resources and enhance and support the system's ability to function more efficiently. This will lead to more strategic and effective efforts to achieve the goals and objectives outlined in the strategic plan focused on improving outcomes for the children, youth, and families served by the system. The Council and the subcommittees were instrumental in the development of Pennsylvania's federal Child and Family Services Review (CFSR) Program Improvement Plan (PIP) and serve as the primary stakeholder forum for development and ongoing monitoring of Pennsylvania's federal Child and Family Services Plan.

Because the Citizen Review Panels are so closely tied to the work of ensuring the safety, permanency, and well-being of children in Pennsylvania, DHS invites all panel members to participate in the subcommittees and requests that, at minimum, the CRPs be represented in each subcommittee by at least one panel member. This ensures that information and resources are shared between the two groups. By having direct involvement with the Council, panel members have greater access to information at the state level including data and current priorities within the child welfare system.

## **Pennsylvania and the Child Abuse Prevention and Treatment Act: A Brief History**

The key federal legislation addressing child abuse and neglect is the Child Abuse Prevention and Treatment Act (CAPTA), originally enacted in 1974 (Public Law 93-247). This Act was amended several times and was most recently amended on July 22, 2016 when the Comprehensive Addiction and Recovery Act of 2016 (P.L. 114-198) (CARA) went into effect. CARA amended CAPTA to require a Plan of Safe Care for infants exposed to substances. CARA requires states to address the needs of infants born with, and identified as, being affected by substance abuse (not just illegal substance abuse as was the requirement prior to this change) and to ensure the safety and well-being of infants following their release from the care of health care providers, by:

- Addressing the health and substance use disorder treatment needs of the infant and affected family or caregiver;
- Monitoring these plans to determine whether and how local entities are making referrals and delivering appropriate services to the infant and affected family or caregiver (in accordance with state requirements); and
- Developing Plans of Safe Care for infants affected by substance abuse, which addresses both the needs of the infant and the affected family or caregiver.

The 2016 changes were made in the context of attention generated by the nation's prescription drug and opioid epidemic, which has focused state agencies on the requirement that a Plan of Safe Care be implemented for infants exposed to substance abuse.

CAPTA provides federal funding to states in support of prevention, assessment, investigation, prosecution, and treatment activities. CAPTA also provides grants to public agencies and non-profit agencies for demonstration programs and projects. Additionally, CAPTA identifies the federal role in supporting research, evaluation, technical assistance, and data collection activities; establishes the Office on Child Abuse and Neglect; and mandates the National Clearinghouse on Child Abuse and Neglect Information. CAPTA also sets forth a minimum definition of child abuse and neglect.

Some of the changes Pennsylvania adopted to become compliant required amendments to the Child Protective Services Law (CPSL) and the Adoption Act. Other changes only required administrative implementation for which no legislation was needed. Pennsylvania became CAPTA compliant in 2006. The following are legislative changes regarding CAPTA compliance:

### **Legislative Changes**

Amendments were made in the following areas:

- Confidentiality - Allowing federal agencies access to confidential information;
- Citizen Review Panels;
- Public disclosure of fatalities and near fatalities;
- Infant prenatal substance exposure - Requiring health care professionals, including those involved in the delivery or care of an affected infant or encountering an infant up to age one outside a hospital setting, notify PA DHS so that a plan of safe care can be developed;
- Termination of parental rights (TPR) - Added a ninth ground for involuntary TPR when the parent has been convicted of specific crimes in which the victim was a child of the parent;
- Reunification – Not requiring reunification of a surviving sibling with a parent who has been found by a court of competent jurisdiction:

- To have committed sexual abuse against the surviving child or another child of the same parent; or
  - To be required to register with a sexual offender registry or to register with a sexual offender registry in another jurisdiction or foreign country.
- Aggravated circumstances – Added a sixth ground for aggravated circumstances, when the parent of a child is required to register as a sexual offender or to register with a sexual offender registry in another jurisdiction or foreign country;
- Expanded definition of perpetrator of child abuse to include an individual 18 years of age or older who engages a child in severe forms of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, 22 U.S.C. § 7102); and
- Expanded definition of child abuse to include intentionally, knowingly or recklessly engaging a child in a severe form of trafficking in persons or sex trafficking, as those terms are defined under section 103 of the Trafficking Victims Protection Act of 2000 (114 Stat. 1466, 22 U.S.C. § 7102).

## **Administrative Changes**

Administrative changes were made in the following areas:

- Training for Guardians Ad Litem;
- Referrals under Individual with Disabilities Education Act (IDEA) - Requires children under age three who are substantiated victims of child abuse/ neglect to receive developmental screening and referral for appropriate services. Pennsylvania chose to use Ages and Stages Questionnaires® (ASQ™) and Ages and Stages Questionnaires®: Social/ Emotional (ASQ:SE™) as the statewide screening tool; and
- Coordination and consultation within healthcare facilities - Required coordination between health care facilities and local children and youth agencies for situations involving the withholding of medically indicated treatment.

## **Pennsylvania Legislation Related to CRPs**

To support compliance with CAPTA in PA, House Bill 2670, Printer's Number 4849 was signed into law as Act 146 on Nov. 9, 2006 by then Governor Edward G. Rendell. Act 146 amended Pennsylvania's CPSL (Title 23 Pa.C.S., Chapter 63) to address the establishment, function, membership, meetings, and reports as they relate to Citizen Review Panels (CRP) in Pennsylvania. Act 146 required that the Department establish a minimum of three CRPs and that each panel examine the following:

1. Policies, procedures, and practices of state and local agencies and, where appropriate, specific cases to evaluate the extent to which state and local child protective system agencies are effectively discharging their child protection responsibilities under Section 106 (b) of the Child Abuse Prevention and Treatment Act (Public Law 93-247, 42 U.S.C. § 5106a (b)).
2. Other criteria the panel considers important to ensure the protection of children, include:
  - i. A review of the extent to which the state and local child protective services system is coordinated with the foster care and adoption programs established under part E of Title IV of the Social Security Act (49 Stat. 620, 42 U.S.C. § 670 et seq.); and
  - ii. A review of child fatalities and near fatalities.
3. Membership – The panel shall be composed of volunteer members who represent the community, including members who have expertise in the prevention and treatment of child abuse and neglect.
4. Meetings – Each Citizen Review Panel shall meet not less than once every three months.
5. Reports – The Department of Human Services shall issue an annual report summarizing the activities and recommendations of the panels and summarizing the Department's response to the recommendations.

## **Citizen Review Panel Recruitment**

In 2017, DHS began to plan for recruitment of a third regional panel. DHS, in partnership with the Child Welfare Resource Center, moved forward with creating an outreach plan to communicate with various groups and agencies across the state regarding CRP recruitment. CRP members also identified local outreach efforts they would complete and which would be supported by DHS. The timeframe for recruitment was set from January to March, 2018. Fifteen new members joined the regional panels in August of 2018 with six of those members making up a new panel in the Southwest region. New regional panel members then joined the existing regional panels for the All Panel Meeting in October to engage in strategic planning for 2019.

In August of 2018, DHS instituted a fourth, statewide, Citizen Review Panel: the Pennsylvania Statewide Youth Advisory Board (YAB). The YAB is a long established group comprised of youth, ages 16 to 21 from throughout the Commonwealth, that currently or previously lived in out of home care. Youth leaders on the YAB educate, advocate, and form partnerships to create positive change in the substitute care system. By incorporating the YAB, into the CRP structure in PA, DHS believes youth throughout the state will gain an influential platform to communicate their experiences, needs, and recommendations.

## **Citizen Review Panel Letters**

Dear Citizens,

We, the chairs of Pennsylvania's regional Citizen Review Panels (CRP), are pleased to submit the 2018 Annual Report. We submit this report on behalf of Pennsylvania's Citizen Review Panel members who have worked diligently over the past year to develop recommendations to improve policy, practice, and procedure in the State's child welfare system.

As in previous years, we were provided opportunities in 2018 to work directly with county child welfare agencies to hear the different perspectives that shape and inform the current child welfare system. We reviewed information collected at the county, state, and national level and we also met with individual counties to hear about how current challenges within the child welfare system affect their work on a local level. We have been given authority to view data, but we also recognize and value the need to consider the personal accounts that contribute to the larger picture.

Over the last year, members of the Northeast Citizen Review Panel continued to look at ways to support youth in care to attain developmentally appropriate freedoms, specifically in the areas of obtaining their drivers' licenses and auto insurance. In addition to providing the state with recommendations for this report, the panel also sent a letter to legislators urging them to enact legislation supporting these areas.

Members of the South Central Citizen Review Panel began by monitoring past state responses, and once satisfied with responses, switched their focus to exploring recommendations aimed at supporting a trauma-informed approach to working with children and families in Pennsylvania's child welfare system.

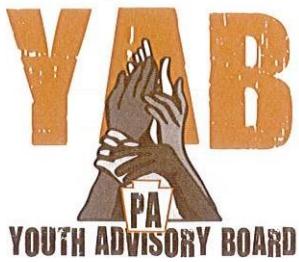
Separate from the work that was done to develop recommendations for positive change, we are excited to announce that our membership has grown significantly. In addition to adding membership to the panels for which we chair, a third regional panel was created in the Southwest region of the state. In total, fifteen new members joined Pennsylvania's regional Citizen Review Panels. Equally exciting, an announcement was made by the Department of Human Services that the Pennsylvania Statewide Youth Advisory Board was designated as a fourth panel in the state. While only formally being named a panel in August of this year, we are happy to note that they developed and submitted recommendations for this report.

Thank you, in advance, for taking the time to read our 2018 annual report and for your interest in our work. In 2019, as always, the Pennsylvania CRPs will continue advocating for all of Pennsylvania's children so that they can flourish in safe, nurturing, healthy, and permanent families.

Sincerely,

Jason Raines  
Northeast Chair

Phyllis J. Dew  
South Central Chair



A project of the University of Pittsburgh:  
PA Child Welfare Resource Center  
403 E. Winding Hill Road  
Mechanicsburg, PA 17055  
[www.independentlivingpa.org](http://www.independentlivingpa.org)  
[www.pacwrc.pitt.edu](http://www.pacwrc.pitt.edu)

The Pennsylvania Youth Advisory Board (YAB), is pleased to submit the 2018 Annual CRP Report. The mission of the YAB is to educate, advocate, and form partnerships to create positive change in the child welfare system. The YAB is funded by the PA Department of Human Services, Office of Children, Youth, and Families (OCYF) and is supported by the University of Pittsburgh, PA Child Welfare Resource Center (CWRC). The YAB is comprised of youth and alumni of the child welfare system ages 16 to 21. There are also local and six regional boards that funnel into the Statewide YAB. Regional YABs and the Statewide YAB meet every other month. The meeting schedule for the Statewide YAB is listed under the "Events" section of the Youth Advisory Board website <http://www.payab.pitt.edu/Statewide.htm>.

Over the past year, the YAB has focused much of our attention on the needs of youth who identify as LGBTQ (lesbian, gay, bisexual, transgender or questioning) involved in the foster care system. This includes the need to develop resources for youth who identify as LGBTQ, training around the specific needs they may have while in care and the need to educate staff and resource parents around these needs. Youth have embraced these efforts and take the ongoing support of the LGBTQ community very seriously. YAB continues to address LGBTQ issues through involvement in panel presentations, training, workshops at the Older Youth Summit, as well as many other local and regional initiatives. The Youth Advisory Board continues to focus on this area to raise awareness for those who identify as LGBTQ, and potential resource parents who may find it challenging to foster the youth of this community.

The YAB will continue to support and help youth at the statewide, regional and local levels in developing their skills to advocate and provide more speaking opportunities for its members. YAB work will also continue to focus on leadership development, advocacy, and professionalism.

The Youth Advisory Board is committed to supporting counties and systems partner in improving services and practice for older youth. Thank you, in advance, for taking the time to read our 2018 annual report and for your interest in our work.

Pennsylvania Statewide Youth Advisory Board

Tiana Lopez  
Tiana Lopez  
Dawn  
Amber Wright  
Dallas (Domail)  
Dawn  
Dawn

The Pennsylvania Youth Advisory Board (YAB) is made up of current and former substitute care youth. The purpose of the YAB is to educate, advocate, and bring about positive change in the substitute care system.

## **2018 Citizen Review Panel Annual Report: Executive Summary**

**The individual reports of Pennsylvania's Citizen Review Panels, which start on page 11, were written by panel members. Although three of the four panels are regionally located; the recommendations address statewide issues and therefore benefit Pennsylvania's DHS. For more information about the individual panels, please contact the Pennsylvania Child Welfare Resource Center at (717) 795-9048 or by email at pacrp@pitt.edu.**

The recommendations provided at the end of each panel's report are the result of research, discussions with stakeholders, and feedback from those in the field of child welfare. Information presented in the report along with recommendations are, therefore, well informed and relevant to the panels' work completed over the course of the year. In 2018, the panels continued to collaborate with DHS in the following ways:

- Participation by CRP members in two DHS sponsored All Panel Meetings and presentations. Topics discussed in these meetings included:
  - Updates on Pennsylvania's Child and Family Services Review process and Program Improvement Plan;
  - Updates on the status of the panels' previous recommendations;
  - Review of available data sources;
  - Trainings available for CCYAs including topics related to worker safety and mental health;
  - Data regarding PA youth in foster care and adopted in 2016 and 2017;
  - Updates on recruitment and the plan for onboarding new members; and
  - Review of the updated CRP Policy and Procedures Manual.
- Participation by CRP members in statewide and national events related to their focus areas and/or training opportunities to support them in fulfilling their roles as CRP members. Events that panel members attended included:
  - The 2018 National Citizen Review Panel Conference;
  - The Statewide Adoption and Permanency Network/Independent Living 2018 Statewide Meeting
  - The 2018 Permanency Conference;
  - The 2018 Interagency Conference; and
  - Pennsylvania's Quality Service Reviews.

The next sections contain individual reports written by the Northeast, South Central, Southwest and Statewide Youth Advisory Board CRPs. Because the Southwest Panel was recently established and did not have the opportunity to identify a focus area and engage in research and information gathering, the panel's report will be a description of their proposed focus area for 2019. While each report has a different focus area, they all have three primary components:

- Background information regarding the current topic area(s);
- Summary of the work done throughout the year related to the topic area; and
- Formal recommendations for DHS.

We hope that you find these reports informative and we encourage you to contact us if you have questions about the content of the report or if you have an interest in becoming a member. To learn

more about PA's CRPs, visit the website at [www.pacwrc.pitt.edu/CRP](http://www.pacwrc.pitt.edu/CRP). Additional information is available by calling the Pennsylvania Child Welfare Resource Center at (717) 795-9048 or by emailing the CAPTA Program Development Specialist at [pacrp@pitt.edu](mailto:pacrp@pitt.edu).

**2018 Citizen Review Panel Annual Report**  
**Northeast Citizen Review Panel Report and Recommendations**

**Introduction:**

The Northeast Citizen Review Panel (NE CRP) serves twelve Pennsylvania counties and currently has six members serving on the panel. Information on the current work of the panels and membership can be found at [www.pacwrc.pitt.edu/CRP](http://www.pacwrc.pitt.edu/CRP).



The mission of the PA CRPs is to facilitate citizen participation and provide opportunities for citizens to evaluate state and local child protection systems to ensure that these systems:

- Provide the best possible services,
- Prevent and protect children from abuse and neglect, and
- Meet the permanency needs of children.

The vision is that children will be safe; placed timely in stable, permanent living arrangements; have the opportunity for continuity of relationships; and have the opportunity to develop to their full potential.

The panel began to consider issues facing older youth in the child welfare system and to support change and implementation around this topic in 2016. We chose this topic after some members attended the 2015 National CRP Conference and heard several speakers, both youth and adults expound on the challenges of older youth within the child welfare system. The relevance and urgency of this topic was further confirmed at the 2016 National CRP Conference and through the panel's continued engagement and discussions with stakeholders and youth involved with the child welfare system.

## **Overview of the Focus Area:**

Older youth within the child welfare system have a unique set of challenges. They are faced with an overwhelming number of adult decisions to make and oftentimes are not able to rely on family to help guide them as they make important transitions. These youth are at an age in which they can begin working, driving, and completing various other independent tasks but find themselves without appropriate resources and freedoms to take those steps in gaining autonomy. As an answer to part of this issue, the Reasonable and Prudent Parent Standard was passed into federal and state law in 2015, allowing caregivers of children in care to decide what activities those children may participate in rather than requiring caseworker approval. This law focuses on normalcy for children and youth in care and promotes dignity and respect.

The panel delved further into this topic area with the purpose of addressing the unique needs of older youth in care. To assist in understanding and to provide context for our 2018 recommendations, the next several pages will lay out the definition of older youth and will outline the work we completed to finalize recommendations for 2017.

### Who qualifies as “older youth”?

Older youth are generally described as those individuals age 14 to 21 years who are or have been in out-of-home care and who are eligible for Independent Living (IL) services. For more information on IL services, please view the [2014 PA Youth Independent Living Services Guidelines Bulletin](#), a policy that guides statewide practice for older youth in out-of-home care. This bulletin provides information on a number of IL related topics including eligibility, permanency, placement services, setting types, and developmentally appropriate freedoms. Furthermore, the bulletin lays out the policy and procedures for IL services in Pennsylvania including the IL planning process, transition planning, and services provided through IL.

### What are the specific needs of older youth in care?

Older youth often face a myriad of decisions as they move towards “aging out” of care and becoming more independent. They may start thinking about living on their own and providing for themselves, graduating high school and starting a career or attending college, and finding the right medical insurance to meet their needs. While in care they may look to obtain a job to develop a greater sense of autonomy, they may need assistance with applying to colleges or technical schools and with paying for those applications, or they may want to open a savings or checking account. Along with growing older comes increased responsibility and pressure. These youth often do not have the financial and moral support of a biological family unit. Their opinions, desires, and goals may not be considered like those of their peers who are not in care. They require specific services such as IL to help identify their needs, whether it be budgeting, finding a job, getting a driver’s license, finding housing, applying to college, or a combination of any or all of these.

### Information gathered for 2017 recommendations

At the National CRP Conference in June 2016, the panel heard a presentation from Arizona state CRP members regarding how their system provided full scholarships to state colleges and universities as well as vocational training programs for youth in foster care. This sparked NE CRP members’ curiosity and motivated them to dig deeper into this matter. Through conversations with DHS, they discovered that [PA House Bill 453](#), introduced in 2015, was a proposed act providing for

financial assistance to foster youth and youth adopted from the PA foster care system to attend state postsecondary educational institutions via a tuition and fee waiver for undergraduate courses. Although this bill was introduced, it was not called by chamber leadership for First Reading and, therefore, the bill “died”.

During their 2017 Fall All Panel Meeting and subsequently as part of their 2017 Annual Report, the NE Panel requested data from DHS that would assist them in updating HB 453 related to postsecondary education funding for youth currently or previously in foster care. Specifically, the panel requested data from DHS on the following items:

- Number of youth in foster care in 2015 and 2016;
- Number of youth who age out of care each year (average);
- Percentage of individuals with a bachelor's degree who were unemployed in 2015 and 2016;
- The percentage of those individuals who were unemployed with a bachelor's degree in 2015 and 2016 who relied on any form of public assistance;
- Percentage of foster youth who graduate from high school;
- Percentage of children not in foster care who graduate high school;
- Percentage of high school graduates who enter college (not in foster care);
- Percentage of foster youth in PA who enter college;
- Number of youth between ages 16 to 21 who were discharged from the child welfare system and were adopted in 2015 and 2016; and
- The number of youth in the child welfare system currently who are still waiting to be adopted.

The data the panel received from DHS in response to this request was the number of youth served in foster care and the number of youth who aged out of foster care in FY 2016 and 2017, the number of youth age 16 to 21 discharged and free to adoption in 2016 and 2017, the percentage of youth adopted in 2016 and 2017, and the number of youth age 16 and older still waiting for adoption as of September 30<sup>th</sup> for 2016 and 2017.

Additionally, when meeting with caseworkers and supervisors in Northampton County to discuss older youth issues, panel members heard about the struggle of youth in care to attain developmentally appropriate freedoms, specifically in the areas of obtaining their driver's licenses and auto insurance. Although many youth receive their driver's license, there are several barriers to actually being able to drive, including acquiring 60 hours of driving with a licensed driver, not being added to their caretakers' auto insurance, and not having enough money to purchase their own insurance. Ironically, as is the case for many youth, in order to pay for a car and/or auto insurance, they would need to secure a job, which often requires them to drive. When considering this topic, the panel reviewed a pilot program in Florida that helped children in licensed foster care to overcome barriers to getting a driver's license by providing reimbursement for education, licensure, and insurance. The bill that implemented this pilot program also required the court to address the attainment of a driver's license as part of a child's transition plan.

In 2017, after viewing the PA National Youth in Transition Database (NYTD) data, which is a survey designed to measure how well states are helping foster youth prepare for adulthood, panel members learned that many older youth who participated in the follow-up surveys at ages 19 and 21 were not using a grant, stipend, student loan, voucher, or other type of educational financial aid to cover educational expenses (79.6% and 83.3%, respectively). Additionally, many of these older youth were not attending college. Almost 36% of the 19-year-olds who completed the follow-up survey had not

received any type of degree, while around 61% achieved their high school diploma or GED. Around 70% of 21-year-olds who completed the follow-up survey had received a high school diploma or GED.

The panel saw that for older youth previously or currently in the child welfare system, furthering their education beyond high school was not the norm. We had conversations regarding the barriers for older youth attending college and realized that financial aid is not always readily available to or understood by older youth. According to PA NYTD data, when asked what barriers were preventing them from continuing their education, nearly 18% of the 21-year-olds surveyed identified paying for school, nearly 14% identified work, and about 20% indicated “other.”

### **Highlights and key activities in 2018:**

Based on the research and information gathering the panel engaged in throughout 2017, the focus area was narrowed to two distinct tasks in 2018:

1. Pursue the introduction of legislation with updated information for provision of college tuition for youth aging out of foster care; and
2. Pursue drafting of legislation to provide financial assistance for youth to obtain driver licenses and to limit liability for foster parents and county child welfare agencies.

Using the information gathered in 2016-17, the panel drafted a letter to PA legislators regarding tuition credits and the attainment of driver’s licenses for older youth in care. The letter mentioned House Bill No. 1745-2017 which was introduced by each of the legislators that the letter was sent to and which provides funding for educational opportunities for older youth in foster care. Because the bill was ultimately not enacted, panel members requested that legislators move this legislation through both Chambers in 2019. Additionally, the letter addressed the issue of youth obtaining a driver’s license by requesting that PA launch a pilot program to provide funds that allow for older youth in care to pursue this endeavor. The panel also asked the other panels to review this letter and for each panel chair to include their signatures as legislators to whom it was sent covered all CRP regions. This letter is attached as Appendix A. A document accompanying the letter is attached as Appendix B.

In addition to the panel’s work around older youth, members also participated in several activities to contribute to the improvement of the care and treatment of children in the child welfare system and to reinforce the CRPs. These activities included:

- Meeting with DHS to review the status of past recommendations;
- Attending the 2018 National CRP conference on Mackinac Island, Michigan;
- Engaging in recruitment of new CRP members by reaching out to local organizations and contacts resulting in the addition of five new members; and
- Attending local and regional Youth Advisory Board (YAB) Meetings.

### **Northeast Citizen Review Panel Recommendations for 2018**

#### Recommendation 1

The NE CRP recommends that DHS authorize funding for regional resource workers within county Independent Living programs across the state. The function of these roles will be to assist older youth with completing and submitting applications for post-secondary education including college and

trade/technical schools by providing support and guidance to IL workers assisting older youth in these tasks. Another goal of this position would be to assist older youth in applying for financial aid.

### OCYF Response to Recommendation 1

PA is committed to providing youth transitioning from placement to self-sufficiency with the skills and resources necessary to be independent and productive members of society. The primary purposes of the Independent Living (IL) program include increasing employability, high school graduation rates, enrollment in post-secondary or vocational institutions, permanent connections to caring adults, and successful transition to adulthood. PA's IL Program is operated statewide and all CCYAs are required by regulation to provide IL services to youth in their custody. This state-supervised, county-administered program prepares youth in foster care, ages 14-21, for their transition from foster care to independence. OCYF agrees that older youth may require assistance with the process of completing and submitting post-secondary entrance applications and financial aid/grant applications. As outlined in the OCYF Bulletin #3130-14-01, Youth Independent Living Services Guidelines, CCYAs are required to identify youth who are likely to remain in foster care until age 18 and to help them prepare for and enter post-secondary training and education institutions.

OCYF supports this effort through each CCYA's IL Program. Each CCYA has the option of providing IL services through the use of their staff, contracting with a private provider, or through a combination of both. Although CCYAs cannot pay for youth to attend post-secondary education or training, they should assist youth with completing the necessary financial aid forms needed to get scholarship and grant monies. CCYAs can also provide youth with stipends to cover the application fees. In order to support staff efforts in providing this assistance, CCYAs have the opportunity on an annual basis through the Needs Based Plan and Budget Process (NBPB) to request additional funding, including additional staff, to meet the needs identified to support their IL program. Therefore, if a CCYA identifies a need for a staff person to assist youth in completing the applications for post-secondary education because the county's population in this area is expanding, they can make this request in the NBPB.

In addition to the NBPB process, PA's IL program is supported through the Child Welfare Resource Center's IL Project. CWRC employs Practice Improvement Specialists (PI) who conduct IL site visits with CCYAs, OCYF regional offices, and other stakeholders to identify strengths and challenges in county practice. CWRC supports research and evaluation activities related to IL services to improve outcomes for older youth in PA's child welfare system. CWRC PIs and IL staff provide the necessary technical assistance, support, and resources identified by CCYAs, including assistance with resources on the process to complete and submit post-secondary applications and financial aid assistance.

The Pennsylvania Higher Education Assistance Agency (PHEAA) is another resource that provides financial aid assistance to county caseworkers for youth desiring to attend a college or trade school. OCYF and CWRC partner with PHEAA on an annual basis to provide training and resources to CCYAs. PHEAA has 13 Regional Managers that are assigned specific counties throughout the state. Regional Managers not only provide educational material and assistance during local high school's college fairs but hold 40 counselor workshops annually. These workshops are open to community partners and are free to attend. Additionally, Regional Managers are available to answer questions on

an individual basis if an IL Coordinator/Worker would require assistance with the financial aid process for a youth they support.

PHEAA not only provides education information but they manage Pennsylvania's Chafee Education and Training Grant (ETG) which provides funding for eligible foster care youth who attend a college or accredited trade school. The ETG Program is to provide financial assistance for postsecondary training and education to youth who have aged out of foster care or who have left foster care after age 16 through guardianship or adoption.

Youth attending the annual Older Youth Retreat held in August have an opportunity to attend the College Fair. Those that attend are provided financial aid material and have an opportunity to speak with a financial aid representative on site from the University of Pittsburgh. PHEAA has also provided training and support at child welfare statewide meetings and conferences.

In support of this recommendation, OCYF will continue to work with IL Coordinators and system partners (PHEAA and CWRC), to make existing resources and trainings more accessible to youth. OCYF will continue to encourage training be offered at youth attended events, including the annual Older Youth Retreat, and conferences and meetings attended by IL Coordinators. OCYF and PHEAA will continue to administer the education and training grant (ETG) to youth planning to attend post-secondary education and training programs. Efforts will continue to connect staff working with older youth to PHEAA resources such as [www.educationplanner.org](http://www.educationplanner.org) and other information at [www.pheaa.org](http://www.pheaa.org). CCYA staff will be encouraged to contact PHEAA regional offices to access tutoring programs and career planning as well as post-secondary financial aid assistance.

### Recommendation 2

The panel understands that counties have the ability to apply for additional funds to support the work of assisting older youth with postsecondary applications and financial aid via their Needs Based Budget. The panel requests that DHS inform counties of this opportunity.

### OCYF Response to Recommendation 2

OCYF provides in-person training for CCYA representatives and OCYF Regional staff in each region on completing OCYF's NBPB application. During these trainings, attendees are provided with instructions on requesting not only additional needed staff but other resources needed in the county. For those who cannot attend the in-person trainings, the NBPB Bulletin is updated annually and issued to all CCYA Administrators, CCYA fiscal staff and OCYF regional staff. The bulletin provides detailed instructions for submission. OCYF is considering inclusion of specific directions for requesting funds to support the post-secondary school application process in the new NBPB Bulletin. Moreover, OCYF has an e-mail resource account for CCYAs to submit ongoing questions and obtain additional clarification.

### Recommendation 3

The NE CRP recommends that DHS include initiating the process to obtain a driver's license at least six months prior to transitioning out of care to youths' transition plans, when appropriate.

### OCYF Response to Recommendation 3

OCYF concurs that for many teenagers and young adults, including those in out-of-home care, obtaining a driver's license is an important milestone and step towards independence. In many communities, public transportation is limited, if available, and driving is an essential component to obtaining goals of employment, education, and success.

According to the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections), transition planning should be a youth-driven process that serves the youth's best interest and results in a Transition Plan that is personalized, including "specific options for housing, health insurance, education, local opportunities for mentors and continuing support services, work force supports, and employment services" (P.L. 110-351, Section 475 (5) (H)). Although Fostering Connections does not specifically name driving privileges in reference to transition planning, the PA Activities and Experiences for Children in Out-of-Home Placements Act (Act 75 of 2015) states that a child in out of home placement "is allowed and afforded an opportunity to engage in, to the greatest extent possible, age- appropriate or developmentally appropriate activities and experiences." Furthermore, the PA OCYF Bulletin 3130-14-01 titled Youth Independent Living Service Guidelines directs CCYAs and their partners to examine existing policies as well as perceptions and beliefs to remove barriers in order to facilitate healthy and safe transitions to successful adulthood.

The bulletin directs agencies to encourage rules, roles, and responsibilities that are determined to be developmentally appropriate for a youth and typical for an age or age group which allow for the greatest amount of freedom possible. This is to provide learning opportunities to prepare youth for self-sufficiency. This should include discussion and planning about age and developmentally appropriate transportation that meets the needs of youth.

Fostering Connections outlines that a child-directed transition plan must be developed during the 90 day period prior to when a youth is expected to discharge from out-of-home care. OCYF agrees that youth will benefit from having a longer time frame for transition planning. The PA Chapter 3130 regulations for the administration of CCYAs are currently in the process of being updated. In the new regulations, which will be known as Chapter 3131 Operation and Administration of a County Children and Youth Service Program, DHS is considering requiring the development of a youth's transition plan well before the 90 days prior to a youth's discharge, to allow sufficient time for the youth, the youth's advocates, and CCYA staff to work together on the youth-directed transition plan, to better assure that youth transition successfully and experience positive outcomes. Child welfare professionals work with youth on transition planning by partnering with the youth to assess their strengths and needs, addressing any current or future challenges, and helping the youth to break down the youth's life objectives into smaller, short-term and actionable goals. The Chapter 3131 regulations will also necessitate that important documents including a driver's license or PA identification card are provided to youth upon exit from care.

### **Northeast Panel Proposed Focus Area/Activities for 2019**

In 2019, the NE CRP plans to continue to advocate for older youth within the child welfare system. A secondary focus will be on the training and approval process for foster and resource parents. Additionally, as a panel, we will continue to monitor our past recommendations

## **Northeast Citizen Review Panel Current Members**

Jason Raines - Lehigh  
Steven R. Guccini - Pike  
Mary Lou Scarf - Lehigh  
Lorrie Whitfield - Monroe  
Susan Lucrezi - Northampton  
Kathleen Donson - Pike  
Pamela Wallace - Northampton  
Marilyn Johnson - Monroe  
John Aciukewicz - Luzerne  
Megan Boettcher - Lackawanna  
Laura Giannetti – Northampton

Biographies for each member can be found on the CRP website at the following link:  
<http://www.pacwrc.pitt.edu/CRP/NorthEast.htm>. Information regarding the panel's current focus area and meetings can also be found by following the same link.

## **2018 Citizen Review Panel Annual Report**

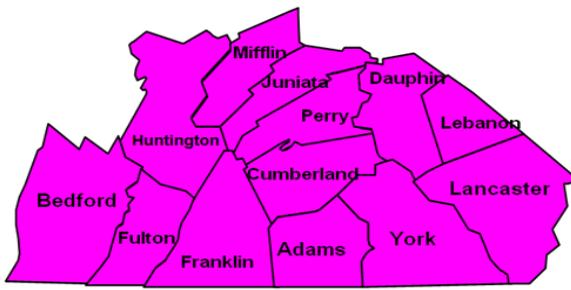
### **South Central Citizen Review Panel Report and Recommendations**

#### **Introduction:**

The mission of the PA CRPs is to facilitate citizen participation and provide opportunities for citizens to evaluate state and local child protection systems to ensure that these systems:

- Provide the best possible services;
- Prevent and protect children from abuse and neglect; and
- Meet the permanency needs of children.

The South Central Citizen Review Panel (SC CRP) serves 13 of Pennsylvania's 67 counties.



In the past, membership on the panel has fluctuated, although in 2018 membership remained rather consistent. The SC CRP is dedicated to ensuring that the needs of PA's children are being met within the current system. If you are interested in joining our effort, contact the Pennsylvania Child Welfare Resource Center CAPTA Coordinator at [PACRP@pitt.edu](mailto:PACRP@pitt.edu).

#### **Overview of the Focus Area:**

In their 2017 Fall All Panel Meeting the SC CRP unanimously decided that they would review their past recommendations and state's responses to determine if there was a need to revisit any previous work. As the panel began its work in 2018, members identified an additional focus area and decided to pursue the topic of trauma assessments used in casework practice. Panel members felt that due to the overwhelming presence of trauma experienced by children served in the child welfare system in Pennsylvania that it would be beneficial for counties to have a standardized assessment for caseworkers to use when working with children and families. The panel moved forward with gathering information on what assessments of this type are already utilized within counties in Pennsylvania and what more could be implemented.

#### **Summary of Work Completed:**

Prior to their first meeting of 2018, the panel reviewed their previous recommendations from 2010 to 2016 and identified recommendations for which they were unaware of any progress being made. These recommendations were then submitted to DHS for updates on each identified recommendation

to be given to the panel. The following previous recommendations were pulled by the panel for DHS response:

- 2010 recommendation regarding the creation of an ombudsperson position in Pennsylvania (refer to page 113 of the [2011 Annual Child Abuse Report](#));
- 2010 Recommendation regarding the examination of current practices surrounding caregiver access to a child's health and education records when a child enters the child welfare system in Pennsylvania (refer to page 118 of the [2011 Annual Child Abuse Report](#));
- 2012 Recommendation regarding the retention and recruitment of qualified children and youth caseworkers (refer to page 85 of the [2012 Annual Child Abuse Report](#)); and
- The panel also had a general question regarding the type of tracking and monitoring that is done at the state level for past CRP recommendations.

Responses to these inquiries were provided in writing and are attached as Appendix B. These responses were also discussed with panel members at their Spring All Panel Meeting. Following this discussion, the panel members felt it was unnecessary to pursue any of these recommendations further and were satisfied with receiving updates from DHS on previous recommendations at their All Panel Meetings.

Several months later, upon publication of the 2017 Annual Report, the panel also dedicated time to reviewing the states responses from that report. As a result, one of the recommendations provided in 2018 is related to that review. The full recommendation and response can be found beginning on page 18 using the following link: [Pennsylvania Citizen Review Panels' 2017 Annual Report](#). A summary is also provided below.

The one recommendation in which the panel would like additional action relates to DHS developing strategies to enhance caseworkers understanding of drug, alcohol, and mental health issues. In 2017, the panel made this recommendation and also requested that this information be readily available within county agencies related to various mental health and drug and alcohol issues that caseworkers can reference prior to home visits. In reviewing the state's response, the panel appreciated the number of resources cited in the state's response. The content of many of trainings and on-line resources listed were reviewed and the members felt that the information was both comprehensive and informative. However, what was also noted was the lack of "strategies" identified to ensure that caseworkers have this information readily available. The panel understands that it is not always possible to have every caseworker, especially those who are new, know all of the reliable resources and how to access them and would like the DHS to take a more active role in disseminating this information to county agencies.

Also, in the 2017 report, while not a formal recommendation, the panel noted their support for reducing caseload sizes and were pleased to hear from DHS that they are in the process of updating regulations that will reduce caseload to worker ratios. While engaging in conversations with DHS, the panel was pleased to hear that updated regulations would address this issue.

After the review and monitoring of past recommendations was complete, the panel dedicated the remaining meetings to the topic of trauma assessments for casework practice. They obtained information on the various assessments and resources available to counties regarding trauma and its impact. After considering a large list of resources, the panel selected three assessments to look at more closely. They included:

- Ages and Stages Questionnaire® (ASQ™);

- Child and Adolescent Needs and Strengths (CANS); and
- Adverse Childhood Experiences (ACEs).

After reviewing information on all three resources, panel members further narrowed down their focus and made arrangements to learn more about ACEs. This included traveling to Dauphin County to learn more about the Systems of Care use of ACEs so that they could better understand how it relates to children within the child welfare system in Pennsylvania. Panel members also had the opportunity to hear from and talk to Dr. Caren Rosser-Morris, PhD, a licensed psychologist who works for the Office of Mental Health and Substance Abuse Services (OMHSAS) and is a consulting psychologist at the Children's Bureau. Dr. Rosser-Morris who serves as a content expert for trauma and trauma-informed care, provided supporting information regarding how ACEs is used and how it can benefit children and families in the child welfare system.

When the panel first approached the topic of trauma and trauma assessments, the intent was to focus on the use of assessments with children and families within the child welfare system. However, as the discussions evolved, the panel shifted focus a bit to looking more at the caseworkers' understanding of impact of trauma on the children and families they are serving; thus allowing caseworkers to better understand family dynamics, cultural differences, behavior problems, and ultimately help families understand how trauma has impacted their lives.

#### Key activities in 2018

- Panel members discussed the progress of previous recommendations with DHS during their Spring All Panel Meeting;
- The panel met with Dauphin County's System of Care to watch a film about trauma and to hear presentations on specific trauma experiences while also learning more about the ACEs questionnaire; and
- Members participated in the Spring and Fall All Panel Meetings and engaged in strategic planning for their focus areas with DHS.

### **South Central Citizen Review Panel Recommendations for 2018**

#### Recommendation 1

The SC CRP recommends that strategies be developed and implemented to enhance caseworkers' understanding of drug and alcohol issues and mental health issues. The panel is also recommending that the state share updated resources to caseworkers and agencies from Pennsylvania's system partners.

#### OCYF Response to Recommendation 1

DHS understands the desire for caseworkers to easily access facts and guidance related to behavioral health. OCYF sees value in caseworkers having access to updated information about these subjects and encourages CCYAs to connect with local partners, such as Single County Authorities (SCA) and county Mental Health and Developmental Services (MH/DS) program offices. SCAs, for which the PA Department of Drug and Alcohol Programs have oversight, are located within county jurisdictions. The SCAs can serve as a resource for information sharing about drug and

alcohol use and co-occurring disorders while MH/DS county offices can provide content on mental health issues and treatments. Information accessed locally may be more closely tailored to the needs of the county's residents and can supplement general knowledge. Furthermore, building or reinforcing avenues for interagency information sharing may foster a more unified county support system, better equipped to meet the needs of our youth and families.

OCYF also suggests that CCYAs create dissemination strategies for information to more easily reach child welfare professionals. Currently information about training, including updated training on mental health and substance use issues, is accessible to each county caseworker via their county training liaison. Each of the 67 counties has a designated training liaison whose duties are to provide information to caseworkers on available learning resources and professional development opportunities and to arrange for training to occur.

Short informative content is helpful for reinforcing concepts or updating prior knowledge but should not stand alone. OCYF endorses the attainment of a thorough knowledge base, gained through sequenced training and bolstered by supported practice in the classroom and in the field.

Opportunities for caseworker training on subjects of mental health and substance use abound. This recommendation expands upon a 2017 SC CRP recommendation that DHS develop strategies to enhance caseworkers' understanding of drug and alcohol and mental health issues. A reply to that recommendation which focuses on available trainings can be found at

[http://www.keepkidssafe.pa.gov/cs/groups/webcontent/documents/document/c\\_277415.pdf](http://www.keepkidssafe.pa.gov/cs/groups/webcontent/documents/document/c_277415.pdf) beginning on page 22.

In addition to the CWRC courses listed in last year's response, a new offering, 206 Engaging Families Experiencing Opioid Use, Addiction, and Recovery, has been added. Furthermore, an updated new caseworker training called Foundations is set to launch in July of 2019. The Foundations series combines online courses with traditional classroom instruction, simulation type settings, and targeted fieldwork activities. The scenarios included in case simulations contain mental health and substance abuse concerns to better prepare workers for these issues in the field. More information on the Foundations curriculum is available here: <http://www.pacwrc.pitt.edu/Foundations.htm>.

## Recommendation 2

In regards to recruitment and retention of caseworkers, the panel recommends that caseload numbers decrease. The panel recognizes that the state is in the process of updating regulations to address this issue, but the panel would like the state to use data when determining the appropriate caseload size. There should be a method to implement and monitor caseload sizes to ensure that new caseworkers are supported and that agencies are compliant.

## Response to Recommendation 2

OCYF shares SC CRPs opinion about caseload sizes. The current PA regulation at Title 55 Pa. Code §3130.32, which governs CYA staffing requirements, allows for a caseworker-to-client family ratio of no greater than 1 to 30. OCYF is strongly considering lowering the case to worker ratio utilizing a model that accounts for case workload demands. At this time the Chapter 3130 Child Welfare

Pennsylvania's child welfare system is state-supervised and county-administered. According to Title 55 Pa. Code §3130.12 (b) (4), the department is responsible for monitoring the county agencies to ensure compliance with minimum standards including caseload size. Title 55 Pa. Code § 3130.31 (1) (ii) and §3130.32 (3) (b) outline that CCYAs are responsible for administering their own services, including case management functions. There is no universally accepted method for calculating or monitoring caseload size. OCYF has not imposed a statewide practice for counties to follow, therefore, county agencies determine their own methodology for calculating caseload size.

Currently, worker-to-client family ratios are monitored yearly utilizing Needs Based Plan Budget (NBPB) reporting. NBPB reporting is a process counties use to request funding, including funding for staffing. The NBPB accounts for all caseworkers and utilizes the worker- to-client family comparison to justify need for personnel. Caseload size is also examined during yearly site licensing reviews that are performed by regional office staff in each county agency.

The Pennsylvania Children and Youth Administrators (PCYA) has recently partnered with the Penn State Child Maltreatment Solutions Network in a caseworker time use study to make recommendations on appropriate caseload size. The study reviewed PA child welfare case data and time use surveys completed by county caseworkers in order to estimate time spent per case per month by stage of case. The time estimates were used to recommend reasonable caseload sizes. Recommendations include a ratio of 12 to 15 cases per month per worker for intake workers. The study also recommends caseload ratios of 11 to 13 per worker for in-home workers and 10 to 12 per worker for placement workers. These recommendations generally align with The Child Welfare League of America's (CWLA) best practice standards for caseload size. The study also suggests that new cases be evenly distributed among workers, while accounting for risk levels to best balance time demands.

OCYF is in the process of updating regulations, and the new regulations will be known as Chapter 3131 Operation and Administration of a County Children and Youth Social Service Program. The 3131 regulations will outline many program requirements, including staffing and case management to address maximum caseload size per worker and caseworker to supervisor ratios so that caseworkers and supervisors are better supported.

OCYF will continue to monitor in order to assure CCYA adherence. DHS advises county agencies to implement strategies to most effectively assess worker to caseload ratio to support its caseworkers and remain in regulatory compliance. OCYF regional offices will provide technical assistance as needed.

### Recommendation 3

The panel recommends that DHS develops trauma-informed practice interventions as part of new caseworker orientation/training and considers use of ACEs and resiliency questionnaires as a formal part of statewide training requirements.

### OCYF Response to Recommendation 3

OCYF agrees that training about trauma and its impact on children, youth, and families is essential to ensuring positive outcomes for individuals we serve. Furthermore, OCYF agrees that education on traumatic stress and its impact on caseworkers is essential for ensuring the health and well-being of our workforce. Currently Title 55 Pa. Code §3490.312 regulates responsibilities related to caseworker training. It requires new caseworkers to attend a minimum of 120 hours of CORE training. CORE training is provided by CWRC, utilizing the Charting the Course Towards Permanency for Children in Pennsylvania (CTC) series. A description of CTC and its curriculum can be found at <http://www.pacwrc.pitt.edu/Curriculum/CTC.html>.

Topics related to trauma, Trauma Informed Care (TIC), and Trauma Informed assessment tools such as the ACEs questionnaire, are addressed in several modules of the CTC training series. In Module 2: Identifying Child Abuse and Neglect, participants are asked to define primary and secondary traumatic stress, identify symptoms of traumatic stress, and cite at least one strategy for managing traumatic stress and promoting resilience. Traumatic stress is revisited at the conclusion of the series in Module 10: Making Permanent Connections for Professional Development, with identifying how trauma-informed care can be used in caseworker self-care. Throughout Module 8: Assessing Safety in Out-of-Home Care, content on the impact of trauma and maltreatment on child/adolescent development, incidence of children experiencing trauma, incidence of children experiencing trauma in out-of-home placement, and children's behavioral reactions to trauma, maltreatment, and placement are all covered. Information regarding the Center for Disease Control (CDC) study on ACEs is also provided. During Module 9: Out-of-Home Placement and Permanency Planning, content on minimizing the trauma of placement and supporting caregivers throughout the placement process is also delivered.

CWRC is developing a new CORE training called Foundations. Foundations' content is similar to the caseworker preparation of Charting the Course, however, Foundations pays additional attention to topics such as worker retention, self-care, and on transferring knowledge to practice. With such a focus it is appropriate that Foundations modules are embedded with instruction on and practice around the subjects of traumatic stress, Trauma Informed Care, ACEs, and resiliency. More information about the Foundations training series can be found at <http://www.pacwrc.pitt.edu/Foundations.htm>.

Foundations Module 6: Permanency and Concurrent Planning introduces ACEs and includes the objective “[r]ecognize the impact of trauma, grief, and loss on children and families when separation occurs.” The introductory Child Development Module expands upon ACEs study findings and provides a link to the ACEs questionnaire. The module also presents factors which can affect a child’s resilience and their response to child abuse and neglect.

An online Foundations module on the incidence and impact of traumatic stress on the child welfare professional is in development and will be launched with the Foundations curriculum by July of 2019. This module will include an examination of the impact child welfare practice has on the personal and professional well-being of the child welfare employee and will emphasize the importance of self-awareness. Participants will assess their personal and professional well-being needs, develop

individualized strategies to maximize their well-being, and practice those strategies. Through each Foundations in-person application, new caseworkers will have opportunities to reflect on their reactions to challenging simulation activities, work in teams to resolve complicated case scenarios, and apply self-help/care strategies identified in the online module.

In addition to mandating CORE training for new caseworkers, Title 55 PA Code §3490.312 also requires caseworkers to attend at least 20 hours of training annually. This provides opportunity for caseworkers that have completed 120 CORE hours to choose training based upon their professional needs and interests as part of an individualized training plan set at the county agency. The 20 hours of instruction can be obtained through a variety of sources such as courses offered at an accredited school of social work, through training programs provided by the agency, or obtained through another provider. Although DHS recognizes the importance of caseworker education regarding trauma and trauma informed care topics, ultimately DHS cannot require that a certain course of training be followed once CORE training has been completed. It is up to the county agency to determine the caseworker's ongoing educational needs and to ensure those needs are met.

There are many opportunities for continued professional development around the topics of traumatic stress, trauma informed care, ACEs, and resiliency. Below is a list of face-to-face offerings currently available to agency child welfare professionals through CWRC that feature this subject matter:

- 313 Managing Impact of Traumatic Stress on the Child Welfare Professional
- 533 Building a Trauma Informed Culture in Child Welfare;
- 700 Managing the Impact of Stress and Traumatic Stress on the Child Welfare Leader;
- 701 Introduction to the Trauma-Informed Approach; and
- 915 Taking Care of Yourself: Managing Your Exposure to Traumatic Stress.

Trauma topics are also highlighted in:

206 Engaging Families Experiencing Opioid Use, Addiction, and Recovery

In addition, an online calendar of workshops is offered by the CWRC bi-annually and is accessible by contacting county training liaisons who can register caseworkers for workshops directly through the CWRC. Specific information related to each workshop is listed in the calendar including date, location, and trainer information. Workshops can also be scheduled at the request of the county, which would be in addition to those listed on the training calendar.

The workshops in the calendar are sponsored by the School of Social Work of the University of Pittsburgh. The University of Pittsburgh, School of Social Work is Council on Social Work Education accredited and a Pennsylvania pre-approved provider of social work continuing education. Many of the workshops in the calendar meet the applicable educational and professional standards to Continuing Education hours for licensed social workers.

A variety of online courses are also available through the CWRC E-Learn website page at [www.e-learn.pitt.edu](http://www.e-learn.pitt.edu). These online trainings can be accessed at any time by the CCYA employee. The following courses that discuss trauma informed care and/or traumatic stress are available on the e-learn website:

- 9000 Child Advocacy Studies I Module 13: Secondary Traumatic Stress;
- 9000 Child Advocacy Studies II Modules 1-15; and

- Child Victims of Human Trafficking Module 1: State and Federal Laws and Victimology/Trauma Informed Care.

According to Title 55 Pa. Code §3490.312 the content of CORE caseworker training shall be subject to periodic review to maintain continued relevancy. OCYF is aware that trauma-informed care/practice is an important issue and is pleased with further additions to CORE training through Foundations curriculum. DHS may consider incorporating additional instruction on the subject at a later date upon feedback from the implementation of Foundations and more research on the use of assessment tools in the field.

### **Proposed Focus Area/Activities for 2019:**

In 2019, the SC CRP will continue the work started in 2018 as it relates to supporting development and implementation of a trauma-informed approach to working with children and families in Pennsylvania's child welfare system. Additional focus areas will also be discussed and decided upon with input from the new members who join the panel.

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### **South Central Citizen Review Panel Members**

Phyllis Dew – Dauphin  
Martha Martin – Adams  
Caroline Tyrrell – York  
Clare Flynn – Mifflin  
Joy Fleming – Dauphin  
Melissa Resek – Dauphin  
Kurt Miller – Lancaster  
Robin Nickel – Cumberland  
D'Arcy Crocker – Lancaster  
Teri Darden – Dauphin

Biographies for each member can be found on the CRP website at the following link:  
<http://www.pacwrc.pitt.edu/CRP/SouthCentral.htm>. Information regarding the panel's current focus area and meetings can also be found by following the same link.

**Southwest Citizen Review Panel Report**  
**2018 Citizen Review Panel Annual Report**

**Introduction:**

The mission of the PA CRPs is to facilitate citizen participation and provide opportunities for citizens to evaluate state and local child protection systems to ensure that these systems:

- Provide the best possible services;
- Prevent and protect children from abuse and neglect; and
- Meet the permanency needs of children.

The Southwest Citizen Review Panel (SW CRP) serves 16 of Pennsylvania's 67 counties. Members represent five of those sixteen counties.



The SW CRP is the newest addition to Pennsylvania's regional CRPs. During the 2018 recruitment period, the current members of the SW CRP responded with interest and eventually joined the CRPs. All new members officially joined in August after a new member orientation. We were able to engage in important discussions with DHS and participate in strategic planning efforts for the year ahead.

During the Fall All Panel Meeting, panel members discussed their individual interests in terms of a focus area. Topics identified included: truancy, the judicial system, and supervision for children and youth caseworkers that increases competency and skill transfer. After presenting their ideas to the other panels and learning about the need in the state for research and recommendations around truancy, SW panel members selected this topic for 2019. Members worked to solidify next steps which included scheduling a conference call for all members to discuss the focus area and to identify relevant activities in which to engage in the upcoming year, as well as considering resources and information needed. The panel also had the opportunity to present their proposed focus area to DHS and to receive helpful feedback.

## **Proposed Focus Area/Work to be Completed in 2019:**

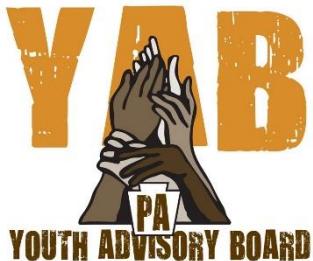
In 2019, the SW CRP will focus on truancy as it relates to children and youth in the child welfare system in Pennsylvania. The panel will consider effective interventions, prevention, and plans to assess the cause of truancy among this population in the state.

### **Southwest Citizen Review Panel Members**

Bob Brinker – Westmoreland  
Jennifer Kalie – Westmoreland  
Paula Eppley-Newman – Somerset  
Kimberly Patterson – Allegheny  
Jo Ann Jankoski – Fayette  
Suella Himes – Jefferson

Biographies for each member can be found on the CRP website at the following link:  
<http://www.pacwrc.pitt.edu/CRP/SouthWest.htm>. Information regarding the panel's current focus area and meetings can also be found by following the same link.

**Statewide Youth Advisory Board Report and Recommendations**  
**2018 Citizen Review Panel Annual Report**



**Introduction:**

The mission of the Pennsylvania Youth Advisory Board (YAB) is to educate, advocate, and form partnerships to create positive change in the child welfare system. The YAB is funded by the PA Department of Human Services, Office of Children, Youth, and Families (OCYF) and is supported by the University of Pittsburgh, PA Child Welfare Resource Center (CWRC). The YAB is comprised of youth and alumni of the child welfare system ages 16 to 21. There are also local and six regional boards that funnel into the Statewide YAB. Regional YABs and the Statewide YAB meet every other month. The meeting schedule for the Statewide YAB is listed under the "Events" section of the Youth Advisory Board website <http://www.payab.pitt.edu/Statewide.htm>.

YAB members, given their experience with the child welfare system, specifically foster care, are viewed as experts in this area. All YAB meetings are youth-developed and led, with the support of CWRC staff as well as county and provider staff. Staff members are appointed to each Regional YAB to help support youth as they find their voices; and to teach them about meeting facilitation, action planning, and other necessary skills. Youth and alumni involved with the YAB create positive change in the child welfare system by:

- Training caseworkers, administrators, foster parents, supervisors, judges, and guardians ad litem on issues of importance to older youth and alumni;
- Developing recommendations related to policies and procedures affecting youth in care;
- Organizing community service events;
- Participating in peer-to-peer mentoring for other youth in the child welfare system;
- Presenting individually or in panel presentations to share their experiences with other youth, stakeholders working with older youth, and professionals at child welfare agencies. Examples of these panels include:
  - A YAB Core member who is close to “aging out” of foster care was recently asked to present on a panel facilitated by the Housing Alliance of PA. This panel focused on older foster youth, ages 18-21, transitioning from the child welfare system and the challenges they face while gaining and maintaining their independence. There is a system and process in place to support youth transitioning out of foster care, but a lack of safe and affordable housing results in many older youth becoming homeless / “couch-surfing”. This youth was able to share her transition process and speak specifically to the needs of this vulnerable population; and
  - In November, another YAB Core member participated in a panel at the Central Regional Technical Assistance Collaborative meeting focused on LGBTQ issues. Youth were

asked to identify both strengths and concerns they identify in the caseworkers they have encountered as it relates to working with LGBTQ youth in foster care. Youth were also asked how the State can better support older youth, what the ideal role of a caseworker would be, and what considerations need to be made when working with youth who identify as LGBTQ.

- Engaging in leadership and professional development opportunities; and
- Consulting with child welfare agencies and professionals on how to improve their policies and procedures related to older youth in care.

### **Overview of the Focus Area and Key Activities:**

The January 2018 YAB Statewide meeting focused on informing youth about their rights in foster care and ways they can advocate for themselves as they navigate the child welfare system. Youth were also able to have an open dialogue with OCYF regarding the bulletin being developed about best practices related to Lesbian, Gay, Bisexual, Transgender, and Questioning (LGBTQ) issues. Two representatives from OCYF were in attendance to field questions from the youth. Representatives from Statewide Adoption and Permanency Network (SWAN) also used this meeting to gather feedback from youth in regard to a Post Adoption Contract Agreement (PACA) flier they were developing. The objective of having the youth review the flier was to gather feedback to make it more "youth-friendly" and easier for youth to understand the process of remaining in contact with biological family members under PACA in the event they were adopted.

During the March 2018 Statewide meeting, youth focused on the statewide LGBTQ project. Youth were broken into three groups focusing on resource parents/substitute care; resources for the LGBTQ population; and how LGBTQ status may affect youth in their transition into adulthood. The goal of the project was to create a resource for the YAB website that youth and staff can access to best support older youth.

In April 2018, the Statewide YAB held its first annual statewide community service project at Diakon Wilderness Center in Boiling Springs, PA. The group worked in the program's greenhouse in the morning removing overgrown grass and weeds along the border and replacing it with mulch. Flowers will ultimately be planted in the redesigned area to restrict the grass from growing in the future. Following lunch, the group transitioned into the program's High Challenge Course where they were able to challenge themselves 45 feet off the ground experiencing a variety of elements, including zip lining as they exited the course.

In June 2018 the YAB held its annual Youth Leadership Summit. There were 28 youth in attendance representing each of the six regions across the state. There were three workshops, co-facilitated by youth and staff, including:

- Child Welfare 101 - An introduction to Child Welfare for youth currently/formerly involved in foster care;
- Time Management - Designed to support youth in prioritizing tasks as well as managing time and schedules; and
- Conducting Yourself in Court - Supports youth in how to prepare, dress for court, and handle the many aspects of the court process and other similar situations.

During the June Summit, OCYF asked the youth for their feedback regarding the extension of IL services to age 23, based on the recent passage of the Family First Prevention Services Act. Specifically, youth were asked to identify what they felt were the benefits of remaining in care until age 23. They provided the following feedback:

- Many adolescents are still in college (don't graduate until after age 21, may have graduated high school late);
- Youth are just "getting on their feet" at age 21;
- Youth are still developing at age 21 (lack maturity);
- Would allow more time for youth who entered care at an older age to access resources (more time to learn);
- Allow for additional support in their transition (begin stepping down at age 21);
- Some youth are not making necessary progress between age 18-21;
- Youth may not have established a network of permanent connections by age 21 (outside of IL staff);
- Would allow youth additional time to plan and make crucial decisions; and
- Would allow youth with disabilities to get additional support in their transition.

In July 2018, the YAB hosted their annual Open House event. There were 15 youth in attendance, representing four regions of the state. Regional YABs had the opportunity to set-up a table display highlighting their accomplishments throughout the year. They also shared their goals and future project ideas. Stakeholders were invited to participate in this event. The Older Child Matching Initiative (OCMI) staff from SWAN were able to provide more information on the specific services they offer related to helping older youth achieve permanency. Finally, the youth had the opportunity to work on developing videos for the YAB website. The video topics included:

- Permanency: Youth were able to elaborate on what permanency looks like through the perspective of youth in care;
- Normalcy: Youth were able to address what "normal" activities and daily routines would look like through the perspective of youth in care; and
- LGBTQ: Youth were able to address a project the group focused on in a previous statewide meeting and speak about supports for youth who identify as LGBTQ in new homes/situations.

In September 2018, the YAB held their 2018-2019 YAB "Kickoff" Statewide Meeting. There were 18 youth in attendance along with staff from the CCYAs, OCYF, and OCMI. The focus of the kickoff meeting was to review the expectations of Statewide YAB meetings, acclimate new members and select new YAB Core members. The Core members are youth who participate in phone calls, emails, and other meetings to plan the agenda for the Statewide meetings, as well as facilitate those meetings. OCMI staff was present to talk to the youth about the services they offer. They also presented a resource that they asked the youth to provide feedback on. The resource was a postcard being used as a recruitment tool for OCMI.

During the November Statewide Meeting, a representative from Penn State University presented on the Fostering Lions Program. The overall mission of the program is to improve post-secondary outcomes for youth in care interested in attending Penn State University. Youth were offered the opportunity to provide feedback on a series of fliers designed to empower youth voices. During this meeting, OCYF shared an opportunity for youth to join a web-based resource arena in which they can

participate in activities and provide feedback to receive gift cards. Youth were also offered the opportunity to look at the current YAB brochure and provide feedback and updates to the document.

The Statewide YAB focused on several key projects throughout 2018. The youth completed their LGBTQ project by developing a resource for the YAB website for youth, staff, resource parents, Independent Living (IL) coordinators, and others as a way to engage youth within the LGBTQ community. This resource was developed using “GoAnimate,” an animated video creation tool. Youth from across the state participated in writing the script for the project as well as designing and recording voice-overs. The purpose of this resource is to help those who work with older youth who identify as LGBTQ and to recruit resource parents for LGBTQ youth. The video also provides tips and tools for supporting the LGBTQ community.

The Foster Care Welcome Book was completed and a plan was developed to distribute the book to counties and IL workers across the state to support older youth entering the foster care system for the first time. The booklet is comprised of quotes, pictures, drawings, kind words, wisdom, and short passages informing other youth that they are not traveling this journey alone. The booklet is also available on the YAB website and hard copies can be requested by calling the Pennsylvania Child Welfare Resource Center at 717-795-9048.

In 2018, Strategic Sharing training was completed in five of the six YAB regions. The training, which is designed to support youth in sharing their stories, was co-facilitated by different youth in each region alongside the CWRC Youth Quality Improvement Specialist. The goal of this project was to prepare youth to share their stories with peers and professionals at trainings and panel presentations. Youth were trained on Strategic Sharing to support and provide training to other youth in their county or region.

### **Statewide Youth Advisory Board Recommendations for 2018:**

#### Recommendation 1

The PA YAB created a Welcome Booklet to support older youth entering foster care. The booklets were designed to encourage and assure youth they’re not alone on their foster care journey. The Welcome booklet contains drawings, poems, and messages of inspiration from former and current foster care youth. Below is a link to review the Welcome book and video of a former YAB member explaining the book’s purpose. The YAB recommends that all older youth entering care receive a copy of the Foster Care Welcome Booklet. A copy of it can be found by clicking on the following link: [Welcome Booklet](#).

#### OCYF Response to Recommendation 1

The Welcome Book is an appealing pocket-sized book that is intended to provide messages of encouragement and positivity through a time that for many youth coming into care is most difficult. DHS applauds YAB’s efforts to assist youth with the transition in a way that only young people that have undergone similar experiences can do and considers providing the book as a best practice. DHS is currently collaborating with YAB, CWRC, and CCYAs to coordinate funding, book printing, and distribution so that youth in every county may receive the book upon coming to care. In the interim youth may access this inspirational tool online on the YAB website (see link above).

## Recommendation 2

The PA YAB recommends that all youth in foster care have access to Know Your Rights training. This can be offered through life skills classes, local youth advisory boards, or in other group settings. This will provide youth the knowledge to advocate for themselves as well as assist them in navigating the child welfare system.

## OCYF Response to Recommendation 2

OCYF concurs that all youth in foster care should be afforded access and be educated about their rights in order to have the ability to advocate for themselves. The Juvenile Law Center (JLC) developed the Know Your Rights Guide and training curriculum. The training curriculum was developed in a Train the Trainer approach, which allows the Independent Living (IL) Project through the Child Welfare Resource Center (CWRC) to use the curriculum to train youth and staff across the state. The Know Your Rights Guide is available on the Youth Advisory Board (YAB) website under the Training tab for youth and staff available here: <http://www.payab.pitt.edu/KnowYourRights.htm>.

JLC is currently in the process of revising their curriculum to update the legislative changes that have occurred since the curriculum was developed. The YAB is working with JLC to make these revisions. Those who are interested in receiving training about the Know Your Rights Guide can contact the CWRC or JLC to schedule a training co-facilitated by an adult and a YAB member. Once JLC and YAB have completed the curriculum revisions, the new Know Your Rights training will be scheduled throughout the state for youth and staff to attend. The schedule will be posted to the YAB website at [www.payab.pitt.edu](http://www.payab.pitt.edu).

The legal rights and responsibilities of children are also outlined in DHS, OCYF Bulletin 3130-18-02, Concurrent Planning Policy and Implementation. One of the eight Core Components of Concurrent Planning is Full Disclosure. Full disclosure is a respectful and candid discussion that begins when a child/youth is placed in out-of-home care and continues through the life of the case. The discussion is offered to the parents, child/youth, and resource families, as well as other team members, and stakeholders involved in the case planning process. Issues to be discussed with parents, child/youth, and resource families are outlined in the bulletin, and include the Know Your Rights Guide and the legal rights and responsibilities of children and youth in out of home care as outlined in PA Act 119 of 2010, the Children in Foster Care Act. It is a requirement of CCYAs to tell youth about their legal rights and it should be embedded in casework practice.

OCYF will work with CCYA IL Coordinators and CWRC, Practice Improvement Specialists to ensure this is a part of casework practice in each county. OCYF will also work with system partners to provide training to youth focused events on the Know Your Rights Guide, including the Older Youth Retreat and YAB Summit meetings.

## Recommendation 3

The PA YAB provided feedback to DHS in June 2018 supporting the option to offer IL services to older youth until age 23 based on the passage of the Family First Prevention Services Act. Overwhelmingly, youth felt that Pennsylvania should increase support for older youth as they transition into adulthood citing the need for additional educational support, additional access to resources, support in crucial decision making, and more time for youth to mature and develop before they leave the child welfare system. As a result, the Pennsylvania YAB is recommending that DHS

allow youth to receive IL services until age 23. Additionally, it is recommended that the Chafee Education and Training Grant Voucher be extended to age 26.

### OCYF Response to Recommendation 3

The Family First Prevention Services Act (FFPSA) of 2018 renamed the John H. Chafee Foster Care Independence Program to the John H. Chafee Foster Care Program for Successful Transition to Adulthood (Chafee). FFPSA offered states opportunities to change the program purposes and populations of youth eligible to receive services through the Chafee, including the Chafee Education and Training Grant (ETG).

Specifically, FFPSA amended the Chafee program to allow states to extend support and services to youth up through their 23rd birthday (section 477(b)(3) of the Act). As a state that has an approved title IV-E plan amendment to serve youth in foster care until age 21, Pennsylvania is eligible to opt into this service extension. While the extension of the Chafee program is a positive step in enhancing the system's ability to support older youth, no additional federal funds were allocated to states to provide for program expansion. Therefore, additional state and local funds must be identified to ensure county children and youth agencies have the adequate resources in place to promote successful expansion of the Chafee program to youth up to their 23rd birthday.

FFPSA did not change the purpose of the ETG program, but rather allowed states the option to extend eligibility to youth from age 14 (previously age 16) up to their 26th birthday (previously 23rd birthday) and youth may not receive the grant for more than five-years, whether the years are consecutive or not. Again, no additional federal funds were allocated to states to support this expansion.

DHS/OCYF is currently working with system partners to assess the changes to the Chafee program and the potential to take advantage of opportunities afforded by the passage of the FFPSA. Under the direction of OCYF, the Pennsylvania Child Welfare Council (Council) formed a Chafee Ad Hoc workgroup to evaluate whether Pennsylvania should extend Chafee aftercare services to former foster care youth to age 23 and whether Pennsylvania should extend eligibility requirements to ETG. The Chafee Ad Hoc group will make recommendations on both options to the Council. DHS will receive recommendations from the Council for consideration.

As part of the analysis to evaluate the impacts of expanding Chafee aftercare services and ETG, OCYF did reach out to the YAB in June of 2018. The feedback provided by the YAB was shared with the Chafee Ad Hoc workgroup and was included in the workgroup's recommendations to the Council. The Council is currently in contact with YAB members as it works towards making a recommendation.

### Recommendation 4

Based on the 2018 Statewide YAB project and review of existing LGBTQ resources, the Pennsylvania YAB recommends that a statewide resource guide be developed to help support youth who identify as LGBTQ. While there is a wealth of information and resources for youth who identify as LGBTQ at the national level, CCYAs could benefit from information/resources available to this population of youth at the local level.

## OCYF Response to Recommendation 4

The OCYF Bureau of Policy, Procedures, and Operations is currently developing a lesbian, gay, bisexual, transgender, and questioning (LGBTQ) children and youth topics bulletin which is planned to be distributed by 2020. The bulletin, a policy document that will highlight best and promising practices for county and private children and youth agencies, will focus on fostering welcoming and safe environments for LGBTQ children and youth through education, advocacy, collaboration, and recruitment of individuals who identify as LGBTQ. One bulletin recommendation will be to assist youth who identify as LGBTQ to obtain resources and build support systems within the LGBTQ community. OCYF shares the YAB's interest, appreciates the YAB's research efforts on this topic, and welcomes the YAB's continued input regarding local LGBTQ resources as the bulletin is created.

Allegheny County DHS is developing a promising statewide LGBTQ resource mapping web site. They have compiled a listing of approximately 200 LGBTQ-friendly organizations and health providers within the state or within close proximity to PA's borders. The addresses of those providers are linked to Google Maps so that one could search by town or zip code to access the closest LGBTQ resources. DHS will notify CYAs when this website is accessible for public use.

### **Proposed Focus Area and Activities for 2019:**

In 2019, the Pennsylvania YAB will focus on topics related to finding resource families for older youth such as best fit placements, resource family recruitment, selection, training, and support for those families. This includes the development of a document that youth complete sharing information about who they are, their likes/dislikes, and what they would like in a family setting. This will alleviate the need for youth to re-explain who they are and also allows them to share the information firsthand as opposed to a family hearing from others or through the youth's file. The YAB will also work on finalizing Child Welfare 101 training, which will provide opportunities for youth to enhance their understanding of the child welfare system. The objective of the training is for youth to become more familiar with policies and procedures to properly advocate for themselves while navigating the system. Finally, the YAB plans to update existing resources including the Pennsylvania YAB brochure and create new resources to support older youth.

## Appendix A

**Northeast  
Panel Members:**

Lehigh County:  
Jason Raines  
Mary Lou Scarf

Lackawanna County:  
Megan Boettcher

Luzerne County:  
John Arlukewitz

Monroe County:  
Marilyn Johnson

Lorrie Whitfield

Northampton County:  
Laura Giannetti

Susan Lucrezi  
Pamela Wallace

Pike County:  
Kathleen Donson  
Steve Guccini

**South Central  
Panel Members:**

Adams County:  
Martha Martin

Dauphin County:  
Phyllis Dew  
Joy Fleming  
Robin Nickel  
Teri Darden

Lancaster County:  
Kurt Miller  
Sara D'Arcy Crocker

Mifflin County:  
Clare Flynn

York County:  
Caroline Tyrrell

**Southwest  
Panel Members:**

Allegheny County:  
Kimberly Patterson

Fayette County:  
Jo Ann Jankoski

Jefferson County:  
Suella Himes

Somerset County:  
Paula Eppley-Newman

Westmoreland County:  
Robert Brinker  
Jennifer Kalie



c/o University of Pittsburgh, School of Social Work  
The Pennsylvania Child Welfare Resource Center  
403 East Winding Hill Road  
Mechanicsburg, PA 17055

February 4, 2019

The Honorable Karen Boback

41 B East Wing  
PO Box 202117  
Harrisburg, PA 17120-2117

The Honorable David Hickernell

43A East Wing  
PO Box 202098  
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The Honorable Bryan Cutler

110 Main Capitol Bldg.  
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Harrisburg, PA 17120-2100

The Honorable Mindy Fee

164B East Wing  
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The Honorable Doyle Heffley

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The Honorable Steven C. Mentzer

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The Honorable David R. Millard

128 Main Capitol Bldg.  
PO Box 202109  
Harrisburg, PA 17120-2109

The Honorable Thomas P. Murt

110 Ryan Office Bldg.  
PO Box 202152  
Harrisburg, PA 17120-2152

The Honorable Kathy L. Rapp

213 Ryan Office Bldg.  
PO Box 202065  
Harrisburg, PA 17120-2065

The Honorable James R. Roebuck

208 Ivis Office Bldg.  
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The Honorable Stan Saylor

245 Main Capitol Bldg.  
PO Box 202094  
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The Honorable Peter Schweyer

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The Honorable Tarah Toohil

47 East Wing  
PO Box 202116  
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The Honorable David Zimmerman

51B East Wing  
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Harrisburg, PA 17120-2099

The Honorable Jordan A. Harris

428 Main Capitol  
PO Box 202186  
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The Honorable Maureen E. Madden

300 Ivis Office Bldg.  
PO Box 202115  
Harrisburg, PA 17120-2115

Representatives Boback, Hickernell, Cutler, Fee, Heffley, Mentzer, Millard, Murt, Rapp, Roebuck, Saylor, Schweyer, Toohil, Zimmerman, Harris and Madden:

We are members of Pennsylvania's Citizen Review Panel (CRP) in the Northeast Region, which is made up of individuals from twelve (12) Counties. CRP's are panels comprised of volunteer citizens who are tasked with examining policies, procedures and practices of State and local agencies and making recommendations to the Department of Human Services regarding changes or implementations that will improve the child welfare system in Pennsylvania. These panels are required by Federal legislation, the Child Abuse Prevention and Treatment Act (CAPTA), 42 U.S.C. Section 5106a(b)) and its implementation under Pennsylvania law in the Child Protective Services Act, 23 Pa.C.S. Section 6343.1.

Each year, with the assistance of our panel coordinator, the University of Pittsburgh Child Welfare Resource Center, our panel chooses a focus area within the realm of child welfare in Pennsylvania. For the latter part of 2017 and 2018, we focused on older youth issues, including postsecondary education opportunities for youth currently or previously in an out of home placement. As part of our work, we have reviewed House Bill No. 1745-2017, The Fostering Independence through Education Act, introduced by all of you, which provides funding for those educational opportunities. It is our understanding that the Bill did not pass in the last legislative session, but that it cleared both the House with unanimous support and the Senate Education Committee. We are urging you to reintroduce this legislation and move it forward through both Chambers and, ultimately, to the Governor's desk for his signature.

Additionally, we have been looking into the issue of the difficulty older youth face trying to obtain a driver's license and the related problems of liability, insurance, etc. Philosophically and legislatively, Pennsylvania has taken the correct action to try to normalize life for children in out of home placements. One of the largest obstacles to that normalcy, however, is the inability of older youth to get to appointments and employment opportunities in a State that is primarily rural, where there is little or no public transportation. Accordingly, we are asking you to consider launching a pilot program, through appropriate legislation, to tackle this difficult issue. In 2014, Florida authorized such a program called the Keys to Independence Act. That three (3) year pilot program was made permanent in 2017. We are enclosing a copy of the Florida House of Representatives Staff Analysis of that pilot program. Some of the highlights include:

- 1) Reimbursement for youth aged 15-21 for fees associated with obtaining a driver's license, including learner license fee, driver license fee, testing fees, driver's education course, monthly insurance premium and insurance deductibles;
- 2) A marketing program to assure that agencies and youth are aware of the program;
- 3) Legislation to limit or alleviate liability for foster care and group home providers for the negligence of children involved in accidents;
- 4) A requirement that a child's transition plan address obtaining a driver's license, and, perhaps, most importantly;
- 5) An 800,000.00 funding stream from the general fund to pay for the project.

Obviously, any similar Pennsylvania legislation would have to be tailored to our specific licensing and other laws, which may be different than those of Florida. However, we believe it is imperative that Pennsylvania's legislature begin this process. There have been some local initiatives on this issue. For example, Columbia

County Children and Youth Services provides 1,500.00 toward the purchase of a used vehicle for youth 18 and over once a driver's license is secured and insurance arrangements are in place. They are also willing to pay for education and license fees. While that program is laudable, we believe it is imperative to tackle this on a statewide basis so that all youth are treated equally and there is a secure funding stream in place.

We look forward to your response to this letter and, of course, we will help in any way we can to make these two (2) initiatives a reality. If it is true, and we believe it is, that we will be judged by how we treat our most vulnerable citizens, then Pennsylvania must act.

Thank you for your attention to these important matters.

*Jason Raines*

*Kurt Miller*

*Jo Ann Jankowski*

**Jason Raines**

**Kurt Miller**

**Jo Ann Jankoski**

**Chair, Northeast CRP**

**Chair, South Central CRP**

**Interim Chair, Southwest CRP**

**Appendix B**  
**FLORIDA HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** CS/HB 217 Children Obtaining Driver Licenses

**SPONSOR(S):** Children, Families & Seniors Subcommittee, Sullivan, Albritton and others **TIED**  
**BILLS:** IDEN./SIM. **BILLS:** CS/SB 60

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Children, Families & Seniors Subcommittee	14 Y, 0 N, As CS	Tuszynski	Brazzell
2) Health Care Appropriations Subcommittee	14 Y, 0 N	Fontaine	Pridgeon
3) Health & Human Services Committee			

**SUMMARY ANALYSIS**

Florida's dependency system safeguards child welfare by providing services to prevent child abandonment, abuse, and neglect. The Department of Children and Families (DCF) works in partnership with local communities and the courts to ensure the safety, timely permanency, and well-being of children in the dependency system.

Children in the dependency system sometimes face barriers to having everyday life experiences common to young people their age. Florida statute recognizes that children in the dependency system should have normal age-appropriate experiences. One typical experience for teenagers is obtaining a driver license, which can facilitate having a job, attending school, engaging socially, and contributing to the community.

The Florida Legislature authorized the Keys to Independence Act in 2014. This created a 3 year pilot program to help children in licensed foster care overcome barriers to getting a driver license, such as the costs of education, licensure, and insurance, by providing reimbursement.

HB 217 makes the Keys to Independence program permanent. The bill expands the program to include, under certain conditions, children in non-licensed out-of-home care who have reached permanency or turned 18.

The bill requires the child's transition plan and the court to address the child's obtaining a driver license.

The bill permits a guardian ad litem authorized by a minor's caregiver to sign for the minor's learner license and not assume any obligation or liability for damages caused by the minor.

The current program is funded with a recurring appropriation of \$800,000 and will not require additional resources for this proposed expansion.

The bill has an effective date of upon becoming law.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Present Situation

###### Child Welfare System

Florida's dependency system safeguards child welfare through providing services to prevent child abandonment, abuse, and neglect.<sup>1</sup> The Department of Children and Families (DCF) works in partnership with local communities and the courts to ensure the safety, timely permanency, and wellbeing of children in the dependency system.

DCF contracts for foster care and related services with lead agencies, also known as community-based care organizations (CBCs). The transition to outsourced provision of child welfare services was intended to increase local community ownership of service delivery and design.<sup>2</sup>

DCF, through the CBCs, administers a system of care<sup>3</sup> for children to:

- Prevent children's separation from their families;
- Intervene to allow children to remain safely in their own homes;
- Reunify families who have had children removed from their care, if possible and appropriate;
- Ensure safety and normalcy for children who are separated from their families;
- Enhance children's well-being of children through educational stability and timely health care;
- Provide permanency; and
- Develop their independence and self-sufficiency.

Children in the dependency system sometimes face barriers to participating in everyday life experiences common to young people their age. Florida statute recognizes that children in out-of-home care are entitled to age-appropriate extracurricular, enrichment, and social activities.<sup>4</sup>

A 2014 study by the University of Michigan Transportation Research Institute<sup>5</sup> found that nationally the percentages of licensed drivers are:

- 24.5% of 16-year-olds;
- 44.9% of 17-year-olds; and
- 60.1% of 18-year-olds.

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<sup>1</sup> S. 39.001(8), F.S.

<sup>2</sup> Community-Based Care, The Department of Children and Families, accessible at <http://www.myflfamilies.com/serviceprograms/community-based-care> (last accessed January 28, 2017).

<sup>3</sup> S. 409.145(1), F.S.

<sup>4</sup> S. 409.145(3)(b)(1), F.S.

<sup>5</sup> Sivak, M., Schoettle, B, *Recent Decreases in the Proportion of Persons with a Driver's License Across All Age Groups*, The University of Michigan Transportation Research Institute, January 2016, available at <http://www.umich.edu/~umtriswt/PDF/UMTRI-2016-4.pdf> (last accessed February 13, 2017). <sup>6</sup> My Services, Florida's Youth Survey: Spring 2016, available at <http://www.dcf.state.fl.us/programs/inliving/docs/My%20Services%20Spring%202016%20Final.pdf> (last accessed February 13, 2017).

DCF contracts with a private not-for-profit to survey youth in foster care every six months and to publish findings.<sup>6</sup> The Spring 2016 survey reported the following percentages of licensed drivers:

- 0% of 16-year-olds (1 child of 235 surveyed);
- 5% of 17-year-olds (12 children of 235 surveyed); and
- 3% of the total number of children surveyed (13 of 470 surveyed).

The children surveyed reported the following percentages of learner license holders:

- 10% of 15-year-olds (23 children of 242 surveyed);
- 15% of 16-year-olds (35 children of 235 surveyed);
- 18% of 17-year-olds (43 children of 235 surveyed); and
- 14% of the total number of children surveyed (101 of 712 surveyed).

Barriers to a child in licensed out-of-home care being able to obtain a driver license can include the costs of driver education, licensure, and motor vehicle insurance.<sup>6</sup>

## Types of Placement

While in-home care is prioritized, the child welfare system finds appropriate out-of-home placements for those who cannot safely stay in their own homes.

The following out-of-home placements do not require licensure by DCF:

- Relative caregivers, such as an aunt or grandmother;
- Non-relative caregivers, such as a neighbor or family friend;
- An adoptive home which has been approved by DCF or by a licensed child-placing agency for children placed for adoption; and
- Persons or neighbors who care for children in their homes for less than 90 days.<sup>7</sup>

Placements that require licensure include family foster homes and residential child-caring agencies (group homes).<sup>8</sup>

Out-of-home placements in Florida have increased the last three years, particularly placements that do not require DCF licensure.<sup>9</sup>

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<sup>6</sup> S. 409.1454(1), F.S.; Keys to Independence, Legislative Report, June 2016, available at

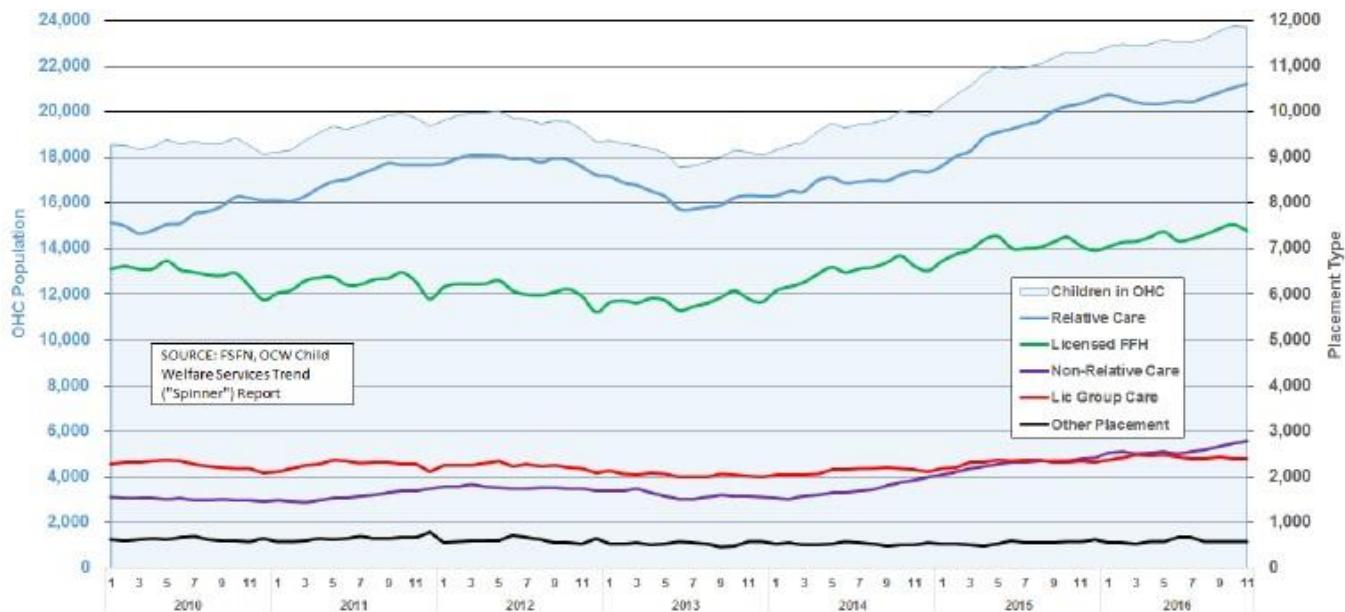
<https://www.dcf.state.fl.us/programs/childwelfare/docs/2016LMRs/Keys%20to%20Independence%20Annual%20Report.pdf> (last accessed February 5, 2017).

<sup>7</sup> S. 409.175, F.S.

<sup>8</sup> *Id.*

<sup>9</sup> Department of Children and Families, Child Welfare Key Indicators Monthly Report, pg. 24, December 2016, available at [http://centerforchildwelfare.fmhi.usf.edu/qa/cwkeyindicator/KI\\_Monthly\\_Report\\_December\\_2016\\_v2.pdf](http://centerforchildwelfare.fmhi.usf.edu/qa/cwkeyindicator/KI_Monthly_Report_December_2016_v2.pdf) (last accessed February 10, 2017).

## Children in Out-of-Home Care by Placement Type



DCF reports that, according to the Florida Safe Families Network,<sup>10</sup> as of November 2016, approximately 3,000 children resided in out-of-home care who were in the eligible age range for the program, with almost 900 of those children in non-licensed placements.<sup>11</sup>

### **Extended Foster Care**

In 2014, the Legislature provided foster youth with the ability to extend foster care.<sup>13</sup> Previously, youth could not remain in foster care after their 18th birthday. Now, through extended foster care, they may remain in care until they turn 21 or, if enrolled in an eligible post-secondary institution, receive financial assistance until age 23 as they continue pursuing academic and career goals.<sup>12</sup> In extended foster care, young adults continue to receive case management services and other supports to provide them with a sound platform for success as independent adults.

### **Judicial Review**

Children in foster care have judicial review hearings every 6 months. These hearings give the judge and all parties to a case an opportunity to review the case and the current status of permanency.<sup>15</sup> Prior to the judicial review hearing, DCF must provide the court and all parties a written report detailing many aspects of the child's placement and social well-being.

<sup>10</sup> The FSFN system is the automated child welfare information system administered by the Department of Children and Families.

<sup>11</sup> Department of Children and Families, 2017 Agency Legislative Bill Analysis, HB 217, January 25, 2017.

<sup>13</sup> S. 39.6251, F.S.

<sup>12</sup> The Department of Children and Families, Extended Foster Care – My Future My Choice, available at

<http://www.myflfamilies.com/service-programs/independent-living/extended-foster-care> (last accessed February 10, 2017).

<sup>15</sup> S. 39.701, F.S.

## Keys to Independence Pilot Program

The Florida Legislature authorized the Keys to Independence Act in 2014.<sup>13</sup> This created a 3 year pilot program to help children in licensed foster care overcome barriers to getting a driver license, such as the costs of education, licensure, and insurance, by providing reimbursement.<sup>14</sup>

Youth aged 15-21 in licensed out-of-home care may be reimbursed for fees associated with obtaining a driver license, such as:

- Learner License Fee
- Driver License Fee
- Testing Fees
- 4-Hour Traffic Law & Substance Abuse Course
- Driver's Education Course
- Monthly Insurance Premium
- Insurance Deductible

For any individual under the age of 18, the State of Florida requires a 12-month learner license before testing for a driver license.<sup>15</sup> The vast majority of youth enrolling in the Keys to Independence program enroll without a learner license (75%).<sup>16</sup>

DCF selected Community Base Care of Central Florida (CBCCF) to develop, manage, implement, and market the statewide pilot with the goal of getting as many children in foster care driving as possible.<sup>20</sup> The pilot ends June 30, 2017.

### Results from the Pilot

The program was advertised through many means, including a dedicated website, social media, targeted emails, and at trainings and outreach events held throughout the state. Program staff conducted in-person trainings in all CBC service areas, offering multiple presentations to groups of case managers, Guardians ad Litem, foster parents, residential providers, CBC staff and other stakeholders.<sup>21</sup>

As of December 31, 2016, 1,276 children in licensed foster care enrolled in the program. The chart below summarizes the results for the pilot by year.<sup>22</sup>

Keys to Independence Pilot Program Count of Participants <sup>23</sup>			
	FY 2014-15 (Pilot Year 1)	FY 2015-16 (Pilot Year 2)	Year to date <sup>24</sup> FY 2016-17 (Pilot Year 3)
<b>Passed 4 Hour Traffic Law &amp; Substance Abuse Course</b>	45	126	109
<b>Obtained Learner License</b>	74	127	91
<b>Took Driver Education Class</b>	32	82	97

<sup>13</sup> S. 409.1454, F.S.

<sup>14</sup> Keys to Independence, Legislative Report, June 2016, available at <https://www.dcf.state.fl.us/programs/childwelfare/docs/2016LMRs/Keys%20to%20Independence%20Annual%20Report.pdf> (last accessed February 5, 2017).

<sup>15</sup> Id.

<sup>16</sup> Id.

<b>Obtained Driver License</b>	30	65	59
<b>Received Reimbursement for Insurance<sup>25</sup></b>	17	36	38

<b>Youth ages 15-17 in Licensed Out-of-Home Care by CBC through December 1, 2016<sup>26</sup></b>					
<b>Circuit</b>	<b>Counties</b>	<b>Lead Agency</b>	<b># of Enrolled Children</b>	<b>Total Eligible</b>	<b>% Enrolled</b>
1	Escambia, Okaloosa, Santa Rosa, Walton	Families First Network	24	96	25.0%
2, 14	Franklin, Gadsden, Jefferson, Leon, Liberty, Wakulla, Bay, Calhoun, Gulf, Holmes, Jackson, Washington	Big Bend CBC	23	53	43.4%
3, 8	Columbia, Dixie, Hamilton, Lafayette, Madison, Suwannee, Taylor, Alachua, Baker, Bradford, Gilchrist, Levy, Union	Partnership for Strong Families	16	34	47.1%

<sup>20</sup> *Supra* note 17, pg. 3; see s. 409.1454(5), F.S.

<sup>21</sup> *Supra* note 17, pg. 7-8. <sup>22</sup> Community Based Care Keys to Independence Program, Mid-Year Snapshot, December 2016 (on file with Children, Families, & Seniors Subcommittee).

<sup>23</sup> Email from David Finucane, Initiative Support Manager, Community Based Care of Central Florida, Re: Updated One Sheet on budget, (February 13, 2017).

<sup>24</sup> As of February 13, 2017. <sup>25</sup> Insurance is reflective of those insurance policies for which the Keys to Independence program has provided reimbursement. Young adults over the age of 18 are not required to have auto insurance in the State of Florida unless they own a vehicle. <sup>26</sup> *Supra* note 22.

<b>Youth ages 15-17 in Licensed Out-of-Home Care by CBC through December 1, 2016<sup>26</sup></b>					
<b>Circuit</b>	<b>Counties</b>	<b>Lead Agency</b>	<b># of Enrolled Children</b>	<b>Total Eligible</b>	<b>% Enrolled</b>
4	Clay	Kids First of Florida	10	14	71.4%
4	Duval, Nassau	Family Support Services of North Florida	47	52	90.4%
7	St. Johns	St. Johns County Board of Commissioners	8	9	88.9%
7	Flagler, Putnam, Volusia	Community Partnership of Children	58	61	95.1%
5	Citrus, Hernando, Lake, Marion, Sumter	Kids Central	76	82	92.7%
9	Orange, Osceola	CBC of Central Florida	71	92	77.2%
10	Hardee, Highlands, Polk	Heartland for Children	44	54	81.5%
18	Seminole	CBC of Central Florida	26	27	96.3%
18	Brevard	Brevard Family Partnership	16	41	39.0%

6	Pasco, Pinellas	Eckerd Community Alternatives	104	125	83.2%
12	DeSoto, Manatee, Sarasota	Sarasota Family YMCA	22	62	35.5%
13	Hillsborough	Eckerd Community Alternatives	95	132	72.0%
20	Charlotte, Collier, Glades, Hendry, Lee	Children's Network of Southwest Florida	38	97	39.2%
15	Palm Beach	ChildNet	32	104	30.8%
17	Broward	ChildNet	62	168	36.9%
19	Indian River, Martin, Okeechobee, St. Lucie	Devereux Families	29	34	85.3%
11, 16	Miami-Dade, Monroe	Our Kids of MiamiDade/Monroe	40	174	23.0%
		<b>Statewide Total</b>	841	1511	55.6%

### Special Driver's License and Insurance Provisions for Foster Children and Foster Parents

Among the primary obstacles to these children being able to drive is the potential liability of the foster parents when the children drive vehicles owned by the foster parents and the attendant cost of insurance to protect foster parents from this liability.

Section 322.09(2), F.S., provides that any negligence or willful misconduct of the child operating a motor vehicle will be imputed to the adult who signed the application. That adult is jointly and severally liable with the child for any damages caused by the negligent or willful misconduct.

In 2001, s. 322.09, F.S., was amended to relieve foster parents or authorized representatives of a residential group home who sign for a foster child's license of liability for any damages or misconduct of the child.<sup>17</sup> While this provision addresses liability resulting directly from the signature on the driver license application, it does not address any vicarious liability that the foster parent may have because of the foster parent's ownership of the vehicle that the child drives.<sup>18</sup> This liability arises whenever an insured individual allows another to operate his or her motor vehicle and is independent of the provisions of s. 322.09, F.S. Thus, the foster parent who owns the motor vehicle continues to be subject to vicarious liability for the actions of the child while operating the foster parent's vehicle, in the same way the foster parent would be vicariously liable for the actions of any other person operating that vehicle. This vicarious liability is one of the risks for which insurance coverage is purchased.

Also in 2001, s. 627.746, F.S., was created to prohibit a motor vehicle insurance company from charging an additional premium on a motor vehicle owned by a foster parent for coverage of a child operating the vehicle while the child is holding a learner license.<sup>19</sup> This prohibition is only applicable until the child obtains a regular driver license.

<sup>17</sup> Chapter 2001-83, Laws of Fla.

<sup>18</sup> See *Hertz Corp. vs. Jackson*, 617 So.2d 105 (Fla. 1993).

<sup>19</sup> Chapter 2001-83, Laws of Fla.

## **Effect of the Bill**

The bill makes the Keys to Independence program permanent. It expands eligibility to children in the dependency system placed in non-licensed out-of-home placements, such as with relative and nonrelative caregivers.

The bill extends the ability to receive the benefits of the program to six months after having achieved permanency or turning 18 years of age. Young adults who have chosen to extend foster care<sup>20</sup> would need to demonstrate that the cost of obtaining a driver license is a barrier to obtaining employment or completing educational goals. For any child 15 years of age or older, the bill requires a determination that appropriate steps are being taken to obtain a driver license or learner license at judicial reviews. Review hearings after a child has reached 17 years of age will require written verification that information on how to obtain a driver license has been provided to the child and that the child's transition plan addresses the option to obtain a driver license.

The bill also requires the non-for-profit contracted to run the program to publicize, engage in outreach, and provide incentives to encourage youth to obtain driver licenses.

The bill also permits a guardian ad litem authorized by a caregiver to sign for a learner license and not assume any obligation or liability for any damages caused by the minor.

Finally, the bill reenacts multiple sections of statute to incorporate the changes and provides an effective date of upon becoming law.

### **B. SECTION DIRECTORY:**

- Section 1:** Amends s. 409.1454, F.S., relating to motor vehicle insurance for children in care.
- Section 2:** Amends s. 39.6035, F.S., relating to transition plans.
- Section 3:** Amends s. 39.701, F.S., relating to judicial review.
- Section 4:** Amends s. 322.09, F.S., relating to application of minors; responsibility for negligence or misconduct of minor.
- Section 5:** Reenacts s. 409.1451, F.S., relating to the Road-to-Independence program.
- Section 6:** Reenacts s. 322.05, F.S., relating to persons not to be licensed.
- Section 7:** Reenacts s. 322.56, F.S., relating to contracts for administration of driver license examination.
- Section 8:** Provides for an effective date.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

#### **1. Revenues:**

None.

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<sup>20</sup> S. 39.6251, F.S., allows a child, who meets certain criteria and who is living in licensed care when they turn 18 years of age, to elect to remain under the jurisdiction of the dependency court and in the care of DCF until 21 years of age.

2. Expenditures:

The department anticipates that any increase in expenditures can be funded within existing resources.<sup>21</sup> The current program is funded with an annual appropriation of \$800,000 from the General Revenue Fund and should require no additional resources for the proposed expansion.<sup>32</sup> Section 409.1454(4), F.S., limits program expenditures to available funding.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The program received a recurring \$800,000 appropriation of general revenue funds pursuant to Chapter 2014-166, Laws of Florida. Actual program expenditures have been less than the recurring appropriation amount as shown in the table below.

Expenditures by Fiscal Year <sup>33</sup>			
	Actual Expenditures FY 2014-15	Actual Expenditures FY 2015-16	Projected Expenditures FY 2016-17
Fixed Expenses	\$161,060	\$225,923	\$384,889
Cost-Reimbursed Expenses	\$30,923	\$104,262	\$138,568
<b>Total Expenses</b>	<b>\$191,983</b>	<b>\$330,185</b>	<b>\$523,457</b>

### III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

<sup>21</sup> Department of Children and Families, Agency Analysis of 2017 House Bill 217, p. 4 (January 25, 2017).

<sup>32</sup> *Supra* note 23. <sup>33</sup> *Supra* note 23.

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

#### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

On February 16, 2017, the Children, Families, and Seniors Subcommittee adopted an amendment that maintains the program in ch. 409, F.S., instead of moving it to ch. 39, F.S. This aligns the House bill with the Senate companion.

The bill was reported favorably as a committee substitute. The analysis is drafted to the committee substitute.

### Appendix C

South Central Past Recommendation	DHS Response for February SC Meeting	SC Panel Follow-Up Question(s)	DHS Response
<p><b>Recommendation 1</b> 2010 recommendation (p.113): "It is recommended the Department of Public Welfare (now the Department of Human Services) Office of Children, Youth and Families support the creation of an ombudsman position</p> <ul style="list-style-type: none"> <li>• The purpose of the position would be to:           <ul style="list-style-type: none"> <li>○ Independently and impartially review decisions made by the child welfare agencies in Pennsylvania; and</li> <li>○ Handle complaints regarding the Pennsylvania child welfare program implementation</li> </ul> </li> <li>• To function appropriately, the ombudsman's office would need to have subpoena powers and be able to operate independently of the Department of Public Welfare (now the Department of Human Services). It is recommended the ombudsman's office:           <ul style="list-style-type: none"> <li>○ Be located within the Attorney General's office</li> <li>○ Be staffed with a minimum of six individuals</li> </ul> </li> </ul>	<p><b>(Response also applies to 4 and 6)</b></p> <p>The Pennsylvania Department of Human Services provided an official response to the Auditor General's Report that speaks to the recommendation for an ombudsman. The response is as follows:</p> <p><b>Statement:</b></p> <p><i>While our review of the Auditor General's report is just beginning, we do support many of the recommendations and are pleased to say that efforts are already under way to identify strategies to support long-term system change, including updating job descriptions, addressing caseload size and workload (DHS is issuing draft regulations that support the reduction of caseload size in early 2018), and training (ensuring self-care is a part of the training in this high stress environment and that real life, applicable sessions are provided).</i></p> <p><i>The Department of Human Services thanks the staff that work in county agencies, the private providers that deliver services on behalf of counties, and the staff at DHS who work tirelessly each day. We</i></p>	<p><b>(Questions apply to recommendations 1, 4 and 6)</b></p> <p>What are the efforts that are already underway (specifics) to identify strategies to support long-term system change? What is the timeframe for this? This has been a recommendation for three years in the past.</p> <p>Can we see the draft regulations that support the reduction of caseload size?</p> <p>Which job descriptions are being updated? What kind of changes are being made?</p>	<p>Chapter 3131 regulations are currently in draft form and the proposed regulation will be published in the PA Bulletin in December 2019. When published there will be an opportunity for public review and comment, during which time panels may provide comment for DHS consideration.</p>

South Central Past Recommendation	DHS Response for February SC Meeting	SC Panel Follow-Up Question(s)	DHS Response
<ul style="list-style-type: none"> <li>○ Have discretion in deciding whether to investigate complaints and how to manage the potential for parallel investigations; and</li> <li>○ Conduct outreach and report findings to the public.</li> </ul> <p>• The Department of Public Welfare's (now the Department of Human Services) support should consist of, but not be limited to the following:</p> <ul style="list-style-type: none"> <li>○ Provide the needed fiscal support for the creation of the ombudsperson's office as described above.</li> </ul> <p>Research from the national Conference of State legislators estimates the \$400,000 would be needed to create an office of six staff;</p> <ul style="list-style-type: none"> <li>○ Reconvene the statewide workgroup dedicated to exploring the creation of the ombudsperson's office which was initially created in 2008 by then</li> </ul>	<p><i>also thank the Auditor General for his work in our shared commitment of keeping Pennsylvania's children safe.</i></p> <p><i>Today's report highlights the critical nature of the work the staff do every day and the challenges they face. It underscores the need for human services systems to work collectively as a group to support safe and healthy children and families.</i></p> <p><i>We look forward to working together with the AG, legislators, staff, and all stakeholders to continue to improve the well-being of our children.</i></p> <p><b><i>Thoughts on the ombudsman:</i></b>  <i>DHS is committed to exploring how the appointment of an independent ombudsperson could support overarching systemic change.</i></p>	<p>The panel would like to receive information as information becomes available.</p>	<p>Pennsylvania has developed a Program Improvement Plan (PIP) in response to the findings from PA's participation in the federal Child and Family Services Review (CFSR). The PIP was influenced by the recommendations made by the four Pa Child Welfare Council Subcommittees. DHS/OCYF has provided the CRPs with the PIP.</p> <p>DHS has and will continue to provide updates to CRP members as information becomes available.</p>

South Central Past Recommendation	DHS Response for February SC Meeting	SC Panel Follow-Up Question(s)	DHS Response
<p>Department of Public Welfare (now the Department of Human Services) Secretary, Estelle B. Richman; and</p> <ul style="list-style-type: none"> <li>○ Provide feedback, and support draft legislation relating to the ombudsperson's office.</li> <li>● A number of states fund this independent effort with federal resources as part of the state's required quality assurance and monitoring within Medicaid and/or federal Title IV-E child welfare funds.</li> <li>● If legislation is approved, it is further recommended that the Department of Public Welfare (now the Department of Human Services) review their current system of checks and balances, examine if there is any duplication of services and, if needed, adjust resource allocation appropriately."</li> </ul>			
<p><b>Recommendation 2</b> 2010 Recommendation (p.118):</p> <ul style="list-style-type: none"> <li>● "The South Central Citizen's Review</li> </ul>	<p>This recommendation has been forwarded for response to OCYF in house policy specialists. Upon formulation of an</p>	<p>Updates on timeframes for when they completed certain steps.</p>	<p>DHS does not have access to this information.</p>

<b>South Central Past Recommendation</b>	<b>DHS Response for February SC Meeting</b>	<b>SC Panel Follow-Up Question(s)</b>	<b>DHS Response</b>
<p>Panel recommends that Pennsylvania conduct an examination of their current practices surrounding caregiver access to a child's health and education records when a child enters the child welfare system</p> <ul style="list-style-type: none"> <li>Identify best practices that will help eliminate health and educational issues throughout the time period for which they are in care of Pennsylvania supported agencies and explore what tools are currently being used to remedy this problem elsewhere. The South Central Panel believes that a health and education Passport would reduce medical, prescription, and educational issues that significantly impact a child's ability to transition into care outside their home.</li> <li>Establish acceptable timeframes for a child's information to be updated, and provide to an alternative provider should that child transfer between providers or school districts.</li> <li>Evaluate how a standard system</li> </ul>	<p>updated response it will be provided to the South Central CRP. Updated responses have been requested from:</p> <ul style="list-style-type: none"> <li>OCYF/BPPO Policy Expert on Every Student Succeeds Act (ESSA) and primary liaison to the Department of Education</li> <li>OCYF/BPPO Policy Expert on Cross System/Interagency Initiatives and primary liaison to OMAP, DOH, and OMHSAS regarding children's physical and mental health needs</li> </ul>	<p>We look forward to reviewing the responses.</p>	<p>Please see the document "2-2010 rec p 118 response" for information provided regarding health and education passport.</p>

<b>South Central Past Recommendation</b>	<b>DHS Response for February SC Meeting</b>	<b>SC Panel Follow-Up Question(s)</b>	<b>DHS Response</b>
would accelerate that transfer of information.”			
<b>Recommendation 8</b> 2012 Recommendation: “Find ways to recruit and retain qualified children and youth caseworkers through: <ul style="list-style-type: none"><li>• Recruitment efforts such as:<ul style="list-style-type: none"><li>○ Creation of materials to recruit qualified individuals</li><li>○ Development of realistic job preview materials</li><li>○ Funding to support county recruiting efforts</li></ul></li><li>• Retention efforts such as:<ul style="list-style-type: none"><li>○ Development of training to address issues related to vicarious trauma</li><li>○ Provision of services to address issues related to vicarious trauma</li><li>○ Training on how to manage stress and burnout and increase resiliency as a social worker in child welfare”</li></ul></li></ul>	This issue was addressed in the official DHS response to the Auditor General’s Report, which is contained in the response to Recommendation 1. Additionally, the Child Welfare Council identified Workforce Challenges as an area of improvement to be addressed. The Resources/Cross-Categorical Subcommittee developed a strategy for improving caseworker recruitment and retention. As a member of the subcommittee, I’m sharing the problem statement and key activities to address the problem: <b>Problem Statement:</b> Workforce challenges, including recruitment limitations and high turnover, negatively impact child and family outcomes and system performance. <b>Key Activity #1:</b> Issuing revised 3131 regulations which include lower caseload sizes to increase the amount of time caseworkers spend working directly with children and families and lower supervisory ratios to improve supervisory support activities for caseworkers.	We appreciate the work that is being done in this area.  We would like to receive updates on this work as it becomes available.	Pennsylvania has developed a Program Improvement Plan (PIP) in response to the findings from PA’s participation in the federal Child and Family Services Review (CFSR). The PIP was influenced by the recommendations made by the four Pa Child Welfare Council Subcommittees. DHS/OCYF has provided the CRPs with the PIP.  DHS has and will continue to provide updates to CRP members as information becomes available.

South Central Past Recommendation	DHS Response for February SC Meeting	SC Panel Follow-Up Question(s)	DHS Response
	<p><i>Key Activity #2:</i>          Improve hiring of qualified staff in Civil Service systems by:</p> <ul style="list-style-type: none"> <li>• Creating a child welfare specific job classification which may also positively impact compensation</li> <li>• Revising procedures to allow each county to select how many candidates can be considered</li> <li>• Revising testing procedures</li> </ul> <p><i>Key Activity #3:</i>          Implementation of recommendations approved by the State Roundtable via the AOPC Retention workgroup to develop a workforce database to provide data regarding the CCYA workforce and increase the amount of time caseworkers spend working directly with children and families by reducing paperwork/documentation.</p> <p><i>Key Activity #4</i>          Rate Methodology Task Force (RMTF) recommendations should be introduced as legislation to support reimbursement of actual</p>		

South Central Past Recommendation	DHS Response for February SC Meeting	SC Panel Follow-Up Question(s)	DHS Response
	<p>costs for private providers. Simultaneously, barriers to implementation (cost concerns) should be addressed through reconvening of the RMTF to support adoption of the legislation.</p> <p><b><i>Key Activity # 5</i></b></p> <p>Expand leadership and professional development opportunities with a focus on supervisors through:</p> <ul style="list-style-type: none"> <li>• Opening enrollment and opportunities for the Leadership Academy</li> <li>• Redesign of the Foundations of Leadership training offered through CWRC</li> <li>• Redesign of the Supervisor Series with a focus on leadership</li> <li>• Expansion of Emerging Leaders webinar audience</li> <li>• Encourage peer-to-peer networking</li> <li>• Cross-generational supervision</li> <li>• Enhancing “Critical Thinking for Supervisors” and incorporating it more fully into training and practice</li> <li>• Expand mentorship programs, like the one for new</li> </ul>		

<b>South Central Past Recommendation</b>	<b>DHS Response for February SC Meeting</b>	<b>SC Panel Follow-Up Question(s)</b>	<b>DHS Response</b>
	<p>Administrators through PCYA</p> <p><i>Key Activity #6</i> Improve public perception of the child welfare system and child welfare professionals through:</p> <ul style="list-style-type: none"> <li>• increased caseworker recognition activities</li> <li>• Media campaigns (newspapers, magazines, tv, radio, social media, etc.)</li> <li>• Community engagement efforts (Advisory Groups, Quality Service Reviews, etc.)</li> </ul>		
<u>N/A</u>	<u>N/A</u>	<p>Overall question from SC Panel:</p> <p>What kind of tracking/monitoring is done at the state level regarding past CRP recommendations?</p>	<p>DHS is committed to keeping the panels updated on progress with their recommendations and provides updates on progress related to the panels' recommendations from the previous two years during each Fall All Panel Meeting.</p> <p>Additionally, the Child Protective Services Report, which is released by DHS each</p>

<b>South Central Past Recommendation</b>	<b>DHS Response for February SC Meeting</b>	<b>SC Panel Follow-Up Question(s)</b>	<b>DHS Response</b>
			year, provides updates on child welfare in Pennsylvania, some of which include information related to the panels' focus areas. DHS has and will continue to send a link to these reports each year when the publication is released.