

**HOUSE COMMITTEE ON HUMAN RESOURCES**

**SUBCOMMITTEE ON HUMAN SERVICES**

**February 01, 1999 Hearing Room HR D**

**3:30 PM Tapes 1 - 2**

**MEMBERS PRESENT: Rep. Jackie Winters, Chair**

**Rep. Betsy Close**

**Rep. Jeff Kruse**

**Rep. Bill Morrisette**

**Rep. Kitty Piercy**

**MEMBER EXCUSED:**

**STAFF PRESENT: Janet L. Carlson, Administrator**

**Diane M. Lewis, Administrative Support**

**MEASURE/ISSUES HEARD: Overview of State Office of Services to Children and Families**

These minutes are in compliance with Senate and House Rules. Only text enclosed in quotation marks reports a speaker's exact words. For complete contents, please refer to the tapes.

TAPE/#	Speaker	Comments
<b>TAPE 1, A</b>		
005	Chair Winters	Opens the meeting at 3:35 P.M.
008	Kay Toran	Director, State Office for Services to Children and Families (SCF), discusses the

		<p>University of Southern Maine report regarding child welfare reform. The first initiative to address recommendations of the University of Southern Maine report was Focus 90is, which directly developed family-centered practice, with family decision making as a key tool for working with families. Explains that when Focus 90is was implemented, SCF was beginning to practice better relations with community partners by contracting for all treatment services. The Strength/Needs Based System of Care (SOC) was developed out of the juvenile rights project focused on the system's ability to provide quality service to children. States that those who were involved in developing SOC included lawyers from the juvenile rights project, professors from Portland State University (PSU) School of Social Work, and senior managers from Children's Services Division and Mental Health Division. Explains that SOC is being implemented in 13 counties. Lists the counties that have incorporated SOC.</p>
045	Toran	<p>Discusses 3 basic principles for SOC:</p> <ul style="list-style-type: none"> <li>• Recognize strengths of child and family.</li> <li>• Reach agreement with family about the needs of the child.</li> <li>• Develop an individual service plan for each child.</li> </ul> <p>Discusses requirements for achieving SOC outcomes:</p> <ul style="list-style-type: none"> <li>• Provide more services to child and family.</li> <li>• Collaborate with community service providers.</li> </ul> <p>Explains the importance of placing a child in a familiar neighborhood. SCF has been developing neighborhood foster care resources to accomplish this goal. Explains that SCF has been ensuring that visitation practices occur in a timely and meaningful way. States that it is her personal goal that parent/child visitation takes place within the first 24 hours of the removal of the child.</p> <p>Explains that SOC directs SCF to create flexible work hours. Multnomah County has evening and weekend shifts and smaller counties have accessibility of management staff. Explains that each SCF branch implementing SOC is required to have a branch advisory committee made up of community members and parent groups. SOC also includes education for parents, staff, and communities.</p>
085	Toran	<p>Explains that in 1994, SCF developed the Child Welfare Partnership that partnered with PSU. States that PSU provides training for parents, prospective foster and adoptive parents, and SCF staff. PSU provides research and program evaluations. Explains that SCF received a waiver from the federal Health and Human Services office allowing the use of Title IV-E dollars to provide in-home services to families.</p>
102	Chair Winters	<p>Asks how advisory committee members are selected.</p>
104	Toran	<p>Responds that the advisory committee is a joint selection between the SCF branch manager, juvenile rights project members, and community partners.</p>
107	Rep. Piercy	<p>Asks if "flexible hours" is being implemented in counties other than Multnomah County.</p>
112	Toran	<p>Responds affirmatively. Each branch must have after hours accessibility.</p>

115	Don Probasco	Branch Manager, SCF, Deschutes County, submits written information regarding System of Care ( <b>EXHIBIT A</b> ) and discusses the effects of SOC within his branch. States that Deschutes County was one of the first branches to implement SOC. Explains that after hour services are now available. States that it is the responsibility of the SCF branch to assess risk of harm to the child and develop a plan for keeping the child safe.
164	Rep. Morrisette	Asks about the coordination between law enforcement and the branch office.
160	Probasco	Responds that it is SCF's goal to be involved with the investigation and assessment of alleged child abuse. Protective service workers carry pagers so they can be contacted after hours. States that in Deschutes County the branch has a good relationship with local law enforcement.
186	Toran	Explains that each county has a multidisciplinary team that has the job of developing protocol pertaining to proper investigation of abuse cases and collaboration between SCF and law enforcement.
191	Chair Winters	Asks how a case is handled when it is reported directly to SCF, bypassing law enforcement personnel.
193	Probasco	Explains that SCF would make a determination of child abuse and then contact law enforcement if a determination could be found. Oregon law requires cross reporting.
202	Chair Winters	Asks how cases that are not determined by SCF to be child abuse are handled.
203	Probasco	Responds that every case is staffed and an assessment is conducted. If there is no determination of abuse, the case is referred to the safety net. Explains that the safety net is comprised of a collection of services, developed by SCF, for families that may be at risk and need support. States that 64% of families contacted by SCF have made use of local safety nets.
225	Probasco	Discusses neighborhood foster care. Explains that neighborhood foster care is designed to keep children in the school they have regularly been attending. States that 36 couples showed up for a foster parent meeting in Deschutes County last week.
250	Rep. Kruse	Asks why there has been an increase in people applying to be foster care providers.
255	Probasco	Responds that a great deal of advertising and public awareness has been generated. Newspaper articles and school flyers have been circulated, lectures at rotary clubs, bookmarks at libraries, and advertisements at local movie theaters have all been ways of creating public awareness regarding the need for foster parents.
290	Probasco	Discusses the implementation of practice for strengths/needs-based service

		delivery. States that "strengths/needs based" focuses on how we work with families. Refers the committee to <b>EXHIBIT A</b> , page 5, and discusses how SCF used to work with families and how they currently work with families. Explains how children need both safety and attachment.
360	Probasco	Discusses the situation of a drug-affected baby that was born to a single mother who had no family support. Explains how a strengths/needs- based plan was implemented and how the baby's father was brought into her life. Explains how a strengths/needs-based approach takes the preliminary focus off of the parents' problems and places it on the child's needs.
415	Chair Winters	Asks when the parents' personal problems are addressed by SCF; i.e., the mother has a drug problem and needs treatment before she can have her daughter living with her.
420	Probasco	Explains that the mother failed to show up for visits. The SCF worker called the mother and learned that the mother was using drugs and alcohol and did not believe she was going to be able to raise her daughter. States that because the strengths/needs-based plan had been implemented, the father was able to become involved with support from his family in learning how to raise his daughter.
<b>TAPE 2, A</b>		
001	Probasco	Continues discussing how the strengths/needs-based plan has supported a single father to become a part of his baby daughter's life.
044	Rep. Morrisette	Asks if SOC is in Lane County.
046	Probasco	Responds affirmatively. States that Lane County is a second-phase recipient of SOC and implemented the program in December 1997.
053	Chair Winters	Asks what the time duration was for the case that Probasco described.
054	Probasco	Responds that the case was active with SCF for approximately one year. States that the implementation of SOC has changed the way the communities in Deschutes County use child protective services. Provides the committee with additional examples of how the family court system expects SOC to be presented in child protective cases.
075	Rep. Kruse	Asks if the described case is a little extreme. Comments that it took a lot longer than it should have to weed out the details of the case and award a paternal grandmother custody. Asks if there is more "system" in SOC than is needed to reach results.
095	Probasco	Explains that the grandmother was awarded the child near the beginning of the case. States that the closure of the case was held up until the guardianship of the child to the grandmother was legally completed.

115	Rep. Kruse	Asks why the mother wasn't assessed as a problem during the strengths/needs assessment.
124	Toran	Explains that federal law requires that birth parents be given every opportunity to demonstrate their capabilities. States that it has been discovered in family-centered practice that parents tend to block messages when they hear only negative statements.
145	Rep. Kruse	Comments that a child born drug addicted is a form of child abuse. Asks if the component of drugs in a baby's system is weighed heavier than when a baby is drug free.
153	Toran	Explains that SCF is required to show reasonable efforts that they gave a family every opportunity to demonstrate their capability to care for their child. Discusses the category of extreme conduct where SCF is not required to show reasonable efforts.
164	Rep. Kruse	Asks if standards for extreme conduct are too high.
166	Toran	<p>Responds that she does not believe the standards are too high. States that the most recent federal law regarding extreme standards is similar to Oregon law.</p> <p>Emphasizes that alcohol and drug abuse is the number one reason that children are being abused and neglected.</p>
175	Rep. Piercy	Refers to the case Probasco described to the committee and asks about the relationship between the baby's father and his parents.
187	Probasco	Explains that the grandmother and her son were not on good terms in the beginning of this case. The son had been through his own drug and alcohol addiction as well as problems with domestic violence. It was through the SOC process that they began to develop a positive relationship where, eventually, the son lived with his mother and his daughter.
205	Chair Winters	Asks if relief nurseries exist in Deschutes County.
206	Probasco	<p>Responds negatively.</p> <p>Discusses the results of having SOC in Deschutes County.</p> <ul style="list-style-type: none"> <li>• Emphasis on defining specific safety and attachment needs for children.</li> <li>• Increased parent-child visitation.</li> <li>• Children are maintaining relationships with extended family members.</li> <li>• Extended family members are participating in service development.</li> <li>• Fewer contested court hearings.</li> <li>• Community shares a common philosophy.</li> <li>• Foster home reviews ñ focus on quality foster care.</li> </ul>

255	Chair Winters	Asks for a definition of "quality foster care."
256	Probasco	<p>Explains the process and criteria that foster families must meet:</p> <ul style="list-style-type: none"> <li>• Fingerprinting</li> <li>• References</li> <li>• Home study</li> <li>• Training ñ 8 weeks per year; providing information on SCF and child development.</li> </ul> <p>Discusses SOC reviews ensuring safe homes, consistent rules and supervision, nutritious meals, clean environments.</p>
294	Janet Carlson	Committee Administrator, asks about the attitudes of case workers who had been operating under the old system and are now incorporating SOC into their duties. Asks if barriers have been discovered and if staff development has changed to address barriers and changing attitudes.
302	Toran	Explains that SCF has been involved in organizational changes as part of the Focus 90is implementation. States that SCF had to become clear about its mission and goals. Training programs have been developed to support these goals. States that PSU has evaluated the work that SCF is doing to implement SOC. Discusses the "quality program" that conducts regular branch reviews.
337	Chair Winters	Asks for the area of most resistance among SCF staff.
339	Toran	Responds that whether SCF was going to be able to implement SOC was a great initial concern and generated the most apprehension among staff. The second greatest concern was whether the agency was able to maintain support for the program. States that the agency has had a reputation for starting programs and losing them to poor management and minimal resources.
350	Probasco	Explains that in Deschutes County all the case workers endorse and use SOC.
382	Toran	States that local county community partners are the ones that help SCF achieve goals. Explains that judges, mental health workers, and housing specialists all recognize what SOC is trying to accomplish and are supportive of the goals. States that for a county to be considered for SOC, it must involve community partners.
400	Rep. Close	Comments that she is still receiving complaints from constituents who are being wrongly accused of child abuse and negligence by over-zealous SCF workers. Asks for an explanation of system safeguards that protect parents' rights.
<b>TAPE 1, B</b>		
001	Probasco	Explains safeguards:

		<ul style="list-style-type: none"> <li>• Cross reporting with law enforcement.</li> <li>• Within 24 hours SCF is required to go before a court to offer proof of abuse and neglect &amp; parents are offered the chance to speak.</li> <li>• Courts must rule within 24 hours of court appearance.</li> <li>• Adjudicative hearings must occur within 60 days of initial filing of petition. Parents enter not-guilty or guilty pleas. Courts will rule as to whether they will take jurisdiction. Testimony is taken.</li> <li>• Dispositional hearing; judge makes a ruling and a case plan is implemented.</li> <li>• Citizen review board (appointed by the court); six months after child has entered SCF system, case-planning recommendations are announced.</li> <li>• Federal law 96-272 goes into effect one year after child enters system. Reasonable efforts by SCF to unify the family must be brought forward.</li> </ul>
047	Rep. Close	Asks about the situation where an overzealous SCF worker has wrongly removed a child from the home and if a reprimand process exists within SCF.
052	Probasco	Explains that if a worker has acted outside of policy, he or she will be disciplined.
074	Toran	States that Oregon law defines child abuse and neglect. Explains the 24 hour rule where evidence demonstrating the need to remove a child must be taken to a judge. Explains that if SCF can't provide evidence of abuse and neglect, as defined by Oregon law, the child is sent home.
088	Probasco	Explains that prior to an appearance before a judge, a meeting with the district attorney takes place where a petition is drafted. States that if the district attorney is not convinced by the evidence he will not file a petition.
096	Chair Winters	Thanks the presenters for providing the committee with information. States that she would like to have SCF return for continued discussion. Closes the meeting at 4:40 PM.

Submitted By, Reviewed By,

Diane M. Lewis, Janet L. Carlson,  
Administrative Support Administrator

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**EXHIBIT SUMMARY**

**A ñ Written information regarding System of Care, Fritz Jenkins, 8 pp.**