

Attachment for Bureau for Children and Families

GENERAL

Division Name: Bureau for Children and Families

Organizational Chart: A copy is available on our website:
www.dhhr.wv.gov/pages/legisreq.aspx.

Agency Mission Statement: Our mission statement is available in the Governor's Proposed Executive Budget--Volume 2 Operating Detail. This document is available here:
<http://www.budget.wv.gov/executivebudget/Documents/VIIOD2015.pdf>.

Enacting Statute: W. Va. Code [Code Section, Articles or Chapters]

Legal Authority: Child Welfare

The Bureau for Children and Families provides social services to families and children who are part of the child welfare system in West Virginia. W.Va. Code §49-1-1 Child Welfare includes Child Protective Services, Youth Services, Foster Care, Transitional Living, Adoption, and Legal Guardianship. Children and youth who receive these services are those who have been harmed or threatened by abuse or neglect; found to be delinquent or a status offender or at risk of becoming a delinquent or status offender; and their families. Child Welfare is regulated by multiple federal and state funding sources, statutes, and court rules of procedure. If a state elects to receive federal funding for child welfare, then the state must comply with federal regulations.

The Bureau for Children and Families is required to accept and investigate reports of abuse or neglect and offer opportunities for parents and children to avail themselves of public and private resources and assess and investigate alleged cases of child abuse or neglect to the end that no child subjected to abuse or neglect shall be left without assistance. W.Va. Code §49-6A-9; 49-6D-2

The Bureau for Children and Families is required to provide non-custodial counseling, emergency shelter, social services, and foster care for juvenile delinquents and status offenders and to establish programs and services for prevention of juvenile delinquency, diversion of juveniles from the juvenile justice system, and rehabilitative facilities for status offenders. W.Va. Code §§49-5-3; 49-5-8; 49-5-11; 49-5-11a; 49-5-13; 49-5B-4; 49-5B-5

States are required to provide reasonable efforts to preserve families and prevent placements into out of home foster care unless an emergency or aggravated circumstance makes such efforts unreasonable or impossible. W.Va. Code §§49-2; 49-6-3(b)(2)(3); Title IV-E of the Social Security Act §471(a)(15); Title IV-B of the Social Security Act §430.

When a child or youth enters foster care, states are required to make reasonable efforts to reunify families by developing and carrying out case plans which provide social services to children and families. W.Va. Code §§49-6-5; 49-6-8:49-6-12; 49-6D-3; Title IV-E of the Social Security Act §475-1; Title IV-B of the Social Security Act §430.

When reunification is not possible, states must make reasonable efforts to place children and youth in permanent families. Subsidies, adoption preservation, and medical care are provided to children and youth in adoption and legal guardianship to assist in making it possible for them to have a permanent family. W.Va. Code §49-2-17; 475(5)(c); Rules of Procedure 39, 40, 41, 42, 43; Title IV-B of the Social Security Act §430.

States are required to provide assistance and services to children who have left foster care because they have attained 18 years of age and who have not attained 21 years of age. Title IV-E of the Social Security Act §477.

Legal Authority: Adult Services

The Bureau for Children and Families provides protective services for adults ages 18 and older. Adult protective services include specific intervention activities that are intended to protect mentally and/or physically incapacitated adults from abuse and neglect by others and from self-neglect. W.Va. Code §9-6-1 et seq. specifies DHHR's responsibilities as follows:

- Accepting reports of known or suspected abuse or neglect of incapacitated adults or residents of nursing homes or other facilities.
- Conducting investigations to determine if the allegations are true.
- Offering/providing assistance, when appropriate, to eliminate the abuse/neglect and prevent it from reoccurring.
- BCF also provides Adult Residential Care and services for incapacitated adults. Adult residential services refer to a range of services provided by DHHR to benefit incapacitated adults who reside in certain out-of-home, paid placement settings. This type of assistance is generally needed in situations when an incapacitated adult needs a supportive living arrangement but does not have family and/or financial resources to provide for these needs. Possible placement settings include:
 - Adult Family Care Homes
 - Adult Emergency Shelter Care Homes
 - Assisted Living Facilities - W.Va. Code §16-5D

Homeless Services

As a result of the Hodge Decree, the Homeless Program was implemented in West Virginia by DHHR in the late 1980s. The Hodge Decree requires the provision of food and medical care to the homeless. The Department has entered into contractual arrangements with eleven agencies throughout West Virginia to provide case management as a critical service in addition to meeting the essential needs for emergency shelter, food and medical care.

Guardianship Services

Some adults are or become unable to conduct their personal affairs because of mental/cognitive impairment. In these situations, a representative may be appointed to protect those individuals. This legally appointed representative is responsible for assuring that the protected person's best interests are represented to the full extent specified by order of the court.

When there are no relatives or friends available to fill the role, DHHR may be considered for appointment as guardian, and the sheriff in the county where the protected person resides may be considered for appointment as conservator. W.Va. Code §44-A-1

Health Care Surrogate Services

A health care surrogate is a person selected by the attending physician to make health care decisions about and on behalf of an incapacitated person. Appointment of a health care surrogate is made by a physician rather than the court, and the authority of the health care surrogate is limited to health care decisions only.

West Virginia state law lists eight categories of individuals that may serve as health care surrogate. DHHR may be asked to serve in this capacity as a last resort. W.Va. Code §16-30

Unclaimed Deceased Adult Bodies

The Department is mandated by state law to assume control of unclaimed bodies. WV Code of State Rules §6-1-24.

Number of Allocated FTEs and Vacancies: A report including this information is being forwarded to you under separate cover by the Office of the Governor. Additionally, monthly FTE reports are available on the State Budget Office website: <http://www.budget.wv.gov/reportsandcharts/Pages/OtherReports.aspx>. Also provided is a Division breakdown located at: www.dhhr.wv.gov/pages/legisreq.aspx.

Licenses/Permits: Bureau for Children and Families does issue licenses/permits. A fee schedule for such licenses/permits is available here: www.dhhr.wv.gov/pages/legisreq.aspx. The past five years' revenue is available here: www.dhhr.wv.gov/pages/legisreq.aspx.

CONTRACTS

Exemption from Purchasing: A list of all exemptions from State purchasing guidelines is available here: <http://www.state.wv.us/admin/purchase/PurchasingExemptions/default.html>.

Current Contracts/MOUs: A chart including (1) contracts considered material; and (2) sole source contracts for the Bureau for Children and Families; and (3) classifications of the types of other contracts entered into by the Bureau for Children and Families is available on here: www.dhhr.wv.gov/pages/legisreq.aspx. Additionally, for detailed information regarding payments made by the Bureau for Children and Families to vendors, please visit VISTA: <https://vista.wvsaogov/>. Finally, information regarding current State contracts is available from the Department of Administration's Division of Purchasing: <http://www.state.wv.us/admin/purchase/contracts.html>.

Federal Agencies: The Division has regular interaction with the following agencies of the federal government as part of the Division's programs:

The Interstate Compact on the Placement of Children (ICPC) is federal statutory law in all 52 member jurisdictions and a binding contract between member jurisdictions. The ICPC establishes uniform legal and administrative procedures governing the interstate placement of children. West Virginia State Code Chapter 49, Article 2A codifies West Virginia's required participation in the ICPC.

Training for child welfare staff and kinship/relatives and foster parents is authorized under Titles IV-B and IV-E of the Social Security Act (the Act). These programs are administered by the U.S. Department of Health and Human Services and include the Title IV-B Child Welfare Services and Promoting Safe and Stable Families (formerly known as Family Preservation) programs, the Title IV-E Foster Care Program, the Title IV-E Adoption Assistance Program, and Fostering Connections to Success and Increasing Adoptions Act of 2008 P.L. 110-351.

All training activities and costs funded under Title IV-E must be included in the State agency's training plans of the Five-Year Child and Family Services Plan required under Title IV B. The Income and Eligibility Verification System (IEVS) requires employees to be trained on IRS Safeguards/Security Procedures and Penalties for unauthorized disclosure of IRS data. This training is provided to employees during new worker training.

FUNDING

Amount of total State appropriations for past five fiscal years: This information is available on the State Budget Office's website:

<http://www.budget.wv.gov/approvedbudget/Pages/default.aspx>

<http://www.budget.wv.gov/reportsandcharts/appropriations/Pages/default.aspx>

Amount of total federal appropriations for past five fiscal years: This information is available on the State Budget Office's website:

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<http://www.budget.wv.gov/reportsandcharts/federalfunds/Pages/default.aspx>

Financial Chart of Accounts: A summary of all State accounts is included in the Governor's Executive Budget Account Detail, a copy of which is available here: <http://www.budget.wv.gov/executivebudget/Documents/AD2015.pdf>.

List of Cash Balances: A listing of current cash balances is available on wvOASIS, which is accessible by the Legislature.

GRANTS

Total amount of grant awards for past five State fiscal years: A list of the past five years' grant awards is available here: www.dhhr.wv.gov/pages/legisreq.aspx. Also, a listing of State agency grant awards is available on the Legislature's website: <http://www.legis.state.wv.us/SAGA/Agency.cfm>.

List of current State and federal grants received: A listing of all federal grants received is available in the annual West Virginia Consolidated Report of Federal Funds, copies of which are available here: <http://www.budget.wv.gov/reportsandcharts/federalfunds/Pages/default.aspx>. Also, a listing of State agency grant awards is available on the Legislature's website: <http://www.legis.state.wv.us/SAGA/Agency.cfm>.

List of current sub-grantees: A listing of State agency grant awards is available on the Legislature's website: <http://www.legis.state.wv.us/SAGA/Agency.cfm>. Please see list provided at: www.dhhr.wv.gov/pages/legisreq.aspx.

PERFORMANCE

Agency Performance Measures: Our performance measures are available in the Governor's Proposed Executive Budget--Volume 2 Operating Detail. This document is available here: <http://www.budget.wv.gov/executivebudget/Documents/VIIOD2015.pdf>. The Legislative Auditor's Performance Evaluation & Research Division has also completed numerous performance evaluations of State agencies, which are available here: <http://www.legis.state.wv.us/Joint/PERD/reports.cfm>.

Explanation of how agency evaluates its own performance:

Each agency of the Department develops and revises performance measures based upon a results-oriented system of accountability. Each agency evaluates its own performance by an integrated combination of internal audits, program level audits and external audits, as well as internal process improvement initiatives. Internal performance evaluations of personnel, processes and policies, as well as an annual review of programs and funding, play a critical role in the measurement of performance. External audits used by agencies in evaluating performance may include State and Federal audits, findings and reports. External audits provide the agencies with guidance to improve performance and help ensure that agencies operate within the law. Internal process improvement initiatives include various internal analysis of the functioning of agencies and individual programs with the goal of improving and refining the identified

functions. These internal and external processes reflect the Department's mission to improve the health and well-being of the citizens of West Virginia.

Findings of most recent State and federal audits: The State's Comprehensive Annual Financial Report (CAFR) also provides findings, and is available here: <http://www.finance.wv.gov/FARS/CAFR/Pages/default.aspx>.

The Legislative Auditor's Performance Evaluation & Research Division has completed numerous performance evaluations of State agencies, which are available here: <http://www.legis.state.wv.us/Joint/PERD/reports.cfm>.

Finally, the Legislative Auditor's State Agency Reports and Post Audit Reports provide more information and findings, and are available here: http://www.legis.state.wv.us/Reports/Agency_Reports/agencylist_all.cfm and <http://www.legis.state.wv.us/Joint/Postaudit/reports.cfm>.

No other recent audits are relevant to this Division.