



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES

Earl Ray Tomblin
Governor

Bureau for Children and Families
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Karen L. Bowling
Cabinet Secretary

February 3, 2016

Pamela M. Kaehler, CRP Volunteer Coordinator
West Virginia Citizen Review Panel
30 Abby Lane
Morgantown, West Virginia 26508

Dear Ms. Kaehler:

Thank you for contacting our office regarding the annual report submitted by the WV Citizen Review Panel. I have had an opportunity to review the report and have included a brief summary of each of the recommendations included within the annual report and the Bureau for Children and Families (BCF) position with regard to the recommendations.

- 1. The CRP recommends that Centralized Intake revisit the use of averages for inbound call wait times in the technology reports. It appears that both during individual days, and on specific days, there are large variations in wait times that may not be clearly identified to the reviewer of the reports.**

BCF Response: BCF agrees that the data that the system generates is broad. Beginning in December 2015, Centralized Intake developed a report to collect data in thirty (30) minute increments to better identify call patterns, periods when wait times are long, and staffing and capacity issues. Evaluating the data will allow us to address the issues in a systematic way, instead of using our limited resources to address anecdotal problems and individual complaints that might not actually represent overall operations. We acknowledge that there are many "informal reports" by stakeholders about their experiences, which often reflect the "extreme" situations. When a specific complaint is made and includes identifying information such as date and time, or phone number of the caller, or name of the client, BCF/Centralized Intake can do an immediate inquiry in the phone system or in FACTS and verify the report and address concerns.

- 2. The CRP recommends that community stakeholders/reporters be surveyed routinely regarding their experience and satisfaction with the Centralized Intake processes. Surveying to analyze customer/user experience can take many forms. Field surveying was recommended by the CRP in the 2014 CRP Annual Report, and the April 1, 2015 response from the Commissioner indicated that surveys may begin in July 2015. The CRP would request information regarding how and when such surveys were or will be conducted, and the results of surveying efforts.**

The CRP is willing to assist the BCF as appropriate regarding surveying (i.e., providing comment on the survey tool/question sets, suggesting means of and populations for distribution, etc.)

BCF Response: The original director of Centralized Intake left her position in July 2015, and a new, permanent director was not hired until November 2015. The new leadership at Centralized Intake has considered strategies to solicit feedback or to survey reporters. One recommendation is to add a recorded message directing callers to the BCF website where a brief survey could be completed. We are planning to move forward with this strategy. Secondly, a reminder of the survey location will be included in mandatory reporter letters.

- 3. The CRP is willing to assist the BCF as appropriate regarding the development of an online form for mandated reporters as had been committed by BCF (i.e., providing comment on the online form and/or on the website content that would facilitate it, etc.)**

BCF Response: Accepting CPS reports from mandated reporters via an online form poses a problem as Chapter 49 states that, "Reports of child abuse and neglect pursuant to this article shall be made immediately by telephone to the local child protective services agency and shall be followed by a written report within forty-eight hours if so requested by the receiving agency." In addition, Chapter 9, related to APS reports says, "A report of neglect or abuse of an incapacitated adult or facility resident or of an emergency situation involving such an adult shall be made immediately by telephone to the department's local adult protective services agency and shall be followed by a written report by the complainant or the receiving agency within forty-eight hours."

*"A report of neglect or abuse of an incapacitated adult or facility resident or of an emergency situation involving such an adult **shall be made immediately by telephone** to the department's local adult protective services agency and **shall be followed by a written report** by the complainant or the receiving agency within forty-eight hours."*

4. **The CRP recognizes that inbound telephone queue for law enforcement, medical professionals, and judges to report an emergency, appears to be selected by professionals but most often the nature of the call is not an emergency by *Centralized Intake's definition*. We recommend that Centralized Intake consider re-labeling/refining the outbound message to better assist callers in making this distinction accurately.**

BCF Response: Centralized Intake has requested the creation of an e-mail address to be used by Judges, Magistrates, Prosecutors, and other appropriate legal professionals to contact Centralized Intake. The mailbox will be used to set appointments for non-emergency referrals to be made within the timeframe, without those professionals experiencing wait times. We may use some format to allow limited information sharing but it cannot replace a telephonic contact with the reporter based upon state code.

Also, all outbound messages are being evaluated by the new leadership and will be updated to better assist callers in selecting the appropriate queue. Information about a feedback survey would be added, if appropriate, as well as guidance as to what demographic information will be collected when the report is taken.

5. **The CRP notes that the statewide automated Families and Children Tracking System (FACTS), into which all information regarding child abuse and neglect referrals are keyed, appears to lack many of the features that make data entry most efficient and less redundant (i.e., readily available cut/paste, fast-add, autocomplete etc.). The CRP recommends that workers throughout the child protective services system be routinely surveyed to ascertain specific attributes and challenges at the user level about the FACTS system, and that challenge areas with the greatest potential for improved user efficiency be prioritized by the Office of Technology.**

BCF Response: The reported challenges with FACTS as they relate to Centralized Intake have been addressed. With input from Centralized Intake workers and supervisors, the process for entering a referral was streamlined. In addition, it is anticipated that in the future, West Virginia will get a new data and tracking system to meet SACWIS reporting requirements.

February 2, 2016

Pamela Kaehler WV Citizens Review Panel

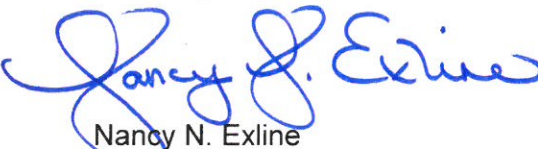
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- 6. The CRP recommends that particular, ongoing attention/oversight be dedicated by the BCF to child abuse and neglect cases not involving the court system. Lacking the time-triggered scrutiny by members for the legal system, these cases are especially vulnerable to content and timeliness deficiencies that put children at risk.**

BCF Response: BCF agrees that ongoing attention/oversight needs to be dedicated to child abuse and neglect cases that are not involved with the court system. Refresher safety planning training is being provided to staff as needed along with one-on-one training with districts that have been identified as having issues with safety planning. Program Managers and Child Welfare Consultants have also been working with districts on identifying impending dangers and explaining how the enhanced protective capacity manages the threat of danger to support the child is safe or how the diminished protective capacity effect the safety of the child and how to properly document. The Regional Program Managers and the DPQI unit are conducting case reviews in districts and addressing issues concerning lack of documentation and safety planning and have worked together on developing meaningful contact guides for supervisors and staff. Many districts have instituted protective time for staff in order to give them dedicated time to document and to gather information needed to complete case records.

BCF is supportive of the recommendation and any work that can be undertaken to improve the well-being of the citizens of our State. Let me know if I can be of further assistance. I would be more than happy to meet with members of the WV Citizens Review Panel to discuss any of the above responses. Please do not hesitate to contact me at any time.

Sincerely,



Nancy N. Exline
Commissioner

NNE:bpb

cc: The Honorable Governor Earl R. Tomblin
DHHR Cabinet Secretary Karen L. Bowling
The Court Improvement Board
The Regional Children's Collaboratives
Legislative Chairs for Health and Human Resources and Judiciary Committees
The Children's Justice Task Force
WV Child Advocacy Network
WV CRP Panel Members

West Virginia Citizen Review Panel

ANNUAL REPORT

October 1, 2014 – September 30, 2015



For More Information:

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Executive Summary

Child abuse and neglect remains one of West Virginia's most serious challenges. These most complex social issues are beyond the scope of the West Virginia Citizen Review Panel (CRP), but our members remain devoted to provide a unique perspective of the child welfare system to West Virginia's leadership, toward the system's continuous improvement. According to the Children's Bureau, the child victim rate per 1,000 children in West Virginia was 12.3 in 2013, which relates to 4,695 child maltreatment victims in 2013. Child maltreatment presents in many ways (see Table 1) but regardless of its presentation, maltreatment is harmful, even fatal, to children. Strengthening families and protecting children, particularly those most vulnerable, serves everyone's best interests and has lasting, positive impact for generations to come.

	2010	2011	2012	2013
Emotional Abuse	30.1	29.7	28.8	27.3
Medical Neglect	1.6	1.5	1.4	1.2
Neglect	53.6	53.4	54.1	54.3
Physical Abuse	30.1	34.3	34.1	33.9
Sexual Abuse	5.5	4.4	5.4	5.2
Other	9.8	10.9	11.9	11.3
Missing Data	0.0	0.0	0.0	0.0

(Table 1: Children's Bureau, <http://cwoutcomes.acf.hhs.gov/data/overview,2015>)

During the most recent reporting year, the CRP engaged various stakeholders to learn more about the child welfare system and its resources, performed redacted child abuse and neglect case reviews, and reviewed several performance reports. Activities included:

- Discussion regarding parental substance abuse with a circuit court judge
- Learning about the MODIFY (Mentoring & Oversight for Developing Independence with Foster Youth) array of services and funds
- Discussion regarding best practices and initiatives/ideas from the 2015 National Citizen Review Panel Conference
- Regular updates and metrics reviews on Centralized Intake for reporting of suspected child abuse and neglect
- Review of the Legislative Auditor DHHR/BCF Performance Update Report, January 2015
- Update and discussion regarding a recent DHHR/BCF policy change regarding Home Studies
- Update and discussion regarding the Handle With Care initiative and website (<http://handlewithcarewv.org>)

Our Annual Report contains observations and recommendations relating to two primary topics: Centralized Intake and the Child Protective Services cases that are not involving the court system. We present this report anticipating that its readers will find the content both interesting and useful. We look forward to your feedback and thank you for your hard work on behalf of West Virginia's children and families.

Introduction to Citizen Review Panels

Citizen Review Panels (CRP) were established by federal statute in the Child Abuse Prevention and Treatment Act (CAPTA) re-authorization (1996) as a requirement for state grants to examine the extent to which states are discharging their child protection obligations. CRPs are responsible for reviewing compliance of state and local Child Protective Services (CPS) agencies with respect to the state CAPTA plan and any other criteria the panels consider important. They are required to prepare an annual summary report of activities and recommendations. Composed of volunteer members that broadly represent the community in which they operate, they are to include individuals with expertise in the prevention and treatment of child abuse. West Virginia's Citizen Review Panel meets on a quarterly basis in Flatwoods, West Virginia.

Mission of the West Virginia Citizen Review Panel

The Citizen Review Panel will work to ensure that the comprehensive West Virginia child welfare process (not limited to the Department of Health & Human Resources) is in compliance with state and federal mandates and functions effectively to protect and serve children.



Issue: Centralized Intake for Child Abuse and Neglect Referrals Requires Ongoing Review

Introduction: Recommended in the February 2013 *Public Works* review of the Bureau of Children and Families (BCF), the Centralized Intake unit was implemented to serve as the 24/7 call center for calls to the Child Abuse and Neglect Hotline. Centralizing the intake function is designed to reduce costs, improve call handling consistency, and improve timeliness of response.

Activities of the Panel: The Citizen Review Panel conducts a teleconference with the director or the interim director of the Centralized Intake unit at every quarterly meeting. The discussion includes:

- status of the Centralized Intake implementation
- levels of intake worker and supervisor staffing
- call volumes, wait times, abandoned call rates, and notable trends in the metrics
- technology effectiveness (the queue system, call transfers from local offices, uptime)
- screen in and screen out rates
- quality improvement and overturn rates
- challenges and opportunities from management's perspective

Panel members also discuss and relay to Centralized Intake management, informal feedback from community stakeholders and child abuse and neglect reporters (law enforcement, child protective services workers, teachers, etc.).

Observations:

- The CRP observes that the wait times and caller experience informally reported by community stakeholders/child abuse and neglect reporters at times differs quite sharply from what the call system reports are reflecting.

- The CRP acknowledges that the participation of the community to report suspected child abuse and neglect is a critical component to child protection; it is essential that the internal process be efficient, *the external experience be accessible, and the assessment of centralized intake be accurate and incorporate assorted perspectives.*
- The CRP noted the January 2015 Performance Update report from the Legislative Auditor, PE 14-12-566, included the following Recommendation/Response regarding an online form for mandated reporters. *The CRP requests additional information from the Commissioner regarding this initiative.*

Recommendation 8 (2013)

The Bureau for Children and Families should create an online form to allow mandated reporters to report suspected child abuse and neglect.

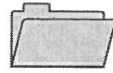
Level of Compliance: Planned Compliance

The BCF has indicated that in 2016 it will be upgrading its website and exploring options to allow this reporting method for mandated reporters. The BCF is working with a company named West Virginia Interactive who will create the website's shell. According to the BCF, 14 content managers were trained on October 14 to begin building out the web pages and are now organizing and entering content to build out specific pages. As a result, the Legislative Auditor determined that the BCF is in planned compliance with recommendation 8.

Recommendations:

- The CRP recommends that Centralized Intake revisit the use of averages for inbound call wait times in the technology reports. It appears that both during individual days, and on specific days, there are large variations in wait times that may not be clearly identified to the reviewer of the reports.
- The CRP recommends that community stakeholders/reporters be surveyed routinely regarding their experience and satisfaction with the Centralized Intake process. Surveying to analyze customer/user experience can take many forms. Field surveying was recommended by the CRP in the 2014 CRP Annual Report, and the April 1, 2015 response from the Commissioner indicated that surveys may begin in July 2015. The CRP would request information regarding how and when such surveys were or will be conducted, and the results of surveying efforts.
- The CRP is willing to assist the BCF as appropriate regarding surveying (i.e., providing comment on the survey tool/question sets, suggesting means of and populations for distribution, etc.)
- The CRP is willing to assist the BCF as appropriate regarding the development of an online form for mandated reporters as had been committed by BCF (i.e., providing comment on the online form and/or on the website content that would facilitate it, etc.)
- The CRP recognizes that inbound telephone queue for law enforcement, medical professionals, and judges to report an emergency, appears to be selected by professionals but most often the nature of the call is not an emergency *by Centralized Intake's definition.* We recommend that Centralized Intake consider re-labeling/refining the outbound message to better assist callers in making this distinction accurately.
- The CRP notes that the statewide automated Families and Children Tracking System (FACTS), into which all information regarding child abuse and neglect referrals are keyed, appears to lack many of the features that make data entry most efficient and least redundant (i.e., readily available cut/paste, fast-add, autocomplete, etc.). The CRP recommends that workers throughout the child protective services system be routinely

surveyed to ascertain specific attributes and challenges at the user level about the FACTS system, and that challenge areas with the greatest potential for improved user efficiency be prioritized by the Office of Technology.



Issue: Child Abuse and Neglect cases that do not involve the court system appear to have lesser oversight by nature and greater vulnerability to errors, omissions, and policy deviations.

Introduction: Child abuse and neglect cases may or may not involve the court system. The court system is most often involved when children must be removed from the home and brought into the state's custody. In a large proportion of child abuse and neglect cases, out-of-home care and court involvement is not warranted but CPS remains involved to manage child safety, initiate treatment plans, and monitor progress.

Activities of the Panel: The Citizen Review Panel had historically selected random cases for review from those involving the court system. However, on further review, the panel determined that court-involved cases were subject to review by a variety of other entities but non-court involved cases were not. The CRP determined to shift focus to the selection and review of community cases. Several non-court involved cases were reviewed this past year by the panel members.

Observations:

- The CRP observed that non-court involved case records were often missing vital documentation including the family functioning assessment (FFA), the home safety plan, continuing safety assessments, and evidence of home visits.
- The CRP noted inconsistencies and apparent deficiencies in home safety plans. To clarify:

A safety plan is the written arrangement between caregivers and the agency that establishes how impending danger threats to child safety will be managed. It is valid until the case is concluded, to allow treatment/interventions to occur with the family.

- The CRP noted on home safety plans, that insufficient/incomplete explanation of the impending danger threats and risks to the children make it difficult if not impossible to ensure that the supports developed to address those dangers and risks are appropriate, complete, and clear. A clearly defined home safety plan should then be supported elsewhere (by timely contact entries, provider reports, etc.) in the case record. In reviewing cases, we could *not* be assured that children were safe.

Recommendations:

- The CRP recommends that particular, ongoing attention/oversight be dedicated by the BCF to child abuse and neglect cases not involving the court system. Lacking the time-triggered scrutiny by members of the legal system, these cases are especially vulnerable to content and timeliness deficiencies that put children at risk.
- The CRP recommends specific and potentially recurring/refresher training at field and supervisory levels regarding the required content elements of home safety plans to ensure

that the resources/supports encompassed within them relate to accurately identified, documented impending danger threats.

IV. Panel Membership for Purposes of This Report

Rachel Kinder, Chair
Frank Fazzolari, Vice Chair
Andrea Darr
Fran Allen
Misty Prillaman
Lisa Carmelia
Catherine Munster
Caitlin Smith
Kathryn Bradley
Christa Janes-Ash
Carla Harper
Shelly Nicewarner
Kim Runyon Wilds
Gary Keen
Nnenna Minimah

V. Distribution of Report

The Honorable Governor Earl Ray Tomblin
DHHR Cabinet Secretary Karen L. Bowling
Nancy Exline, Commissioner, Bureau for Children and Families
The Court Improvement Program Board
Delegate Joe Ellington, Chair, House Health and Human Resources Committee
Delegate John Shott, Chair, House Judiciary Committee
The Children's Justice Task Force
The West Virginia Child Advocacy Network
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Program Specialist, The Children's Bureau