

Comprehensive Review of the Child Welfare Division of Sullivan County DSS

Prepared for the Sullivan County Manager's Office

October 17, 2024

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Agenda

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2. Child Protective Services
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 - OCFS Metric History and Current Standings
 - Budgeted Positions and Caseloads Analysis
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 - Foster Care Case Review
5. Family Court – Child Welfare & County Attorney’s Office Procedures
 - Observations
6. Overall Observations & Recommendations

Procedures Performed

- Engaged by the Sullivan County Manager's Office for a 6-month period beginning March 2024 to provide a comprehensive child welfare review with a focus on best practices as prescribed by OCFS, as well as our experience working with Child Welfare departments in several counties throughout New York State within their CPS, Preventive Services, and Foster Care Programs.
- Quality Control and Testing of 50 cases from each of the three programs (30 CPS [20 Investigations and 10 FAR], 10 Preventive Services, 10 Foster Care).
- We met with the Commissioner and Director of Services, as well as the County Manager and Assistant County Manager, on a frequent basis throughout the engagement.
- Offered interviews to all child welfare staff (nearly everyone accepted).
- We interviewed approximately 50 members of the Division as well as members of the County Attorney's Office, performed process walkthroughs, analyzed operational workflows and related documentation, and reviewed policies and procedures.

Executive Summary

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Executive Summary

- Division staff and management were cooperative, knowledgeable and transparent.

CPS and FAR Case Review

- Majority of testing criteria met positive compliance thresholds. Most notably, time-sensitive casework critical to child safety was excellent.
- Late progress notes, 7-day Safety Assessments, and lack of documented casework and/or face-to-face contact for an extended period were areas of needed improvement.
- Caseworkers and management acknowledged that there is opportunity for improvement.
- During the 12-months of July 2023 to June 2024, on average, 50% of CPS workers had caseloads greater than 15 (OCFS's recommendation) while more than 30% of CPS's investigations were overdue, suggesting that the Division may be understaffed.
- Based on our budgeted positions and caseload analysis, if fully staffed, CPS would still maintain average caseloads above the recommended level.

Executive Summary

Preventive

- 4/5 testing criteria met positive compliance thresholds. Criteria defining how cases are accepted for ongoing monitoring and tracking the source will help the Division identify trends in intake volume, source, case length, and closure rate.
- Caseworkers in both preventive and foster care provided support for families that were time-consuming tasks outside the scope of traditional casework (e.g. trips to grocery store or summer camps).

Foster Care

- 5/7 testing criteria met positive compliance thresholds. Timely case notes and evidence of documented supervision are areas of needed improvement.
- The unit lacks support staff in the form of case aides.
- Title IV-E Foster Care cases were OCFS compliant (no instances of incorrect determinations). To prevent overpayments and missed opportunities for federal reimbursement, the Division should:
 - Track children with higher levels of care and reassess them on an annual basis to prevent overpayments
 - Establish a clear and concise documented Qualified Residential Treatment Program (QRTP), listing who is responsible for both performing and monitoring critical tasks.

Executive Summary

Family Court Related Procedures

- Communication between the Division and the County Attorney's Office (CAO) has been a source of frustration for both parties, although both acknowledge incremental progress over the past year.
- We found few formal procedures between the Division and CAO, ambiguity between task responsibility, and varied/unstructured methods of communication.
- Significant opportunities for improvement:
 - Create a framework for communication and collaboration between CAO and Division, identifying case flow expectations and personnel responsible for key processes
 - Establish position of Managing Attorney: housed under CAO but directly collaborates with Division. Responsible for case assignment and significant procedural decisions.
 - Perform Periodic trainings discussing legal procedures and understanding of key case elements.

Child Protective Services

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CPS Case Review – Investigations

- Performed Ongoing Monitoring and Assessment Tool (OMA) for **20** Investigation Cases (including Substance Abuse & Positive Tox cases) and tested 7 major criteria.
- We categorized our results as Areas of Strength (80% and above) or an Area Needing Improvement (79% and below) as thresholds to evaluate performance.
 - **Areas of Strength** – Review of Case History, Contact with SCR Report Source, Timeliness of 24-Hour Safety Assessment, Supervision throughout Case
 - **Areas Needing Improvement** – Timeliness of Progress Notes within 30 Days of Event Date, Gaps in Casework

CPS Case Review – FAR

- The Family Assessment Response (FAR) program is an alternative to Investigations for families reported to the State Central Register (SCR) with low safety risks. FAR works collaboratively with families by identifying their unique strengths and needs; caseworkers do not make a formal determination of whether child maltreatment occurred.
- Selected **10** Family Assessment Response Cases and tested program specific elements, as well as general CPS case criteria.
 - **Areas of Strength:** Cases met FAR eligibility criteria at intake, Review of SCR History, 24 Hour & 7 Day Safety Assessments, FLAG Tool utilization, Provided support/services when necessary.
 - **Areas Needing Improvement:** Obtaining sufficient information from source, Case closure (closing case within 60-90 days, documented reasoning for keeping case open for over 60 days, visiting family every two weeks if case is open longer than 90 days), Timeliness of Progress Notes within 30 days of event date, Gaps in Casework, Supervision throughout Case

OCFS Metric History and Current Standings

- Obtained OCFS monthly CPS metrics for the period of July 2023 through June 2024
- **Percent of Caseworkers with Greater than 15 Cases**
 - Consistently had over 50% of workers with caseloads greater than 15 on average for the period – performance below the NYS median for each month.
 - In June 2024, Sullivan County ranked 4th highest average caseload size out of 64 NYS counties with 63% of caseworkers with more than 15 cases.
- **Percent of Overdue Investigations**
 - Over 30% of the County’s CPS investigations have been overdue (open after 60 days) – performance below the NYS median for most of the period.
 - In June 2024, Sullivan County ranked 38th out of 64 counties with 28% of cases being overdue.
 - Sullivan County has typically taken between 80 and 90 days on average to fully process an investigation since 2021.
- **Percent of Safety Assessments Approved within 7 Days**
 - Approximately 80% timely on average from July 2023 – June 2024
 - Sullivan County has improved this metric in 2024 and has consistently ranked at or within 10 points of the state median since January.
 - In June 2024, 89% of cases had timely 7 Day Safety Assessments.

Budgeted Positions and Caseloads Analysis

- As of June 2024, about 13 CPS caseworkers & senior caseworkers of the 17 budgeted positions were filled.
- We performed analysis to determine how efficient CPS would perform if fully staffed from January 2022 through June 2024 using the number of reports that were referred to Sullivan County during that time. We accounted for vacation, sickness, and ongoing training requirements, which equates to an average of 3 caseworkers being unavailable for case rotation on any given day.
- The Department would need approximately **20** budgeted positions based on the number of SCR reports received by the County over the last year (July 1, 2023 – June 30, 2024), meaning a total of **17** caseworkers on average must be available to receive new cases to maintain caseloads of 15 cases with 90-day closings.
- If the County were to improve their ability to close cases timelier than the historical 90-day average due to gains in process efficiencies, budgeted staffing levels could decrease proportionately.

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Preventive Services Case Review Results

- The Preventive Services Unit handles cases that originate from the CPS Investigative Unit. Cases that originate from the FVRT/CAC or Positive Tox units remain with the designated FVRT/CAC Senior Preventive Caseworker who is forensically trained.
- Performed case review of 10 Preventive Cases and tested 5 major criteria as identified in the Preventive Services Manual.
- We categorized our results as Strong (80% and above) or an Area Needing Improvement (79% and below) as thresholds to evaluate performance.
 - **Areas of Strength** – Quarterly Review with Contracted Agencies, Referrals Submitted Timely to Providers, Progress Notes Input within 30 Days of Event, and Correspondence with Collateral Contacts and Service Providers
 - **Areas Needing Improvement** – 12 Casework Contacts Within 6-Month Period

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Foster Care - Background

- As of the date of our foster care case selection, 114 children were in the County's care.
- Pending any significant changes in placement and discharge and program types, cost of room and board is equivalent to approximately \$5.6M annually.
- The County relies on a combination of local DSS foster homes, approved relatives and kinship as well as a handful of third-party voluntary agencies for all placements.
- These placement types, as well as the child's assessed level of care (LOC) correspond to per diem rates.
- We tested **10** cases from the Unit's manually maintained *Foster Care Placement* Excel spreadsheet in which children were removed from their homes and placed and/or were in the care and custody of the County via a court order during our scope period.
- We reviewed cases based on OCFS regulations and best practices.
- We split our results and related observations into two sections: Child Safety, Permanency and Internal Operating Procedures, and Fiscal Operations.
- We categorized our results for each as Area of Strength (80% and above) or an Area Needing Improvement (79% and below) as thresholds to evaluate performance.

Foster Care Case Review Results

Child Safety, Permanency, and Internal Operating Procedures

- **Areas of Strength** – Frequency and Location of Face-to-Face Contact with Child, Stability of Child Placement, Efforts Made to Ensure Visitation Adhered to Court Order and Was Sufficient to Promote Continuity Between Child & Family, Efforts Made to Place Children with Relatives, Appropriate Permanency Goals Established Timely, and Efforts Made to Achieve these Goals
- **Areas Needing Improvement** – Evidence of Supervisory Feedback Throughout Case and Progress Notes Input within 30 Days of Event

Foster Care Case Review Results

Fiscal Operations and Title IV-E Eligibility

- **Areas of Strength** – Accuracy of Title IV-E Foster Care Determinations, WMS Coding Agreeing to Initial Determination, Internal Factors (outside of case circumstances) Not Affecting Eligibility, and Children Freed for Adoption Coded Correctly in WMS.
- **Areas Needing Improvement** – Reassessment of Children's LOC and Therapeutic Programs.

Family Court – Child Welfare & County Attorney’s Office Procedures

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Family Court Observations

- Interviews with personnel from both the County Attorney's Office and the County's Child Welfare Division indicated very little formal structure exists around communication, deadlines, and protocols for Family Court cases.
- Both departments have open positions as of the date of our report. This contributes to communication difficulties as majority of focus must be on most immediate and pressing matters. There is little time to review processes and focus on improving operations or communication structure between CAO and the Division.
- The CAO and the Division work collaboratively on emergency removal cases, but at times differ in interpretation of case elements or interpretation of regulations (e.g. definition of imminent risk).

Observations & Recommendations

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Recommendations – Child Welfare

- **Utilization of Caseworker Aides:** Reassign aides to each unit, grant aides access to Connections, implement an electronic “Transportation Request Form” and a shared Excel spreadsheet for weekly schedules, create a formal policy that details allowable and disallowable types of client travel, track non-visitation / non-court ordered related travel.
- **Caseworker Vacancies & NYS HELP Program:** Leverage the NYS program to waive civil service exam requirements and help increase applicant pool and fill CPS positions.
- **Intake, Tracking, and Handling of Preventive Services Cases:** Establish consistency in which cases are accepted for monitoring and ensure internal records are updated.
- **Communication with Local School Districts:** A designated individual/team should be giving annual on-site presentations to mandated reporters and periodically connect with a school representative.
- **Caseworker Safety:** Assign one or more deputies to help accompany caseworkers to potentially hostile home visits / child removals.
- **Employee Incentives:** Offer incentive programs to recruit and retain employees.

Recommendations – Child Welfare

QRTP Training: The Division hold a QRTP refresher training for all applicable staff and establish a documented policy.

IV-E Coding Review: To prevent cases from being coded incorrectly in WMS, an employee independent of the Title IV-E process should compare new children in care and their determination to the WMS monthly report.

Case Tracking: Expand the functionality of the social welfare examiner's spreadsheet of children in care to include columns for LOC, program type, date of reassessment and freed for adoption date. Review the remaining TANF-EAF children and ensure WMS claiming is compliant with OCFS regulations.

Case Evaluation Frequency: Specify the frequency of evaluations based on the LOC and program type (e.g., every other year for Exceptional children and every year for Special children and/or children in therapeutic programs) and the personnel responsible for documenting and approving rates above “normal” via Form LDSS-7018. The Division should monitor the date of assessments and reassessments per the spreadsheet to ensure they are performed in accordance with internal protocol.

Recommendations – Family Court

Managing County Attorney Position: Appoint attorney who will manage Family Court cases and communications/procedures with Child Welfare Division.

Case Assignment: One individual from Child Welfare should refer cases to CAO with a “Petition Request Form.” CAO will assign the referred case to attorney within 24 hours.

Shared Documentation: Case files and relevant documents should be organized and shared between the two departments via a shared drive. Establish a point person for each document type and due dates for supporting evidence.

Case Conferences: Establish protocol that governs frequency, timing, and content of case conferences between the CAO and relevant Division personnel.

Management Collaboration: Periodic meetings and review of procedures/metrics by management of both departments. Include county-level management when needed.

Metric Tracking: Maintain log of key dates and metrics of Family Court cases – use to identify bottlenecks and areas needing improvement.

Questions?

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