

**STATE OF NEW HAMPSHIRE
CHILD SETTLEMENT PROGRAM**

**PERFORMANCE AUDIT REPORT
MARCH 1993**

TO THE FISCAL COMMITTEE OF THE GENERAL COURT

We have conducted an audit of the New Hampshire Child Settlement Program, and its management by the Division for Children and Youth Services, to address the recommendation made to you by the joint Legislative Performance Audit and Oversight Committee. This audit was conducted in accordance with generally accepted governmental auditing standards and accordingly included such procedures as we considered necessary in the circumstances.

The objectives of our audit were to identify factors related to increased expenditures for child settlement; to assess the efficiency and effectiveness of rate setting and quality control procedures; to assess the use of intervention and prevention programs; to determine whether federal revenues are being maximized to help support child settlement expenditures; to assess the efficiency and effectiveness of payment and recovery procedures for settlement services, and the role of the counties in the program; to assess factors related to district court decisions to order child settlement services and the extent to which the services are reviewed by the courts; and to identify guidelines, policies, and procedures related to child settlement service recommendations and service providers.

This report is the result of our evaluation of the information noted above and is intended solely to inform the Fiscal Committee of our findings and should not be used for any other purpose. This restriction is not intended to limit the distribution of this report, which upon acceptance by the Fiscal Committee is a matter of public record.

Office of Legislative Budget Assistant
OFFICE OF LEGISLATIVE BUDGET ASSISTANT

March 1993

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STATE OF NEW HAMPSHIRE CHILD SETTLEMENT PROGRAM

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ABBREVIATIONS

ADC	Adolescent Detention Center
AFDC	Aid to Families with Dependent Children
AOC	Administrative Office of Courts
BQM	Bureau of Quality Management
CHINS	Children in Need of Services
CHSA	County Human Services Administrator
CIS	Children's Information System
CPSW	Child Protective Service Worker
DCYS	Division for Children and Youth Services
DHHS	Department of Health and Human Services

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ABBREVIATIONS (Continued)

DMHDS	Division of Mental Health and Developmental Services
DOE	Department of Education
JSO	Juvenile Services Officer
NHFPA	New Hampshire Foster Parent Association
NHIFS	New Hampshire Integrated Financial System
OES	Office of Economic Services
SOA	Statement of Appropriations
SSA	Social Security Act
SSI	Supplemental Security Income
YDC	Youth Development Center
YSC	Youth Services Center

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STATE OF NEW HAMPSHIRE CHILD SETTLEMENT PROGRAM

SUMMARY

SCOPE OF AUDIT

This audit was performed at the request of the Fiscal Committee of the General Court consistent with the recommendations from the joint Legislative Performance Audit and Oversight Committee and was conducted in accordance with generally accepted governmental auditing standards. It describes and analyzes the following: the background and services of the child settlement program; the roles of the State government, the district courts, and the county governments in the program; child settlement funding and expenditures; rate setting for child settlement providers; and quality control of purchased and agency services.

BACKGROUND AND SERVICES

Child settlement commonly refers to the program funded by the State and county governments to pay the costs of court-ordered services to children and their families. Child settlement is managed by the Division for Children and Youth Services (DCYS). Additional funds for specific types of court-ordered services come from the federal government.

Statutory authority for child settlement is found under RSA 169-B (Delinquent Children), RSA 169-C (Child Protection Act), RSA 169-D (Children in Need of Services), and RSA 170-G (Division for Children and Youth Services).

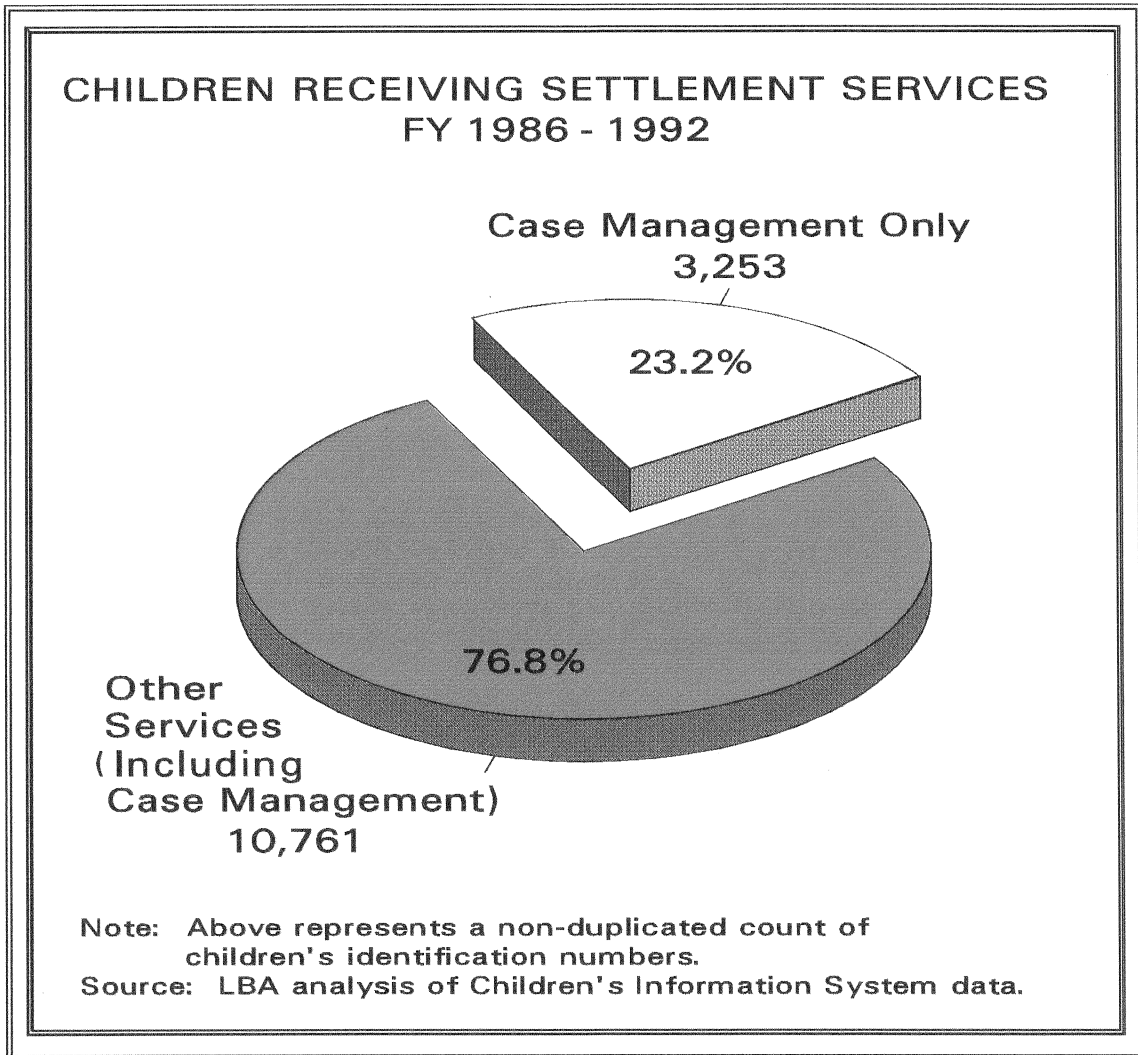
Services commonly associated with the child settlement program include residential placements and non-residential ancillary services. Residential services paid through child settlement range from board and care in a relative's home to inpatient psychiatric hospitalization, and may include confinement in a detention facility or the Youth Development Center for children in need of services or delinquents. Ancillary services cover a range of non-residential services including medical, dental, counseling, legal, transportation, and others. Ancillary services may also be provided to a child's family.

Since 1986, over 14,000 children have received court-ordered services through the child settlement program (Figure 1). Over 23 percent, or 3,253 children received only case management services from DCYS. The remaining 10,761 children (76.8 percent) received various ancillary services and in some instances were placed with residential service providers.

SUMMARY (Continued)

BACKGROUND AND SERVICES (Continued)

Figure 1



Overall, the largest portion of children receiving settlement services have been delinquents (Figure 2). Abuse cases have consistently accounted for the smallest portion of the child settlement caseload. Neglect cases accounted for the largest portion for the first three and one-half years of the program (Figure 3).

Figure 2

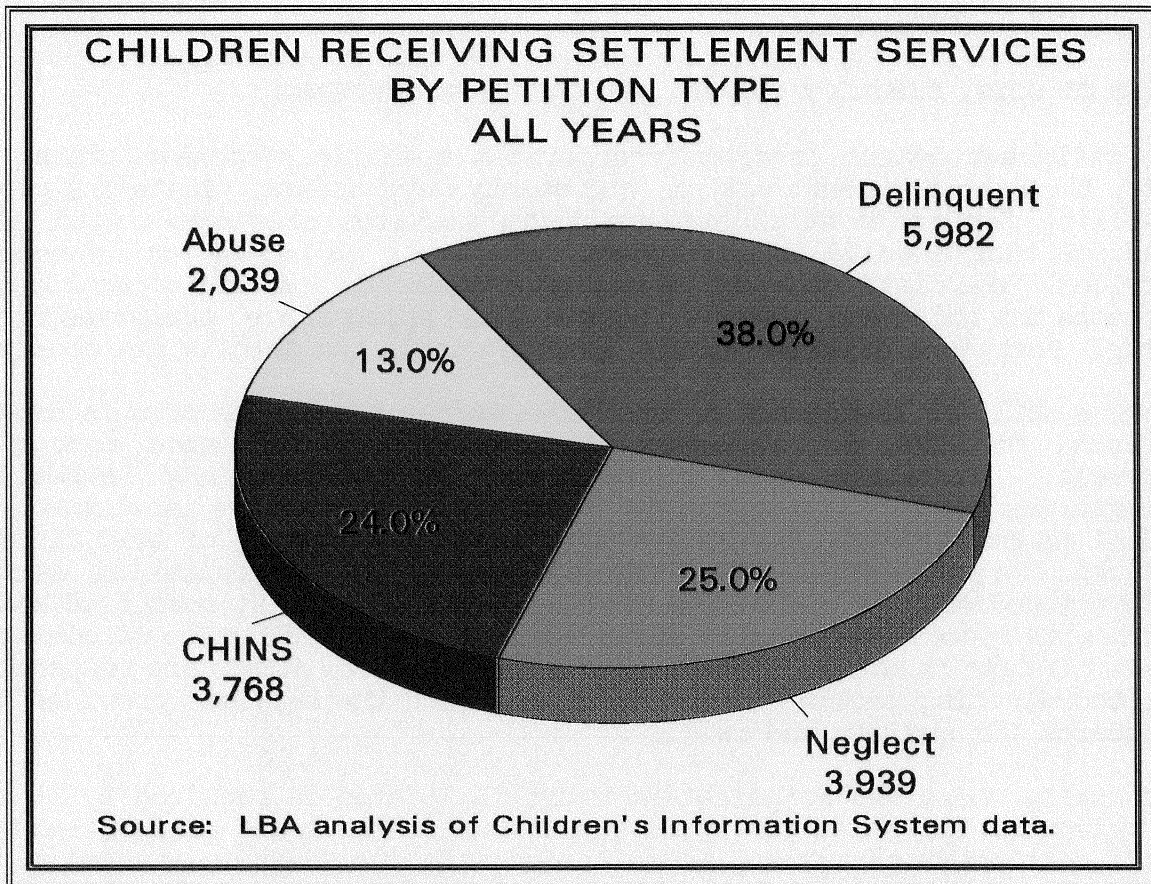
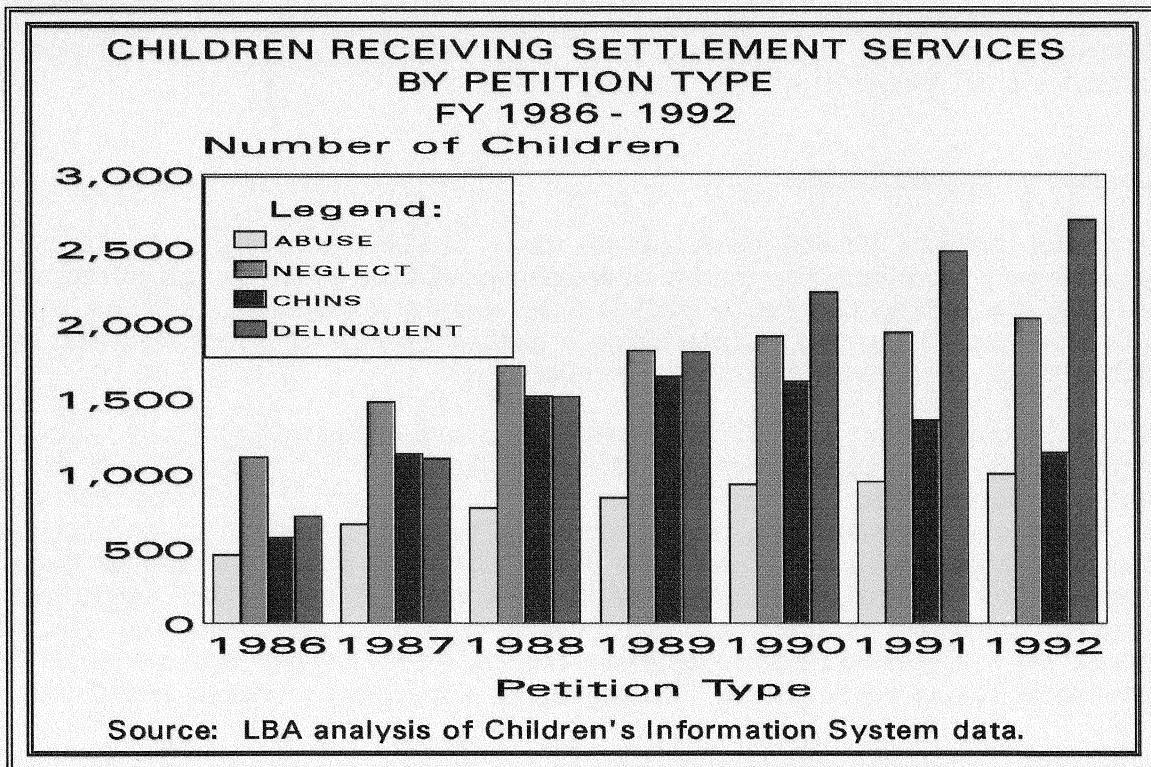


Figure 3



SUMMARY (Continued)

ROLES OF DCYS, DISTRICT COURTS, AND COUNTY GOVERNMENTS

The child settlement program incorporates specific responsibilities for DCYS, the district court system, and county governments. State and county liability for residential and ancillary services originates with court findings that a child is delinquent, abused or neglected, or in need of services. The district court is required to decide a course of action that protects the child and, whenever possible and appropriate, preserves family unity. Forty-one district courts operate within the State's ten counties.

After a child or family has become known to the court, the case is usually referred to DCYS for investigation, assessment, and case management services. In abuse and neglect cases DCYS workers may investigate allegations and file the petition. The 186 child protective service workers and 51 juvenile services officers employed in the network of DCYS district offices are responsible for authorizing services, monitoring service delivery and case progress, and reporting to the court at specified review dates with recommendations for new, continued, or termination of services. While the case is active, personnel within DCYS state office are responsible for coordinating payments, as well as ensuring the services provided meet standards for quality and need.

The county where the adjudicating court is located is required by statute to reimburse the state for up to 25 percent of the costs of court-ordered child settlement services. Where the court's jurisdiction crosses county lines, the county of origin is legally responsible. County human services administrators are generally responsible for child settlement functions, including approving providers' invoices for payment, recommending and collecting parental reimbursements, and coordinating the five percent incentive fund program at the county level.

FUNDING AND EXPENDITURES

The costs to the State associated with child settlement include: 1) payments to providers for court-ordered services; 2) the cost of operating the DCYS, including the state office, the area and district offices, and the youth institutions; and 3) providing a number of services not ordered by the courts, such as prevention and intervention.

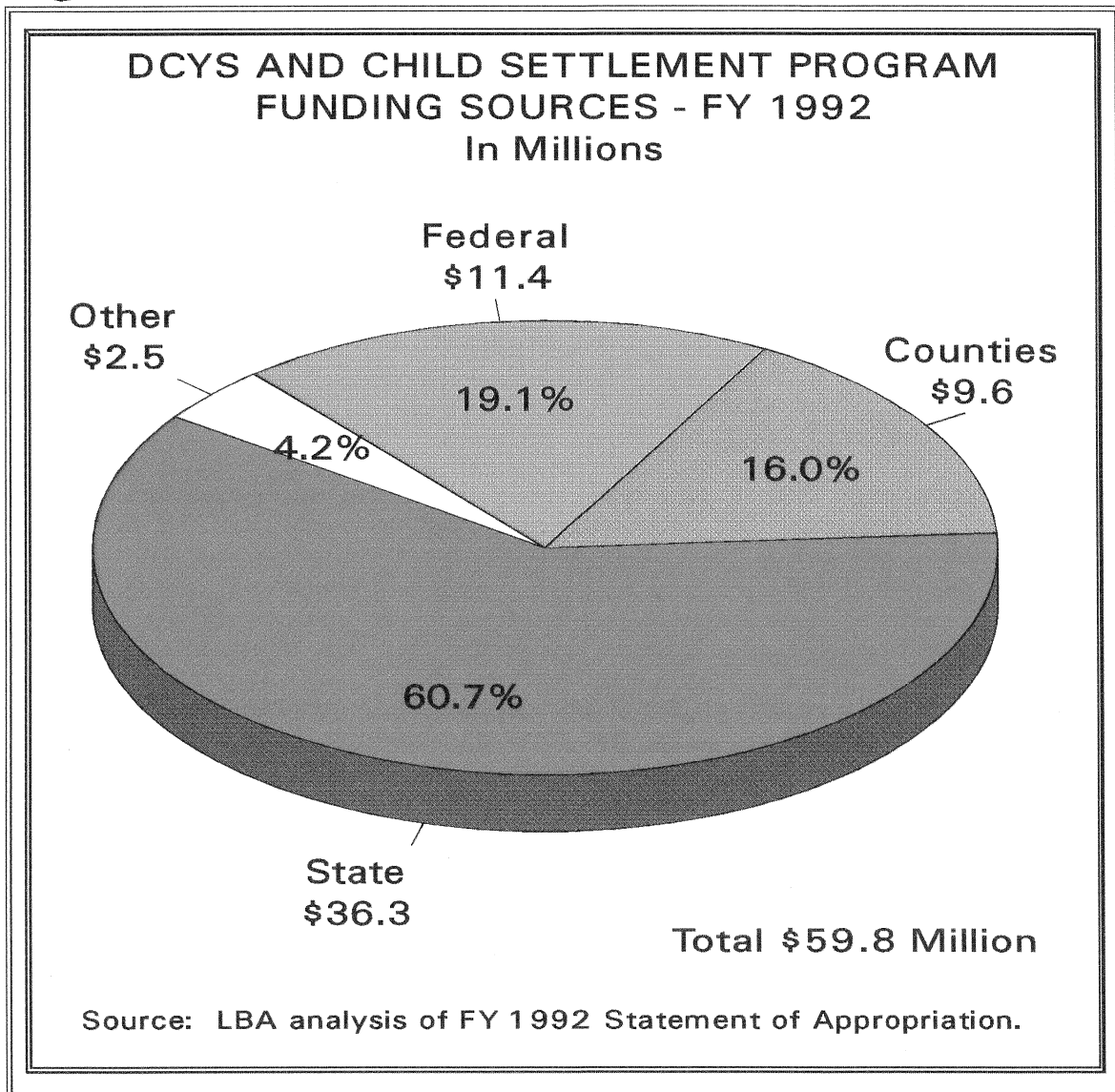
The State pays 75 percent of the costs of court-ordered services, while the county where the adjudicating court is located is responsible for the remaining 25 percent. In some cases, the child's legally responsible adult, such as parent or guardian, may be ordered to pay a portion of the costs for services. Exempted by statute from the settlement program are some expenses incurred for special education and educationally-related services, or expenses incurred for evaluation, care, and treatment at the Philbrook Center. Prior to the State assuming the major share for the costs in 1986, cities and towns were liable for payments for court-ordered services.

SUMMARY (Continued)

FUNDING AND EXPENDITURES (Continued)

Three primary sources provide funds for child settlement and settlement-related functions. During fiscal year 1992, State general funds contributed 60.7 percent of funding for child settlement, while county funds accounted for 16 percent and federal funds another 19.1 percent. Other funding sources included pass-through grants and transfers from other State agencies, which accounted for approximately 4.2 percent of funding for services to children (Figure 4).

Figure 4



SUMMARY (Continued)

FUNDING AND EXPENDITURES (Continued)

Our analysis of child settlement costs indicated residential services accounted for the vast majority of expenditures (Figure 5). Overall, from FY 1987 through FY 1992 residential services accounted for 80.6 percent of all court-ordered expenditures, compared to 19.4 percent for ancillary services. Ancillary expenditures have accounted for an increasing share of total expenditures since 1989, however.

RATE SETTING

Rate setting for purchased child settlement services involves procedures to assess and establish daily payment rates for residential services provided under child settlement. Rates for the 58 in-state residential providers, including DCYS-operated institutions, are established once a year. DCYS accepts and pays the rates for out-of-state residential providers that have been set for those facilities in their home states. Our analysis indicated there was little difference between the rates set by other states and those set for similar types of facilities located within New Hampshire. In fact, average daily rates for New Hampshire facilities are slightly higher for both board and care and education services.

Different procedures are used for setting rates for ancillary services. For some services existing rates are adopted from: Blue Cross and Blue Shield of New Hampshire, labor grades for state employees, Supreme Court Rule 48, and the State Medicaid Program.

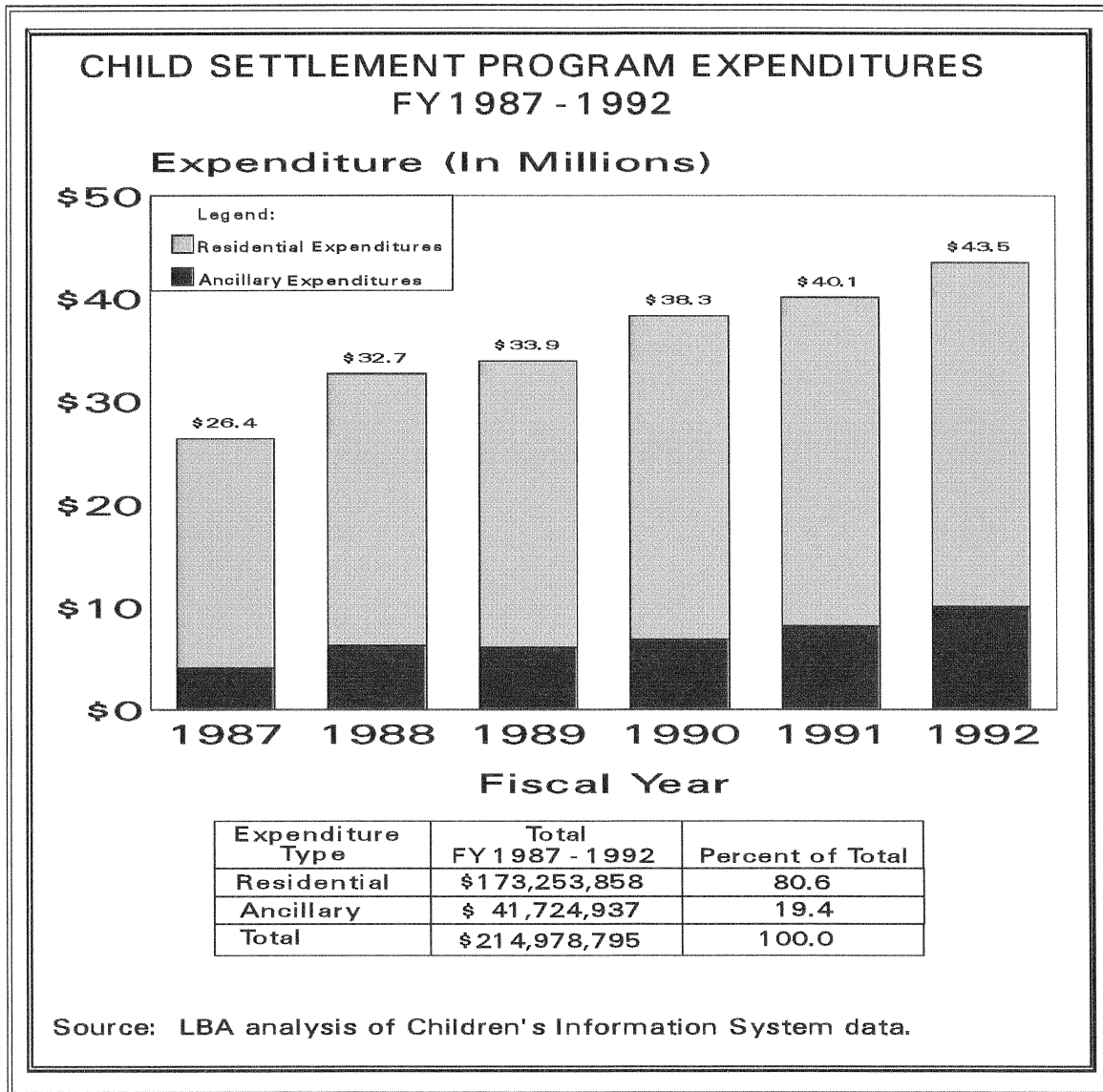
DCYS sets rates only for a few ancillary services such as parent aides, respite care, emergency and supplemental foster care, crisis homes, and camp.

QUALITY CONTROL

RSA 170-G:4 (XVIII) requires DCYS to certify all providers of services, placements, and programs paid by the division. DCYS has developed regulations, policies, and procedures for certifying purchased and contracted services. DCYS does not certify quality and need of agency services, however, the division has made some efforts to monitor the quality of these services in the past and has addressed field and state office functions through policies and procedures.

SUMMARY (Continued)

Figure 5



SUMMARY OF OBSERVATIONS AND RECOMMENDATIONS

We noted 28 observations which include 36 recommendations regarding the child settlement program and its management by DCYS. Many of these observations are categorized below with observation numbers and page references made to a more detailed discussion in the report.

- Observations and recommendations concerning services available through the child settlement program include one that encourages DCYS and the counties to pay for ancillary services without court

SUMMARY (Continued)

SUMMARY OF OBSERVATIONS AND RECOMMENDATIONS (Continued)

orders (Observation #1, p. 53), and two that recommend improvements in family-based services (Observation #14, p. 85; Observation #15, p. 86). We also have several concerns regarding the DCYS foster home care program (Observation #3, p. 57; Observation #4, p. 60; Observation #5, p. 62; and Observation #6, p. 63). Finally, we recommend improvements in assessing service needs and performance (Observation #2, p. 55; and Observation #17, p. 89).

- Observations and recommendations concerning DCYS and county government roles in the child settlement program encourage improvements in the State and county relationship (Observation #7, p. 66), and greater cooperation in collecting parental reimbursements and developing local prevention and diversion initiatives (Observation #13, p. 81; and Observation #16, p. 87).
- Observations and recommendations concerning federal funding available for child settlement services include two that question whether DCYS is maximizing additional sources of federal revenue (Observation #8, p. 68; and Observation #12, p. 79). We also question DCYS procedures for ensuring federal Title IV-E reimbursements are adequate. We estimated potential lost reimbursements of almost \$2.5 million during FY 1992 due to inadequate procedures for determining Title IV-E eligibility (Observation #9, p. 70; and Observation #10, p. 76).
- Observations and recommendations concerning DCYS rate setting encourage changes in rate setting for State-owned institutions (Observation #19, p. 91) and recommend DCYS establish rate setting procedures for foster family homes (Observation #21, p. 93).
- Observations and recommendations concerning quality control include three which address monitoring purchased and DCYS-provided services (Observation #22, p. 94; Observation #23, p. 98; and Observation #24, p. 99). In addition, we have four observations which address concerns regarding DCYS policies, procedures, and administrative rules (Observation #25, p. 101; Observation #26, p. 104; Observation #27, p. 105; and Observation #28, p. 106).

INTRODUCTION

STATE OF NEW HAMPSHIRE CHILD SETTLEMENT PROGRAM

1. INTRODUCTION

Since 1986, the State of New Hampshire, through the Division for Children and Youth Services (DCYS) within the Department of Health and Human Services (DHHS), has been responsible for paying the costs of court-ordered services for juvenile delinquents, abused and neglected children, and children in need of services (CHINS). The payment program, generally known as child settlement, is funded partially by State general funds and partially by county funds. The other major funding source is the federal government, which pays for specific court-ordered services in whole or by partially matching State and county expenditures. Statutory authority for the child settlement program is found under RSA 169-B (Delinquent Children), RSA 169-C (Child Protection Act), RSA 169-D (Children in Need of Services), and RSA 170-G (Division for Children and Youth Services).

When RSAs 169-B, 169-C, and 169-D were amended by the Legislature in 1985, responsibility for payments for services to children was transferred from cities and towns to the state and counties. By 1989, State officials were concerned about child settlement cost increases. Initial State and county expenditures for court-ordered services during the last half of FY 1986 exceeded \$10.8 million. By FY 1992 expenditures for court-ordered services were almost \$45 million in State and county funds (Table 1.1).

In 1991, the Chairman of the House Committee on Children, Youth, and Juvenile Justice, as well as a member of the House Appropriations Committee requested an LBA performance audit of child settlement. In February 1992, the joint Legislative Performance Audit and Oversight Committee and the Fiscal Committee directed the LBA to conduct a performance audit of settlement.

1. INTRODUCTION (Continued)

TABLE 1.1

**STATE OF NEW HAMPSHIRE
CHILD SETTLEMENT EXPENDITURES
FY 1986 - FY 1992**

FISCAL YEAR	SETTLEMENT* EXPENDITURES	PERCENT INCREASE
1986**	\$ 10,869,830	
1987	26,985,482	
1988	31,044,481	15.0
1989	33,138,900	6.7
1990	36,129,782	9.0
1991	39,574,394	9.5
1992	44,927,207	13.5
TOTAL	\$222,670,076	
<p>* Includes the Youth Development Center and Youth Services Center, except for FY 1986.</p> <p>** Six month expenditures, January - June 1986.</p> <p>Source: Statements of Appropriation.</p>		

1.1 SCOPE, OBJECTIVES, AND METHODOLOGY

We performed our audit of the New Hampshire child settlement program consistent with recommendations made to the Fiscal Committee by the Legislative Performance Audit and Oversight Committee. This performance audit was conducted in accordance with generally accepted governmental auditing standards and accordingly included such procedures as we considered necessary in the circumstances.

1. INTRODUCTION (Continued)

1.1 SCOPE, OBJECTIVES, AND METHODOLOGY (Continued)

SCOPE AND OBJECTIVES

This report describes and analyzes the growth in child settlement and management of the settlement program by the Division for Children and Youth Services (DCYS) from the program's inception on January 1, 1986 through June 30, 1992. Although changes that have occurred in the program and DCYS during FY 1993 are in some cases taken into account, the primary focus of this performance audit remains within the identified audit period.

The issues we focused on primarily addressed the structural elements related to child settlement, including the DCYS mission, inter-governmental roles inherent in the settlement program, the payment system, rate setting, and quality control of purchased and agency services. We also looked at program funding and expenditures, as well as agency policies, procedures, and administrative rules.

Our audit encompassed the six and one-half year history of the program from its inception in January 1986 through the end of FY 1992, and addressed the following specific objectives:

- 1) Identify the number of children served by the program, the types and length of time they received services, expenditure levels for different types of services and the whole program, and factors related to increases in the program's cost;
- 2) Determine whether DCYS is maximizing the federal revenues available to help support settlement expenditures;
- 3) Assess the use of intervention and prevention programs by the agency and whether increased use could help to reduce settlement costs;
- 4) Identify guidelines, policies, and procedures used by DCYS field staff when they determine which service to recommend for a child and/or family, as well as which service providers to use.
- 5) Assess the efficiency and effectiveness of rate setting procedures, as well as of service provider certification and other quality control processes;
- 6) Assess factors related to district court judges' decisions to order services, and the extent to which they review the services they order;
- 7) Assess the efficiency and effectiveness of payment and recovery procedures for settlement services, and the role of the counties in the settlement program;

1. INTRODUCTION (Continued)

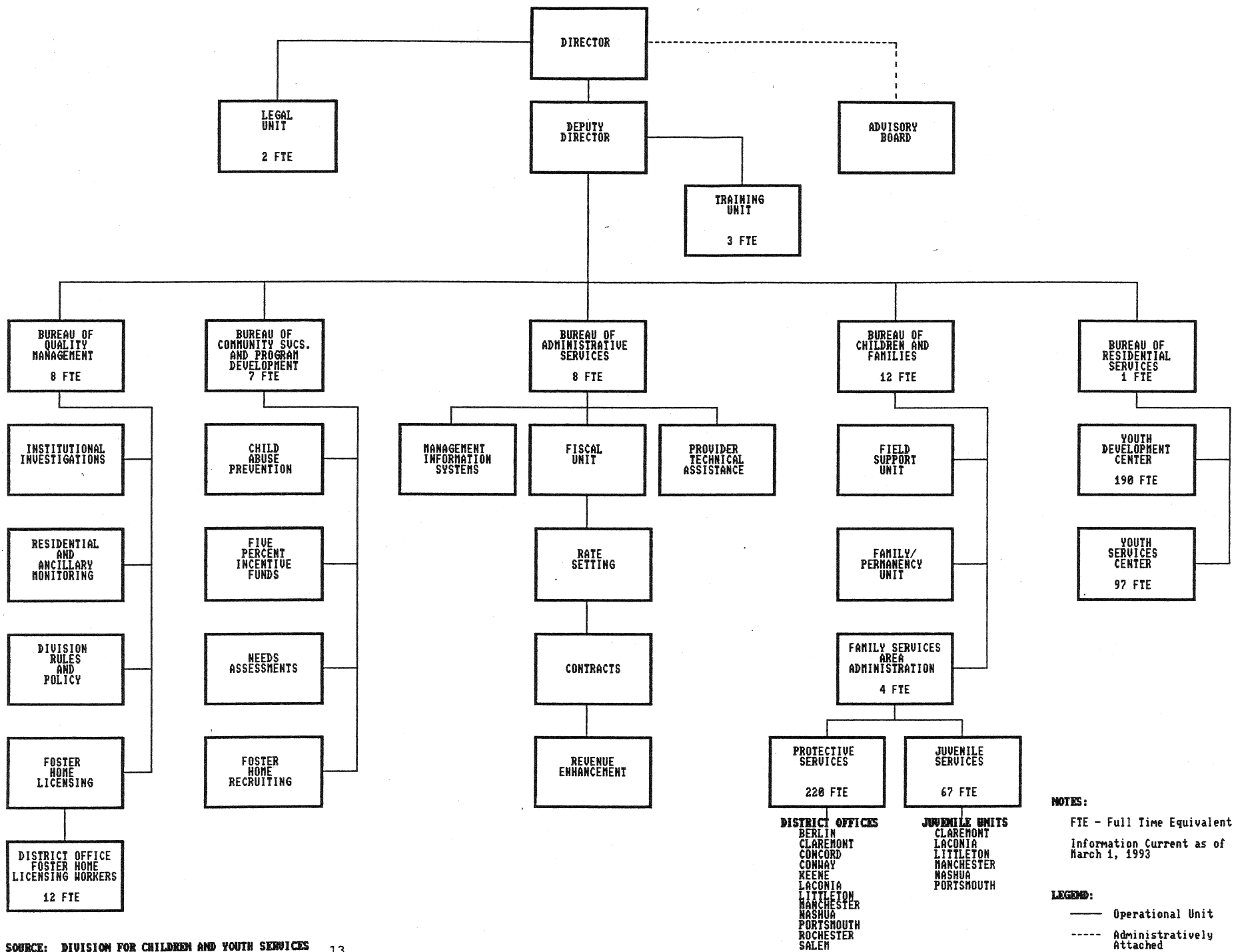
1.1 SCOPE, OBJECTIVES, AND METHODOLOGY (Continued)

METHODOLOGY

To obtain general background information and develop an understanding of child welfare programs nationally, we reviewed reports, articles, and research papers published by professionally-recognized governmental and non-governmental organizations including the National Council of State Legislatures, the Council on State Governments, the Child Welfare League of America, the American Association for Protecting Children, the National Association of Public Child Welfare Administrators, the National Council of Juvenile and Family Court Judges, the Youth Law Center, the Center for the Study of Social Policy, and the Institute for Human Services Management.

To obtain background information about the New Hampshire child settlement program to help design the methodology of our performance audit, we used two basic methods. First, we met with state legislators, and conducted structured interviews with DCYS bureau administrators and with child and family services professionals in the private sector. Second, we reviewed New Hampshire statutes including: RSAs 169-B, 169-C, and 169-D; DCYS administrative rules, organization charts, and reports to the Governor and legislative committees; newspaper articles from 1986-1992; and a 1991 report on DCYS entitled "A Study of Child Protection in New Hampshire" by the University of Southern Maine, and the 1991 DCYS "Blueprint for Action."

To obtain information to accomplish the audit objectives, we used four methods. First, to identify the number of children served by the program, length and types of services, and costs, we performed descriptive statistical analyses of computerized data obtained from the automated payment system, also known as the Children's Information System (CIS). Second, we conducted over 80 structured interviews with DCYS supervisors, area administrators, and state office personnel, as well as with county human services administrators (CHSAs), district court judges, and child and family services professionals in the private sector. Third, we administered mail surveys to DCYS field staff, district court judges, board and care providers, and foster family homes providers, as well as telephone surveys of child welfare officials in other states. Fourth, we conducted document reviews of federal and State statutes, and written information obtained from child welfare officials in other states, child and family services professionals in the private sector, and nationally recognized consultants in the child welfare field.



NOTES:
 FTE - Full Time Equivalent
 Information Current as of
 March 1, 1993

LEGEND:
 — Operational Unit
 - - - - Administratively Attached

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1. INTRODUCTION (Continued)

1.3 SIGNIFICANT ACHIEVEMENTS

It is important to recognize that performance auditing by its nature is a critical process, designed to identify problems or weaknesses in past and existing practices and procedures. We note here a number of successful and positive practices, procedures, and programs that we observed and for which sufficient documentation was available.

- CHANGE IN MISSION - The audit team recognized early in its field work that an adversarial relationship between DCYS and families was inherent when services had to be ordered by the courts before being paid for by the state and counties. Basic social work practice theory teaches that services have their greatest chance of success when the client/worker relationship is based upon cooperation and trust between the parties involved.

Throughout its history as a division, DCYS has had four directors. In this time period the division has also garnered a good deal of publicity, much of it negative. For most of the division's existence, its mission focused upon child protection and providing services to heal victims of abuse and neglect, or to rehabilitate juvenile delinquents and status offenders. While there is little to argue with the concept that abused and neglected children must be protected, or that juvenile delinquents and status offenders should be rehabilitated, there nevertheless is something inherently wrong with a system that appears designed to alienate the most important influences in childrens' lives, their families. Therefore, we were pleased to see a change in the DCYS mission midway through our audit field work. This change places the focus of the division's services upon supporting the family, protecting children, and providing services within the community. The new mission statement does not imply that all abused, neglected, delinquent, and children in need of services can be protected or rehabilitated within their families, but it does commit the division to recognizing the family, as well as the child, as the focal point of its services.

- RATE SETTING - When this audit began, several legislators asked the LBA to look specifically at DCYS rate setting procedures for residential facilities. Their concerns included:
 - How DCYS rate setting procedures differed from those of other agencies that purchase similar services.
 - The structure and use of the rate appeals process.
 - The use of out-of-state placements, and the higher cost of these placements compared to New Hampshire facilities.
 - Allegations that providers control the rate setting process.

1. INTRODUCTION (Continued)

1.3 SIGNIFICANT ACHIEVEMENTS (Continued)

Our audit of rate setting included a review of the process, a survey of residential providers located in New Hampshire and out-of-state (Appendix A), interviews with the DCYS rate setter, analyses of rates and rate increases, and examination of the rate setting procedures of other agencies.

We did find a few problem areas with the DCYS rate setting process. These are addressed in our observations (see Observations #18, #19, #20, and #21). Generally speaking, however, DCYS is in control of the rate setting process. Providers have several avenues of recourse if they are dissatisfied with a rate, and these favor neither party. The most frequently voiced comments in our provider survey reflected satisfaction with the rate setter, the process, or both, and recognized that the system has improved in recent years. We see no reason to change the rate setting system at this time.

- STAFF TRAINING PROGRAM - Child protection and juvenile justice services are complex endeavors which require field workers to understand and work within a variety of systems. Child protective and juvenile service workers must be knowledgeable and practiced in the dynamics of both nuclear and extended families, as well as public and private social service agencies. Unfortunately these skills are not taught to the degree needed in colleges and universities. Instead, they are often learned on the job in real situations.

For most of the history of the child settlement program, DCYS had not developed a systematic and comprehensive staff training program designed to ensure new workers were equipped with the basic skills needed to adequately deal with the situations they encounter. However, in July 1992 the new DCYS training unit began its first class of pre-service training with newly hired child protective service workers (CPSWs) and juvenile services officers (JSOs). The core training program uses a comprehensive curriculum that emphasizes specific content on family and service systems, abuse and neglect, court and legal issues, case planning and management, permanency planning, adoption, and other topics necessary for beginning a career in child welfare services. Although the core curriculum was initially weak regarding juvenile justice content, training unit personnel indicated additional content was being developed to address delinquency and children in need of services (CHINS) issues.

1. INTRODUCTION (Continued)

1.4 REPORT OUTLINE

The remaining chapters in this report provide an analysis of the child settlement program's growth and management of the program by DCYS. Chapter 2 provides an overview of the program, including its background, types of services provided, court procedures, and responsibilities of DCYS and the county governments. Chapter 3 analyzes program funding and expenditures, including an examination of federal funds and other revenues accessed by DCYS. This chapter also discusses the division's use of cost saving services such as early intervention and prevention. Chapter 4 examines rate setting procedures for residential and ancillary services. Chapter 5 analyzes DCYS quality assurance measures for purchased and agency services. Finally, Chapter 6 presents conclusions regarding the current condition and possible future of the child settlement program.

STATE OF NEW HAMPSHIRE CHILD SETTLEMENT PROGRAM

2. OVERVIEW OF THE CHILD SETTLEMENT PROGRAM

The child settlement program incorporates specific responsibilities for the executive branch of State government, the judicial system, and county governments (Table 2.1). The program mandates the State and counties share liability for paying for court-ordered residential and ancillary services related to children who are found to be delinquent, abused or neglected, or in need of services. The services may be received by either the children themselves, their families, or both. The State pays 75 percent of the costs of services, while the county where the adjudicating court is located is responsible for the remaining 25 percent. In some cases, the child's legally responsible adult, such as parent or guardian, may be ordered to pay a portion of the costs for services. Exempted by statute from the settlement program are some expenses incurred for special education and educationally-related services, or expenses incurred for evaluation, care, and treatment at the Philbrook Center. Prior to the State assuming the major share for the costs in 1986, cities and towns were liable for payments for court-ordered services.

TABLE 2.1

**GOVERNMENTAL RESPONSIBILITIES UNDER
THE CHILD SETTLEMENT PROGRAM**

STATE (DCYS)	COUNTIES	DISTRICT COURTS
<ul style="list-style-type: none"> - 75 percent of costs - Investigations - Filing petitions - Recommending services - Case management - Reporting to courts - Rate setting - Quality assurance - Allocating diversion incentive funds 	<ul style="list-style-type: none"> - 25 percent of costs - Local distribution of diversion incentive funds - Collecting parental reimbursements 	<ul style="list-style-type: none"> - Determining validity of petitions - Ordering services - Reviewing cases
Source: LBA analysis of RSA 169-B, 169-C, 169-D.		

2. OVERVIEW OF THE CHILD SETTLEMENT PROGRAM (Continued)

Payments for court-ordered services are managed through a centralized system located at the DCYS state office. DCYS is responsible for overall management of the program, including rate setting for settlement-related services and certifying the quality of the services provided.

DCYS field personnel, primarily child protective service workers (CPSWs) and juvenile service officers (JSOs), are responsible for case management of settlement cases. These activities include: 1) investigating reports of child abuse or neglect, or allegations that a child is delinquent or in need of services; 2) assessing service needs of the child and family and recommending interventions to the court; 3) arranging for court-ordered services to be provided and paid, and; 4) making reports and recommendations regarding child and family progress at court-ordered review dates.

The district court is responsible for deciding whether the facts of the case support a finding of abuse, neglect, delinquency, or that the child is in need of services due to being beyond parental control or having committed acts which, while not delinquent, are unlawful. The district courts are also responsible for deciding which services the child or family should receive to mitigate or resolve the situation, and for reviewing changes or progress at regularly scheduled intervals.

In addition to their responsibilities for sharing the costs of court-ordered services, the county governments coordinate parental reimbursement activities and the five percent incentive fund program. This latter program is mandated under RSA 170-G:4 (XVI), and requires DCYS to distribute not less than five percent of settlement appropriations to local programs for prevention and early intervention.

2.1 HISTORICAL BACKGROUND

Prior to its repeal in 1985, RSA 164-A (Settlement of Persons) referred to the legal residence of poor persons and the responsibilities of cities and towns for providing assistance to such persons. Under this law, the localities were also liable for paying the costs of placements and services to children as part of their local welfare expenditures. Local liability was limited to a period of 365 days, after which the county assumed the cost of the services.

A number of problems had been identified with the previous settlement system which led to its repeal and transfer of responsibility to DCYS. For example, a 1983 report presented to the Task Force For Children's Placements called for State involvement in creating a comprehensive system able to respond to several service needs. This report characterized the system at the time as plagued by conflicts between various governmental organizations over financial responsibility for and the appropriateness of placements.

2. OVERVIEW OF THE CHILD SETTLEMENT PROGRAM (Continued)

2.1 HISTORICAL BACKGROUND (Continued)

Lack of suitable placements for children was another problem identified within this report. This problem referred to quantity and distribution of placement options, as well as their appropriateness. While several placement options existed in the southern section of the State, the northern and rural sections had limited numbers. In addition, the number of services available was not sufficient to accommodate demand, nor were sufficient intermediate level placements available to accommodate children needing more secure settings than a group home but less restrictive than the Youth Development Center (YDC).

A 1984 DCYS report on funding child placement in the State also cited legal conflicts over financial responsibility as a major problem. As a result, the report indicated placements of children in foster care were being delayed or prevented. In addition, judges were reluctant, according to this analysis, to order specialized group placement because the cost represented a burden to local communities with limited funds.

According to the DCYS report, the new State-supported child settlement system was to contain four improvements over the previous system: 1) economic incentives for choosing the least restrictive placement appropriate for each child, 2) eliminating local financial responsibility for child placement, 3) maximizing federal reimbursements by making DCYS responsible for payment of all child placement expenses and, 4) providing for county reimbursements to DCYS for a portion of service costs in a fair and equitable manner.

2.2 TYPES OF SETTLEMENT SERVICES

Services commonly associated with the child settlement program include residential placements and non-residential ancillary services (Table 2.2). Residential services have been established along a continuum, ranging from board and care in a relative's home as the least restrictive option, to inpatient psychiatric hospitalization which is the most restrictive. Ancillary services cover a range of non-residential services including medical, dental, counseling, legal, transportation, and others. Ancillary services may also be provided to a child's family.

2. OVERVIEW OF THE CHILD SETTLEMENT PROGRAM (Continued)

2.2 TYPES OF SETTLEMENT SERVICES (Continued)

Table 2.2

**RESIDENTIAL AND ANCILLARY SERVICES
UNDER CHILD SETTLEMENT**

Residential	Ancillary
Relative Home	Administrative Review
Foster Family Care	Case Management
Nursing Home	Child Day Care
Independent Living	Clothing Allowance
Boarding Home	Crisis Care
General Group Home	Dental Services
Intermediate Group Home	Diagnostic Evaluation
Intensive Group Home/ Educational Facility	Family-Based Services
Therapeutic Foster Care	Family Counseling
Experiential Wilderness Program	Family Service Aide
Rehabilitation Center	Group Outpatient Counseling
Shelter Care	Guardian Ad Litem
Treatment Program	Individual Outpatient Counseling
Inpatient Psychiatric Care	Legal Services
Secure Detention	Medical Services
Secure Treatment	Outreach and Tracking
	Parent Aide Service
	Recreation
	Respite Care
	Supplemental Foster Care
	Termination of Parental Rights Review/Report
	Transportation
NOTE: For definitions of these terms see APPENDIX B.	
Source: DCYS Bureau of Administrative Services.	

According to DCYS, residential services prior to 1986 were lacking in both number and distribution. While the number of residential facilities has increased since the State and counties assumed responsibility for child settlement, DCYS personnel and judges in the northern area reported a shortage of suitable residential placements. Ancillary services also have become more comprehensive since the state and counties began paying for child settlement services.

2. OVERVIEW OF THE CHILD SETTLEMENT PROGRAM (Continued)

2.2 TYPES OF SETTLEMENT SERVICES (Continued)

According to information obtained from DCYS, family foster care has increased from 764 homes in 1986 to 888 homes in 1992, while placements in inpatient psychiatric services decreased from 86 to 34 in the same time period. Placements in rehabilitation centers have remained relatively level at between four and seven from 1986 to 1992.

Since 1986 three new types of residential services have been developed in the State. These include shelter care, independent living programs, and therapeutic foster care. Shelter care provides safe, short-term care for children. These are temporary placements used when children are removed from their homes on an emergency basis, but before DCYS field staff have identified a suitable placement. Independent living programs are used primarily for older youths completing a residential program but unable to return to their parental homes. Independent living is considered to be less costly than a group home, and more effective in preparing older youths for living without State assistance. The newest type of residential facility is therapeutic foster care. In these placements the foster family implements a structured treatment plan for the child with professional supports available on a 24-hour basis.

Finally, changes have also occurred in those residential placements commonly called group homes. At one time a group home provided services to children with several levels of need, however, there are now three levels of group home. General group homes offer the least restrictive setting and the least intensive treatment. DCYS reports that general group home utilization has decreased since 1986. Meanwhile, utilization of intermediate and intensive group homes has increased. These levels of residential care offer more intensive services, yet are an alternative to more costly out-of-state residential facilities.

There were 18 categories of ancillary services used in 1986. Since then, four categories: child placing agencies, JR/SR Friends, mediation, and special education, no longer receive settlement funds. Some of these services, such as mediation, continue as preventive intervention services used to divert children and families from entering the court system. The remaining categories of ancillary services have been subdivided into 23 categories designed to meet a range of physical and emotional needs. Many of these services, such as medical, dental, day care, crisis care, and guardian ad litem are provided only to children. Other services may be provided for the child's family, for example, substance abuse, family, or outpatient counseling. In addition, parent aides provide consultation and instruction to parents regarding family life issues.

2. OVERVIEW OF THE CHILD SETTLEMENT PROGRAM (Continued)

2.3 ENTERING THE SETTLEMENT PROGRAM

State and county liability for residential and ancillary services originates with court findings that a child is delinquent, abused or neglected, or in need of services. The district court is required to decide a course of action that protects the child and, whenever possible and appropriate, preserves family unity. According to judges' responses to an LBA survey (Appendix C), orders for services to children and their families are usually based upon recommendations made by the CPSW or JSO assigned to the case.

Forty-one district courts operate within the State's ten counties. With the exception of the Manchester District Court, which covers only the City of Manchester, all the district courts cover both the towns or cities in which they are located and surrounding municipalities (Appendix D). Specific procedures apply in court proceedings involving juveniles. These procedures are found in statute and in the court system's "Juvenile Case Processing Manual." Procedures establish the conduct of hearings, rules of evidence, issuing findings, and the confidentiality and disposition of records.

A child becomes known to the court in one of three ways, as an alleged juvenile delinquent, a victim of abuse or neglect, or a child in need of services. Although the reasons for entry into the court system may differ, once court involvement has occurred the proceedings contain several similarities (Figure 2.1). Statutes require all child settlement cases be reviewed at least once a year. However, district court judges often reported holding more frequent reviews, such as every three or six months. The purpose of these reviews is for the court to be informed of the progress of the case and to reassess the court orders. If the court finds significant progress has been made by the child or family, it may amend its orders to reflect that finding. However, if the court finds that there has been insufficient or no progress made, it may issue more restrictive orders.

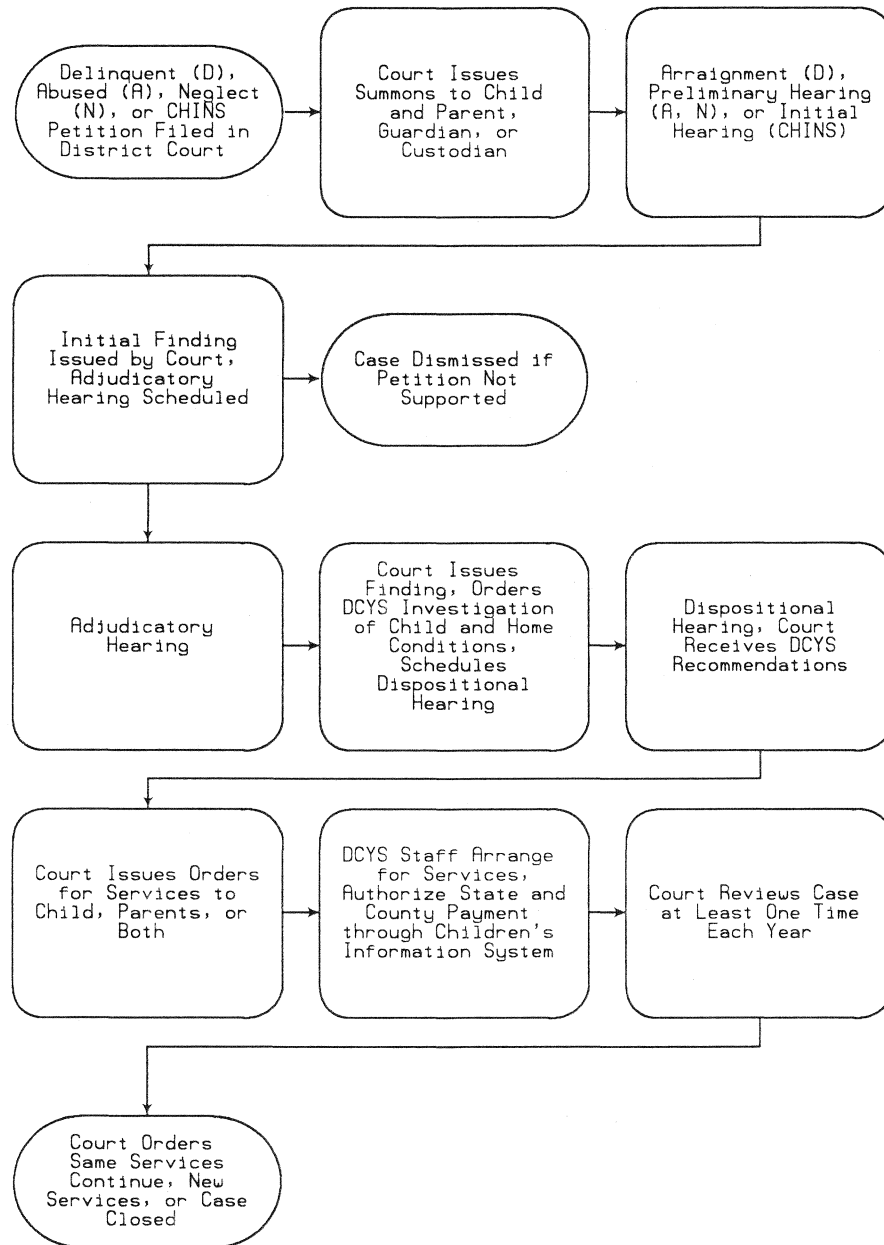
For abused or neglected children, the court may order DCYS to undertake a parental rights termination review. RSA 170-C:5 (III) stipulates the court may grant a termination of parental rights petition, if the parents have failed to correct conditions leading to the finding within 18 months, despite reasonable efforts under the direction of the court to rectify the conditions. In CHINS or delinquency cases, the court may order more restrictive placements or detention. RSA 169-D:17 also provides in CHINS cases that children or parents may be charged with contempt of court for refusing to participate in the specific dispositional plans ordered by the court.

2. OVERVIEW OF THE CHILD SETTLEMENT PROGRAM (Continued)

2.3 ENTERING THE SETTLEMENT PROGRAM (Continued)

FIGURE 2.1

COURT PROCESS IN CHILD SETTLEMENT CASES



Source: LBA analysis of RSA 169-B, 169-C, 169-D.

2. OVERVIEW OF THE CHILD SETTLEMENT PROGRAM (Continued)

2.3 ENTERING THE SETTLEMENT PROGRAM (Continued)

Although it is necessary to involve the courts in specific instances of child abuse and neglect, as well as for determining the proper disposition of delinquent and CHINS cases, our analysis indicates that there could be many cases where involving the courts adds additional expenses and needlessly creates antagonistic feelings between parents and DCYS. Of 14 other states contacted by LBA staff, only one other, South Dakota, involves the courts in all cases where services are paid by the state. Other states have found services can be effectively and efficiently provided without court involvement. We believe similar measures could be adopted here without a negative impact upon the ability of DCYS to fulfill its child protection and juvenile justice mission. **(For a complete discussion on this subject including our recommendation and the agency's comments, see Observation #1, DCYS SHOULD WORK WITH COUNTY HUMAN SERVICES PERSONNEL TO PROVIDE SOME CHILD PROTECTIVE AND JUVENILE SERVICES WITHOUT COURT ORDERS, on page 53.)**

2.4 REFERRAL TO THE DIVISION FOR CHILDREN AND YOUTH SERVICES

After a child or family has become known to the court, the case is usually referred to DCYS for investigation and case management services. However, in some instances, DCYS workers may investigate allegations prior to a petition being filed. In abuse and neglect cases especially, the petition to the court is usually filed by DCYS personnel after investigation indicates children are at risk. Once a court order for services has been entered, CPSWs and JSOs employed in the division's network of district offices become responsible for authorizing services, monitoring service delivery and case progress, and reporting to the court at specified review dates with recommendations for new, continued, or termination of services. While the case is active, personnel within the DCYS state office are responsible for coordinating payments, as well as ensuring that the services provided meet standards for quality and need.

2.5 DCYS STATE OFFICE RESPONSIBILITIES

Several bureaus within the DCYS state office are responsible for child settlement. The Bureau of Administrative Services manages the automated bill payment system, known as the Children's Information System (CIS), and rate setting for residential and ancillary service providers. (Information related to and our analysis of the rate setting process can be found in Chapter 4.) The CIS is an automated payment system which, although not designed as an information retrieval system, can output specific information regarding settlement expenditures. Bureau personnel also provide technical assistance to field service personnel and providers. The bureau's program specialists handle telephone calls from service providers, county officials, and DCYS personnel with questions regarding the CIS or payments, and also provide training regarding changes in the CIS as appropriate.

2. OVERVIEW OF THE CHILD SETTLEMENT PROGRAM (Continued)

2.5 DCYS STATE OFFICE RESPONSIBILITIES (Continued)

The Bureau for Community Services and Program Development is responsible for program development issues, including prevention services, federal grants, development of core services statewide, and service needs assessments. Our analysis of DCYS needs assessment procedures found them to need improvements. **(For a complete discussion on this subject including our recommendation and the agency's comments, see Observation #2, DCYS SHOULD DEVELOP AND IMPLEMENT METHODS TO ASSESS THE SERVICE NEEDS OF ITS CLIENT POPULATION, on page 55.)**

The Bureau of Quality Management (BQM) is responsible for certifying the quality of service providers within the State. This bureau certifies providers that are licensed by the Division of Public Health Services within DHHS and have rates for services established by DCYS. In addition, the bureau is responsible for conducting investigations into allegations of abuse or neglect against service providers. (Our analysis of these processes can be found in Chapter 5.)

The Bureau of Children and Families manages the network of area and district offices which employ the CPSWs and JSOs responsible for coordinating service delivery. The bureau employs approximately 174 CPSWs and supervisors, as well as approximately 60 JSOs and supervisors, responsible for providing case management services to child settlement cases. In addition, the bureau oversees the recently centralized intake of child abuse and neglect reports and referrals. Prior to centralization, abuse and neglect intake and referral was an area office function. The bureau also provides technical support to field services and manages the division's adoption and teen independent living programs.

2.6 DCYS FIELD SERVICE RESPONSIBILITIES

The DCYS field service structure includes a statewide network consisting of four area offices, which oversee the operations of 12 district offices for child protective services and six units for juvenile services. At the district office level, child protective services have responsibility for services in abuse and neglect cases, while juvenile services have responsibility for cases involving juvenile delinquents and CHINS. Once a preliminary finding has been made supporting a petition before the court, the case may be referred to DCYS personnel for the purpose of assuming legal supervision, or for arranging residential placement or ancillary services. In addition, after a finding in the adjudicatory hearing the court orders DCYS staff to investigate and file a report concerning the child's home conditions, school records, and the mental, physical, and social history of the family. Part of the responsibility of the CPSW/JSO at this point is to develop service recommendations for the court to consider, based upon the information developed through the investigation and study.

2. OVERVIEW OF THE CHILD SETTLEMENT PROGRAM (Continued)

2.6 DCYS FIELD SERVICE RESPONSIBILITIES (Continued)

After the dispositional order has been filed, the CPSW/JSO is responsible for arranging for court-ordered services. If the case involves placement, the CPSW/JSO must identify an appropriate residential provider, if one has not been specified by the court order. The CPSW/JSO must also identify specific providers for any court-ordered ancillary services. The CPSW/JSO also notifies DCYS state office of a new case receiving court-ordered services. This process is automated, allowing the CPSW/JSO to electronically transmit pertinent information regarding the child and services to the CIS.

For residential services, authorization is accomplished by completing the automated service authorization form, detailing identifying information about the child, the residential placement, and other information identifying the parents, the case manager, judicial determination of reasonable effort, case plan goal and date, and special needs codes. Additional information on the service authorization form, including the child's Title IV-E eligibility, is entered into the system by personnel in the Division of Human Services within the DHHS, which is responsible for determining eligibility for this federal program.

Once completed, the service authorization form initiates the automatic billing system within the CIS which is used by DCYS for payment of residential services. (A description of this process can be found in section 2.8 of this chapter.) CPSW/JSO responsibilities for authorizing ancillary services are similar to those for residential services. The billing process for ancillary services differs and will be described in section 2.8.

Once the court-ordered services have been arranged and implemented, the CPSW/JSO is responsible for tracking the progress of the child and family. The CPSW/JSO is required to report this information back to the court on court-specified review dates. This report helps the court to determine whether services should be continued, modified, or terminated.

2.7 DCYS FOSTER HOME PROGRAM

Statewide, there were almost 900 foster family homes providing residential placements in 1992. Responsibilities for the DCYS foster family home program are divided among personnel in the state and district offices. Prior to the 1992 DCYS reorganization, foster home recruitment, training, and licensing were the responsibilities of district office licensing workers who were supervised at the area office level. After the reorganization, supervision of the training and licensing functions was assigned to the Bureau of Quality Management. Two supervisors within the BQM oversee the licensing activities of foster care workers in the 12 district offices. These activities include scheduling and leading training for prospective

2. OVERVIEW OF THE CHILD SETTLEMENT PROGRAM (Continued)

2.7 DCYS FOSTER HOME PROGRAM (Continued)

foster parents. Responsibility for recruiting foster parents has also been reassigned to the DCYS state office. This function is now carried out by personnel within the Bureau of Community Services and Program Development. Our analysis of the DCYS foster home program indicated several areas of needed improvement. (For a complete discussion on this subject including our recommendations and the agency's comments, see Observation #3, THE FOSTER PARENT RECRUITING PROGRAM NEEDS IMPROVEMENT, #4, THE FOSTER PARENT PRE-SERVICE TRAINING PROGRAM REQUIRES ADDITIONAL FOCUS, #5, THE FOSTER PARENT IN-SERVICE TRAINING PROGRAM REQUIRES IMPROVEMENT, and #6, DCYS SHOULD INCREASE AGENCY SUPPORT TO FOSTER PARENTS, beginning on page 57.)

2.8 ROLE OF THE COUNTIES

The county where the adjudicating court is located is required by statute to reimburse the state for up to 25 percent of the costs of court-ordered child settlement services. Where the court's jurisdiction crosses county lines, the county of origin is legally responsible.

Revenues for county settlement funds are derived from local property taxes. Expenditures for child settlement-related disbursements are included as part of county human service budgets. County Human Services Administrators (CHSAs) are generally responsible for child settlement functions, which include approving providers' invoices for payment, recommending and collecting parental reimbursements, and coordinating the five percent incentive fund program at the county level. (Information related to our analysis of the latter two functions can be found in Chapter 3.)

Twice a month the CIS produces invoices that are mailed to residential service providers. Providers receive an invoice for each child within their facility. After endorsing the invoices, the providers forward them to the human services administrators in the counties where the children are from. CHSAs endorse and mail the provider invoices to data processing in the DHHS Commissioner's Office for computer entry into the CIS. Data processing personnel batch the returned invoices and submit a computerized tape to the State Treasury, which issues checks to providers.

Ancillary service providers do not receive monthly invoices from the state. Instead, these providers send their invoices to DCYS district offices for endorsement. The district offices then submit the invoices to the counties. CHSAs endorse the invoices and return them to DHHS for data processing and state payment. Once a month the Office of Management and Budget in the DHHS Commissioner's Office bills the counties for the 25 percent local share of the costs for settlement services.

2. OVERVIEW OF THE CHILD SETTLEMENT PROGRAM (Continued)

2.8 ROLE OF THE COUNTIES (Continued)

Our analysis of the counties' role in the child settlement program indicated they provide a valuable control in the payment process. By scrutinizing invoices and investigating questionable charges, the counties save themselves and the state from making erroneous payments which must later be credited against future provider services or repaid by the provider. CHSAs may not withhold endorsements or dispute whether a court-ordered service is warranted, however, counties are not required to pay for services that may have been provided but were not court-ordered. In addition, county officials may withhold endorsement for payments if third party insurers have not been billed by service providers when appropriate. Our analysis of the county role in the child settlement program indicated areas where some improvements are needed, particularly in the working relationship between DCYS and the counties. (For a complete discussion on this subject including our recommendations and the agency's comments, see Observation #7, DCYS AND COUNTY RELATIONSHIP IN SETTLEMENT PROGRAM NEEDS IMPROVEMENT, on page 66.)

STATE OF NEW HAMPSHIRE CHILD SETTLEMENT PROGRAM

3. FUNDING AND EXPENDITURES

Although the operating budget and the Statement of Appropriation (SOA) each contain a line item for child settlement, revenue and expenditures related to providing services to children and their families exceed this amount. The costs to the State associated with child settlement include: 1) payments to providers for court-ordered services; 2) the cost of operating the DCYS, including the state office, the area and district offices, and the youth institutions; and 3) providing a number of services not ordered by the courts, such as prevention and intervention.

3.1 FUNDING SOURCES

Three primary sources provide funds for child settlement and settlement-related functions. These include State general funds, county payments, and federal grants (Table 3.1). As a rule, most funds go to or through DCYS. The lone exception to this are assigned counsel fees paid by the Indigent Defense Fund.

During fiscal year 1992, State general funds contributed 60.7 percent of funding for child settlement, while county funds accounted for 16.0 percent and federal funds another 19.1 percent (Appendix E). Other funding sources included pass-through grants and transfers from other State agencies, which account for approximately 4.2 percent of funding for services to children.

TABLE 3.1

**COMPARISON OF FUNDING SOURCES
FY 1987 & FY 1992**

SOURCES	FY 1987	FY 1992	PERCENT INCREASE
STATE	\$25,807,570	\$36,304,723	40.7
COUNTIES	6,228,495	9,583,570	53.9
FEDERAL	5,838,752	11,429,338	95.7
OTHER	1,068,647	2,534,004	137.1
TOTAL	\$38,943,464	\$59,851,635	53.7
Source: LBA analysis of Statements of Appropriation and Summaries of Restricted Revenue.			

3. FUNDING AND EXPENDITURES (Continued)

3.2 EXPENDITURES

In determining child settlement costs we used information from both the New Hampshire Integrated Financial System (NHIFS) and the Children's Information System (CIS). Because each system was designed for different purposes, it was not possible to reconcile inconsistencies between the two systems. Generally, when we analyzed child settlement expenditures we relied on data from NHIFS; when we analyzed child specific data, we used the CIS.

Since 1986, when the State assumed responsibility for paying settlement-related expenses, the costs of the program have risen considerably. Following expenditures of almost \$10.9 million for the last six months of FY 1986, appropriations have increased every year since. In most fiscal years program expenditures exceeded initial appropriations and DCYS obtained supplemental appropriations to offset part of the increased expenditures. However, DCYS personnel also informed us that in many years supplemental appropriations were insufficient to meet incurred cost levels. Therefore, some incurred costs were carried forward by DCYS and paid in the following fiscal year.

Our analysis of child settlement expenditures addressed several issues. First, we were interested in determining the factors which contributed to increases in settlement program costs. Second, we wanted to determine how many children received settlement services since 1986, as well as how many of the children receiving services were in the program under the primary petition types: abuse, neglect, delinquent, or CHINS. Third, we wanted to determine how long children received settlement services. Finally, we wanted to determine differential information regarding settlement costs including: 1) what portion of settlement expenditures is attributed to residential services and what portion is attributed to ancillary services, 2) what are the cost differences between in-state and out-of-state residential services, 3) what portion of settlement expenditures is attributed to out-of-state residential placements, and 4) what portion of settlement expenditures is attributed to contracted providers.

For our analysis of factors related to the increase in settlement costs, we included related questions in our interviews with DCYS supervisory and administrative personnel, as well as with CHSAs. In addition, we included related questions in our mail surveys of DCYS field personnel (Appendix F) and district court judges (Appendix C). Responses obtained from these sources demonstrated marked similarities (Table 3.2).

3. FUNDING AND EXPENDITURES (Continued)

3.2 EXPENDITURES (Continued)

TABLE 3.2

**FACTORS RELATED TO INCREASED CHILD SETTLEMENT COSTS
INTERVIEW AND MAIL SURVEY RESPONSES**

<u>DCYS INTERVIEWS</u>	<u>CHSA INTERVIEWS</u>
Family problems greater Legal costs More kids in system Cost of services increased More out-of-home placements Perception settlement money is unlimited Insufficient in-state services Loss of local control More CHINS cases	Family problems greater More kids in system Cost of contracted services Loss of local control Court orders, petitions More paperwork Services are less effective Insufficient 5% funds Insufficient prevention programs Insufficient goals/outcome measures
<u>DCYS SURVEYS</u>	<u>JUDGES SURVEYS</u>
Cost of services increased Family problems greater More knowledge of problems Unemployment/family problems Higher caseloads Out-of-state placements More cases Special services Increased services Lack of preventive services	Cost of programs More cases More knowledge of problems Federal laws Lack of residential providers Children with multiple problems Parental problems Increased placements Loss of local control More special treatments
Source: LBA analysis.	

We obtained computerized data from the Children's Information System to perform our own computer-based analyses of various factors related to child settlement expenditures. Since 1986 over 14,000 children have received court-ordered services through the child settlement program (Table 3.3). The number of children served through the settlement program has increased yearly by anywhere from 2.2 to 49.3 percent. Not all of these children received services from providers certified and paid by DCYS, however. Twenty-three percent, or 3,253 children received only case management services from DCYS. The remaining 10,761 children (76.8 percent) received various ancillary services and in some instances were placed with residential service providers.

3. FUNDING AND EXPENDITURES (Continued)

3.2 EXPENDITURES (Continued)

TABLE 3.3

NUMBER OF CHILDREN RECEIVING SERVICES - ALL PETITION TYPES

FISCAL YEAR	CASE MANAGEMENT	OTHER SERVICES	ALL CHILDREN	PERCENT CHANGE
1986	410	2,350	2,760	
1987	772	3,348	4,120	49.3
1988	1,464	3,769	5,233	27.0
1989	1,853	3,914	5,767	10.2
1990	2,368	3,965	6,333	9.8
1991	2,571	3,903	6,474	2.2
1992	2,927	3,751	6,678	3.2
TOTAL UNDUPLICATED COUNT	3,253	10,761	14,014	
Source: LBA analysis of DCYS CIS data.				

Separating the numbers of children receiving settlement services by petition type reveals the largest percentage overall has been delinquents, while the smallest percentage has been abuse cases (Table 3.4). This has not always been the case, however. While abuse cases have consistently accounted for the smallest portion of the child settlement caseload, neglect cases accounted for the largest portion for the first three and one-half years of the program. (The discrepancy between the total number of children in all petition types and the total number of children served by the program, reported earlier, is because some children have received settlement services for more than one reason. For example, children whose initial experiences with child settlement may have been due to abuse or neglect, may reenter the program at a later date on CHINS or delinquency petitions.)

3. FUNDING AND EXPENDITURES (Continued)

3.2 EXPENDITURES (Continued)

TABLE 3.4

NUMBER OF CHILDREN RECEIVING SERVICES - BY PETITION TYPE

FISCAL YEAR	ABUSE	NEGLECT	CHINS	DELINQUENT	TOTAL
1986	457	1,111	574	714	2,856
1987	662	1,475	1,132	1,100	4,369
1988	772	1,718	1,513	1,512	5,515
1989	840	1,819	1,646	1,811	6,116
1990	930	1,915	1,614	2,209	6,668
1991	949	1,941	1,356	2,484	6,730
1992	1,003	2,036	1,145	2,694	6,878
TOTAL UNDUPLICATED COUNT	2,039	3,939	3,768	5,982	15,728
PERCENT	13.0	25.0	24.0	38.0	100.0
Source: LBA analysis of CIS data.					

To determine the length of time children receive court-ordered services, we drew a statistically valid random sample of 400 children from the 6.5 years CIS database and separated the sample according to the types of services received. Results of this analysis revealed the length of time children receive settlement services varies greatly depending upon the type of service received (Table 3.5). Our sample included five children who had been receiving settlement services for 2,373 days (6.5 years), as well as seven children who had received only one day of service.

3. FUNDING AND EXPENDITURES (Continued)

3.2 EXPENDITURES (Continued)

TABLE 3.5

MEDIAN LENGTH OF TIME CHILDREN RECEIVE SERVICES

RESIDENTIAL SERVICES			ANCILLARY SERVICES		
SERVICE	DAYS	# OF CHILDREN	SERVICE	DAYS	# OF CHILDREN
Experiential/Wilderness	360	6	Supplemental Foster	322	4
Independent Living	288	1	Day Habilitation	147	2
Foster Family Home	172	138	Legal/Guardian Ad Litem	110	258
Relative Home	162	55	Parent Aid	72	16
Intensive Group Home	158	61	Home-Based Services	66	114
Foster Family Group Home	142	6	Outpatient Counseling	66	316
Secure Treatment	141	46	On Track	54	9
General Group Home	129	34	Termination of Parental Rights Review	47	8
Intermediate Group Home	92	54	Case Management	46	46
Inpatient Psychiatric	40	22	Day Care	44	52
Shelter Care	27	30	Intensive Tracking	41	31
Residential Treatment	25	8	Secure Transportation	31	5
Secure Detention	21	63	Family Service Aide	30	113
Developmental			Training	22	223
Disabilities Home	11	2	Camp	14	18
Emergency (Foster) Home	10	15	Respite Care	5	112
Rehabilitation Center	8	1			
Emergency (Crisis) Home	5	25			

Source: LBA analysis of CIS data.

Our analysis of child settlement costs indicated residential services accounted for the vast majority of expenditures (Table 3.6). Overall, from FY 1987 through FY 1992 residential services accounted for 80.6 percent of all court-ordered expenditures, compared to 19.4 percent for ancillary services. Ancillary expenditures have accounted for an increasing share of total expenditures since 1989, however. The majority of the residential expenditures went to placements in intensive group homes, followed by secure treatment (YDC), intermediate group homes, and foster family homes (Table 3.7) (Appendix G). The majority of ancillary service expenditures went to home based services, followed by outpatient counseling, and legal representation. Residential placements within facilities located in New Hampshire accounted for 79.6 percent of all residential expenditures, compared to 20.4 percent for out-of-state residential placements (Table 3.8). Also, in FY 1992, contracted providers accounted for approximately 11 percent of all settlement expenditures (Table 3.9).

3. FUNDING AND EXPENDITURES (Continued)

3.2 EXPENDITURES (Continued)

TABLE 3.6

YEARLY EXPENDITURES - RESIDENTIAL AND ANCILLARY SERVICES

FISCAL YEAR	RESIDENTIAL EXPENDITURES		ANCILLARY EXPENDITURES		TOTAL
	AMOUNT	% OF TOTAL	AMOUNT	% OF TOTAL	
1987	\$ 22,273,853	84.2	\$ 4,176,505	15.8	\$ 26,450,358
1988	26,433,992	80.7	6,307,388	19.3	32,741,380
1989	27,826,221	82.1	6,073,371	17.9	33,899,592
1990	31,425,883	82.1	6,865,882	17.9	38,291,765
1991	31,930,556	79.7	8,126,210	20.3	40,056,766
1992	33,363,353	76.6	10,175,581	23.4	43,538,934
TOTAL	\$173,253,858	80.6	\$41,724,937	19.4	\$214,978,795
NOTE: FY 1986 expenditures not available.					
Source: LBA analysis of CIS data.					

3. FUNDING AND EXPENDITURES (Continued)

3.2 EXPENDITURES (Continued)

TABLE 3.7

**COMPARISON OF RESIDENTIAL AND ANCILLARY EXPENDITURES
FY 1987 - FY 1992**

SERVICE TYPE	EXPENDITURE	PERCENT
RESIDENTIAL		
INTENSIVE GROUP HOME	\$ 39,491,278	18.4
SECURE TREATMENT	32,779,665	15.2
INTERMEDIATE GROUP HOME	25,332,374	11.8
FOSTER HOMES	18,279,718	8.5
GENERAL GROUP HOME	14,731,731	6.9
IN-PATIENT PSYCHIATRIC	9,016,245	4.2
SECURE DETENTION	7,962,414	3.7
WILDERNESS FACILITY	6,933,402	3.2
TREATMENT FACILITIES	3,546,343	1.6
ALL OTHER RESIDENTIAL	15,180,688	7.1
SUB-TOTAL RESIDENTIAL	\$173,253,858	80.6
ANCILLARY		
HOME SERVICE	\$ 11,008,891	5.1
OUTPATIENT COUNSELING	8,418,038	3.9
LEGAL REPRESENTATION	5,136,224	2.5
DAY CARE	3,578,560	1.7
DIAGNOSTIC EVALUATIONS	1,768,884	0.8
INTENSIVE TRACKING	1,597,506	0.7
RESPIRE CARE	1,529,476	0.7
FAMILY SERVICE AIDE	1,330,873	0.6
TRANSPORTATION	1,169,048	0.5
MEDICAL SERVICES	1,156,301	0.5
ALL OTHER ANCILLARY	5,031,136	2.4
SUB-TOTAL ANCILLARY	\$ 41,724,937	19.4
TOTAL	\$214,978,795	100.0
Source: LBA analysis of CIS data.		

3. FUNDING AND EXPENDITURES (Continued)

3.2 EXPENDITURES (Continued)

TABLE 3.8

OUT-OF-STATE RESIDENTIAL EXPENDITURES

FISCAL YEAR	RESIDENTIAL EXPENDITURES	OUT-OF-STATE RESIDENTIAL	
		EXPENDITURES	PERCENT OF TOTAL
1987	\$ 22,273,853	\$ 4,343,291	19.5
1988	26,433,992	5,092,670	19.3
1989	27,826,221	6,119,547	22.0
1990	31,425,883	6,772,314	21.6
1991	31,930,556	6,347,394	19.9
1992	33,363,353	6,627,222	19.9
TOTAL	\$173,253,858	\$35,302,438	20.4
NOTE: FY 1986 expenditures not available.			
Source: LBA analysis of CIS data.			

TABLE 3.9

CONTRACTED PROVIDERS EXPENDITURES

FISCAL YEAR	TOTAL EXPENDITURES	CONTRACTED PROVIDERS	
		EXPENDITURES	PERCENT OF TOTAL
1987	\$ 26,450,358	\$ 84,904	0.3
1988	32,741,380	1,095,728	3.3
1989	33,899,592	1,504,065	4.4
1990	38,291,765	2,135,809	5.6
1991	40,056,766	2,615,431	6.5
1992	43,538,934	4,815,671	11.1
TOTAL	\$214,978,795	\$12,251,608	5.7
NOTE: FY 1986 expenditures not available.			
Source: LBA analysis of CIS data			

3. FUNDING AND EXPENDITURES (Continued)

3.3 MAXIMIZING FEDERAL REVENUES

Several federal programs are available to help states finance child welfare services. As indicated in section 3.1 of this chapter, DCYS has accessed federal funds to help pay for agency and purchased services. However, in some areas DCYS has not maximized existing federal revenues. These include Titles IV-A and IV-E of the Social Security Act (SSA), as well as additional options under the Medicaid program (Title XIX of SSA).

Title IV-A provides funds for financial assistance programs. Usually states obtain funds in support of programs such as Aid to Families with Dependent Children, Old Age Assistance, as well as Aid to the Blind, Permanently and Totally Disabled. However states may also access support for foster care and emergency assistance to needy families with children. Title IV-A emergency assistance includes 50 percent federal reimbursement of state expenditures for services such as information, referral, counseling, securing family shelter, child care, legal services, and other emergency or crisis related services. Like New Hampshire, most states use IV-A emergency assistance for rent, utilities, and other similar needs. At least two states have started using it for investigation, respite, and family preservation services with families where there is an impending out-of-home placement. **(For a complete discussion on this subject including our recommendations and the agency's comments, see Observation #8, DCYS IS NOT USING AFDC TITLE IV-A EMERGENCY ASSISTANCE FUNDS FOR FAMILY-BASED SERVICES, on page 68.)**

Title IV-E is an open-ended program that reimburses states at their Medicaid reimbursement rate, for expenses for foster care maintenance and adoption assistance. In addition, IV-E pays for 75 percent of child welfare agency worker training, and 50 percent for other administrative expenses "necessary for the proper and efficient administration of the state plan."

Although every state is eligible for federal funds under these programs, some experts question whether states are seeking their full entitlement. For example, the Institute for Human Services Management (IHSM) estimates that at least 50 percent of a state's foster children should be eligible for and receive Title IV-E funds. However, according to data presented to the U.S. Congress in June 1991, during FY 1990 this percentage ranged from only 2 percent in Hawaii to 81 percent in Vermont. New Hampshire received Title IV-E funds for only 27 percent of its foster children in that year. DCYS management disagreed with the IHSM estimates, saying the institute was presuming a higher AFDC rate than exists in New Hampshire. DCYS management also indicated the IHSM estimate of Title IV-E eligibility presumes a caseload composed entirely of child protection cases. According to DCYS, the delinquent and CHINS cases they serve reduces the New Hampshire's IV-E rate because these cases traditionally have a lower eligibility rate. Our analysis indicated that Title IV-E eligibility review procedures for children in foster care in New Hampshire need improvements, and that current procedures appear to be hurting the state's reimbursement rate for services

3. FUNDING AND EXPENDITURES (Continued)

3.3 MAXIMIZING FEDERAL REVENUES (Continued)

to IV-E eligible children. (For a complete discussion on this subject including our recommendations and the agency's comments, see Observation #9, DCYS PROCEDURES FOR DETERMINING TITLE IV-E ELIGIBILITY ARE INSUFFICIENT, #10, DCYS IS NOT CLAIMING ALL THE TITLE IV-E FUNDS FOR WHICH IT MAY BE ELIGIBLE, and #11, ADMINISTRATIVE REVIEW NEEDS IMPROVEMENT, beginning on page 70.)

Many states also do not claim full entitlement for child welfare administrative and training expenses. The Center for the Study of Social Policy concluded in November 1988 that "...only a minority of states have realized the full funding potential" of Title IV-E. In FY 1990 New Hampshire received no IV-E money for training. During FY 1992 DCYS received \$1,838 in Title IV-E training funds on \$2,450 expended. The division plans to increase its match in FY 1993 and beyond, however, with the creation and full-time operation of its training unit.

Title XIX of the SSA funds Medicaid. Child welfare agencies use Medicaid to pay for clinical services, such as counseling and other forms of treatment, for eligible families. A June 1989 report by the Center for the Study of Social Policy revealed that some states use Medicaid to help pay for case management, rehabilitation services, mental health services, and in-home services such as "family preservation." Our analysis indicates potential exists for DCYS to capture additional Medicaid funds. (For a complete discussion on this subject including our recommendations and the agency's comments, see Observation #12, DCYS HAS NOT ACCESSED VARIOUS MEDICAID OPTIONS TO HELP FINANCE COMMUNITY-BASED SERVICES, on page 79.)

3.4 PARENTAL REIMBURSEMENTS

RSAs 169-B, 169-C, and 169-D mandate the courts to require a financial affidavit from parents, or other persons legally chargeable for the support of the child, whenever there is an order for services. The purpose of the affidavit is to determine ability to repay expenses related to court-ordered services. The court orders that the affidavit be completed and returned within 30 days. Most courts order the affidavit be returned to the CHSA.

Each county is authorized to collect payments from persons ordered to reimburse the State. Using a standardized schedule developed jointly by CHSAs, a repayment amount is determined and recommended to the court for approval. The recommendation includes both the amount and frequency of repayment. Upon receiving the court's repayment order, the county begins its collection efforts.

3. FUNDING AND EXPENDITURES (Continued)

3.4 PARENTAL REIMBURSEMENTS (Continued)

Collected payments are transferred from the county to the State, which applies 25 percent of the amounts collected to reduce the county's liability for services. In addition, counties may deduct reasonable administrative expenses, up to 15 percent of the amount collected, as determined by the DCYS director.

The court may proceed with contempt hearings if the parent fails to return the completed affidavit. Failure to respond to a repayment order also may be referred to the court for a contempt hearing. In addition, the CHSA may file a lien against the parent's real or personal property.

Information from DCYS indicates that for fiscal years 1991 and 1992, less than one percent of the amount of court-ordered services was reimbursed by parents. We were unable to determine how this figure relates to the amount of parental reimbursements ordered by the courts, however, as neither the counties nor DCYS track this information. **(For a complete discussion on this subject including our recommendations and the agency's comments, see Observation #13, PROCEDURES FOR COLLECTING PARENTAL PAYMENTS FOR COURT-ORDERED SERVICES ARE INSUFFICIENT, on page 81.)**

3.5 INTERVENTION AND PREVENTION SERVICES

DCYS funds a variety of intervention and prevention services which are designed to prevent placements, keep children and families out of the court system, and help families to cope with circumstances and pressures that could lead to abuse, neglect, delinquency, or children being beyond parental control. Some of these services, such as family-based services, are court-ordered and paid entirely under child settlement. Other prevention and intervention services are funded on a service contract basis by DCYS using federal grant funds. Still others are partially funded under the statutorily mandated five percent diversion incentives program, with in-kind funds provided by the counties.

During the audit period, family-based services were provided in founded cases of child abuse or neglect under contracts with three private agencies. These are court-ordered services, designed to be intensive and of short duration. The minimum service length is 90 days, with an additional 90-day extension when necessary. Family-based services are used with families where children are at risk of placement, but where the families have indicated willingness to work at changing the conditions and behaviors which led to DCYS intervention.

Our analysis of the family-based services contracts in effect during the audit period indicated the program was too restrictive. Based on interviews with personnel from the three family-based services contractors, as well as with child welfare officials in other states, we believe a more flexible family-based model is warranted, possibly with a cash assistance feature for

3. FUNDING AND EXPENDITURES (Continued)

3.5 INTERVENTION AND PREVENTION SERVICES (Continued)

emergency situations. (For a complete discussion on this subject including our recommendations and the agency's comments, see Observation #14, A MORE FLEXIBLE FAMILY-BASED SERVICES PROGRAM IS NEEDED, and Observation #15, CASH ASSISTANCE SHOULD POSSIBLY BE A FEATURE OF FAMILY-BASED SERVICES, beginning on page 85.)

DCYS has contracted additional family services using federal funds obtained through the Social Services Block Grant (Title XX) and the Child Care Development Block Grant. These family resource and support services are offered where investigation indicates no finding that abuse or neglect has occurred, but conditions are such that there is a risk of abuse or neglect in the family. Family resource and support services are designed to help parents manage child rearing and family stress through services such as assessment, home visits, and preventive day care. Six contracts were issued during FY 1992, with two more expected to be issued during FY 1993.

The most extensive and varied intervention and prevention services supported by DCYS occur at the local and county level. These services are partially funded by DCYS through the five percent diversion incentives program mandated by RSA 170-G:4 (XVI). Each county receives a share of these funds through a formula developed by DCYS and the counties. Other funding for these services comes from the counties and private sources. The services funded through the five percent program and other sources include programs designed to prevent or intervene and divert delinquents, CHINS, abused, and neglected children and their families from the court and child settlement system. Examples of programs include family support, substance abuse prevention, court diversion, family mediation, recreation, child care, peer support, school-based counseling, and others.

Our analysis of the five percent diversion incentives program indicated DCYS may not be funding the program in compliance with statute. In addition, there appears to be little evidence that indicates how well these programs perform. This latter point also holds true for other intervention and prevention programs funded by DCYS. (For a complete discussion on this subject including our recommendations and the agency's comments, see Observation #16, DIVERSION INCENTIVES PROGRAM NEEDS IMPROVEMENT, and Observation #17, NO DATA REGARDING THE EFFECTIVENESS OF FAMILY-BASED, INTERVENTION, AND PREVENTION PROGRAMS, beginning on page 87.)

STATE OF NEW HAMPSHIRE CHILD SETTLEMENT PROGRAM

4. RATE SETTING

RSA 170-G:4 (XVII) authorizes DCYS to establish rates for all services, placements, and programs paid by the division resulting from court-ordered services. Rate setting is the responsibility of the DCYS fiscal unit which, prior to the 1992 reorganization of the DCYS state office, was a separate sub-division reporting directly to the DCYS director. Since the reorganization, the fiscal unit has been under the direction of the Bureau for Administrative Services. One staff person is responsible for rate setting activities.

4.1 GENERAL OVERVIEW OF RESIDENTIAL SERVICES RATE SETTING

The rate setting process involves procedures to assess and establish daily payment rates for residential services provided under child settlement. In addition, the DCYS rate setter works with the rate setter for the Department of Education to establish daily rates for those facilities where education is included in the services provided.

For the most part, the rate setting process for residential services appears fair, reasonable, efficient and effective. Rates are set each year. Providers submit detailed annual budgets and the rate setter reviews each line item. Areas reviewed included program/service explanations, personnel schedules, capital expenditures, revenues, DCYS certification standards, historical costs, and facility operating capacity. Based on these items, DCYS sets a tentative rate for each provider.

Providers can request DCYS to reconsider their rates. If dissatisfied they can appeal to the Commissioner of Health and Human Services. DCYS appeal records reflect mixed results: sometimes the provider wins and sometimes DCYS wins. The number of reconsiderations submitted declined from 13 in FY 1990, to eight in FY 1991, to three in FY 1992. Appeals based on reconsideration decisions went from seven in FY 1990, to five in FY 1991, and one in FY 1992. In our survey, 48.1 percent of New Hampshire based providers indicated that they had used the appeal process. Almost 64 percent were satisfied with the results of their appeal, while 36.4 percent were dissatisfied.

We asked providers what they like about the rate setting process. Their most frequent responses were:

- Rate setter is competent, knowledgeable, responsive.
- Process is fair, reasonable, or flexible.
- Process has improved in recent years.

4. RATE SETTING (Continued)

4.1 GENERAL OVERVIEW OF RESIDENTIAL SERVICES RATE SETTING (Continued)

- Procedures are clearly defined.
- Providers have input.

Complaints regarding the process were that it is time consuming (33.3 percent), DCYS has too much control over provider expenses (29.6 percent), and the process does not allow for the unique environment of each facility (18.5 percent). Our review of rates revealed that there are rate differences within each facility category. However, the DCYS rate setter explained that these are due to differences between programs in factors such as capital costs, endowments, charitable contributions, staff-to-client ratios, and salary structures.

The process is complex, but it is also very thorough. Comments regarding DCYS control over expenses help dispel allegations that providers control the process. The unique environment of each facility is reflected in the different rates for each facility. Provider complaints regarding rewards for efficiency and effectiveness center mainly on contributions and fund raising. Contributions and donations are not counted as revenue in rate setting calculations if they are "restricted," or designated for a specific purpose.

The rate setter has drafted changes to division rules that would also exclude from revenue fund raising proceeds generated for a specific purpose. In recent years, New Hampshire providers have fared better than their counterparts in other states. Many facilities in Massachusetts had their rates frozen for two or more years. The average rate for out-of-state intensive group homes increased only 2.4 percent during the past three years, compared to an average increase of 11.9 percent in New Hampshire. Rates for intensive group homes in New Hampshire and other states are now essentially equal. New Hampshire intermediate and general group homes registered average rate increases of 8.1 percent and 7.8 percent, respectively. The primary reason for high out-of-state placement expenditures is the lack of facilities in New Hampshire. New, community-based treatment alternatives and family-centered programs are the keys to reducing in and out-of-state placement costs.

Finally, we looked at rate setting procedures used by the Division of Mental Health and Developmental Services (DMHDS) and the Department of Education (DOE). DMHDS negotiates rates for residential services for developmentally disabled clients. Negotiations match the needs of each client to a rate/service scale established by the division. The DCYS rate setter also works with the Department of Education to set rates for education services. The Department of Education is aligning its rate setting procedures with those used by DCYS.

4. RATE SETTING (Continued)

4.2 IN-STATE RESIDENTIAL SERVICES

Rates for the 58 in-state residential providers, including DCYS-operated institutions, are established once a year. Current procedures require providers to submit a proposed operating budget, which is based upon actual expenditures during the previous fiscal year and anticipated expenditures for the next fiscal year. Submitted expenditure statements are verified by reviewing the most recent CPA-audited financial report, as well as reviewing the most recent unaudited year-to-date expenditure statements obtained from the provider.

Following DCYS review of these documents, a tentative rate is established and submitted for the provider's review. If there is a question or disagreement concerning the tentative rate, the provider requests a reconsideration. If no reconsideration is requested, or after problems have been worked out, the final rate for the provider is established. Providers who wish to appeal the established rate may do so with the Commissioner of the DHHS. Information from DCYS indicated daily board care rates for intensive group homes during FY 1993 ranged from \$91.18 to \$132.94, while intermediate group homes ranged from \$69.44 to \$118.30, and general group homes ranged from \$35.86 to \$72.91.

Our analysis of DCYS rate setting procedures for in-state residential providers indicates the process has been steadily improving. We believe rate setting in this area is generally sound. However, we do have some questions and concerns regarding the agency's failure to set rates for foster care services, rate setting for DCYS operated institutions, and other issues. **(For a complete discussion on this subject including our recommendations and the agency's comments, see Observation #18, DCYS RATE SETTER DOES NOT CONSULT WITH THE DCYS ADVISORY BOARD, #19, DCYS SHOULD INCLUDE WORKERS' COMPENSATION COSTS WHEN CALCULATING RATES FOR STATE INSTITUTIONS, #20, THE DCYS RATE SETTER DOES NOT REGULARLY VISIT RESIDENTIAL FACILITIES IN NEW HAMPSHIRE, and #21, DCYS HAS FAILED TO ESTABLISH RATE SETTING RULES RELATIVE TO FOSTER FAMILY HOMES, beginning on page 90.)**

4.3 OUT-OF-STATE RESIDENTIAL SERVICES

As demonstrated in section 3.2 (Table 3.8) of this report, out-of-state placements have accounted for 20.4 percent of total residential services expenditures over the history of the program. For out-of-state residential providers, DCYS accepts and pays the rates that have been set for those facilities in their home states. Our analysis indicated there was little difference between the rates set by other states and those set for similar types of facilities located within New Hampshire. In fact, average daily rates for New Hampshire facilities are slightly higher for both board and care and education services. For board and care services in intensive group homes, New Hampshire facilities average \$110.12 compared to \$107.46 for out-of-state facilities, or \$2.66 higher per day. For education services in

4. RATE SETTING (Continued)

4.3 OUT-OF-STATE RESIDENTIAL SERVICES (Continued)

intensive group homes, New Hampshire facilities average \$154.62 compared to \$152.72 for their out-of-state counterparts, or \$1.90 higher per day. Some services provided by out-of-state facilities are not found in New Hampshire, so we were unable to make meaningful comparisons of their daily rates. Primarily, these are residential facilities providing treatment to juvenile sex offenders or arsonists.

Rate differences between New Hampshire-based and out-of-state residential facilities appear to be due mainly to rates having been frozen in other states, especially in Massachusetts, where most out-of-state placements occur. If rate freezes in these other states were to be lifted, it could result in out-of-state rates becoming higher than New Hampshire rates. However, recent initiatives by DCYS to return children to New Hampshire from out-of-state placements could result in fewer out-of-state placements, rendering rate increases that may occur within those states negligible for New Hampshire.

4.4 ANCILLARY SERVICES

Unlike residential services, rates for ancillary services are set according to a variety of other factors (Table 4.1). For example, most counseling services are paid at 80 percent of the usual and customary rate for comparable services paid by Blue Cross/Blue Shield of New Hampshire. Clinicians not recognized by Blue Cross/Blue Shield are paid at 75 percent of the usual and customary rate. Case management, family service aide, and administrative review services are paid in accordance with labor grades for state employees performing comparable services. Supreme Court Rule 48 determines the reimbursement rate for legal services, which includes both attorneys and guardians ad litem. Medical and dental services are paid according to the rate set by the State Medicaid Program. Finally, rates for a few services such as parent aides, respite care, emergency and supplemental foster care, crisis homes, and camp are set by DCYS. According to the DCYS rate setter, foster care rates are used for supplemental and emergency foster care as well as for crisis homes. Rates for camp and respite care have remained constant since prior to 1986, while parent aide services, which previously were contracted, reflect the same rate for which those services were contracted.

4. RATE SETTING (Continued)

4.4 ANCILLARY SERVICES (Continued)

TABLE 4.1

**RATE SETTING FOR ANCILLARY SERVICES
SOURCES OF ESTABLISHED RATES**

STATE LABOR GRADE	BLUE CROSS BLUE SHIELD OF NH	MEDICAID OF NH	NH SUPREME COURT	INTERNAL REVENUE SERVICE	DCYS
Case Management	Counseling	Medical	Attorneys	Transportation	Parent Aide
Family Service Aide	Diagnostic Evaluation	Dental	Guardian Ad Litem		Respite Care
Administrative Review	Community Mental Health Centers				Emergency Foster Care
	Clinicians not recognized by BC/BS of NH				Crisis Home
					Camp
					Supplemental Foster Care
Source: DCYS Administrative Rule He-C 6424.					

STATE OF NEW HAMPSHIRE CHILD SETTLEMENT PROGRAM

5. QUALITY CONTROL

RSA 170-G:4 (XVIII) requires DCYS to certify all providers of services, placements, and programs paid by the division. The statute also appears to require DCYS to certify services provided by the agency's CPSWs and JSOs. Certification standards are required to be based upon two components: 1) quality and performance, and 2) need. For purchased and contracted services DCYS has developed regulations, policies, and procedures to fulfill this requirement. Policies and procedures also address CPSW and JSO services, as well as state office functions. DCYS does not certify quality and need of agency services, however, the division has made some efforts to monitor the quality of these services in the past.

5.1 PURCHASED SERVICES

Certification of providers for quality and performance is done yearly. Previously a responsibility of the Bureau for Community Services, certification of purchased services and other quality control processes has been transferred to the newly-created Bureau of Quality Management (BQM) under the reorganization of DCYS state office in 1992. Only residential providers who have been licensed by the Division of Public Health Services, and have service rates established by the DCYS, are certified to provide court-ordered residential services.

For residential service providers, the process for certification and recertification involves on-site inspections by a state office team consisting of personnel from the BQM, the Bureau of Residential Services, and the Bureau of Children and Families. To become certified initially, providers must submit application materials to DCYS, including licenses appropriate to the type of service, and receive an on-site inspection by the DCYS certification team.

Program requirements for certification differ according to the type of service provided. For example, intensive group homes must develop individual treatment plans for each child with the participation of DCYS staff, while general and intermediate group homes use the DCYS-written case plans. Requirements for staffing patterns, staff qualifications, and staff training also vary according to the type of residential facility. Residential providers must also comply with common daily living requirements, which address details such as communication with family and friends, staff communications, education, nutrition, personal possessions, personal care and hygiene, religion and other concerns relevant to ensuring children in placement receive services in the least restrictive manner possible.

5. QUALITY CONTROL (Continued)

5.1 PURCHASED SERVICES (Continued)

The yearly recertification process for residential providers requires a self-evaluation by the provider, collecting statistical information regarding children in the facility, and an on-site inspection by the residential certification team. On-site inspections include reviews of client records and staffing patterns by the certification team. In addition, the certification team conducts interviews with the program director and staff, as well as interviews with children placed in the facility. After its inspection and review of the information collected, the certification team develops a report discussing areas of achievement by the facility, as well as identifying areas where improvements are needed and a time line for the facility to address them. The certification team then makes its recommendations concerning the facility's recertification to DCYS management.

For ancillary service providers, the policies for certification and recertification also call for on-site monitoring by a team of DCYS personnel led by BQM staff. Initial provider certification requires submission of application materials by the provider, an interview between the provider and DCYS field staff, a report filed by field staff concerning the provider's qualifications, and review of application materials by BQM staff.

Recertification of ancillary service providers is also an annual process and is supposed to include visits by the certification team to DCYS district offices for the purpose of reviewing files to ensure the provider has submitted reports as required. Problems with the provider's compliance identified by the team should be followed up with a meeting with the provider. The purpose of such meetings is to inform the provider of the observed problems and to advise the provider of possible decertification if the observed problems are not corrected. According to DCYS staff, meetings of this type are generally sufficient to correct the problem.

Our analysis of DCYS provider certification procedures indicated the residential certification process is in somewhat better condition than oversight of ancillary providers. However, improvements are needed in both areas. For ancillary certification procedures, the sheer number of providers calls into question the reasonableness of current DCYS policy. **(For a complete discussion on this subject including our recommendations and the agency's comments, see Observation #22, DCYS PROVIDER MONITORING PROCEDURES NEED IMPROVEMENT, and #23, PROCEDURES FOR RECERTIFYING ANCILLARY SERVICE PROVIDERS SHOULD BE IMPROVED, beginning on page 94.)**

5. QUALITY CONTROL (Continued)

5.2 CONTRACTED SERVICES

As discussed in Chapter 3, section 3.2 of this report, DCYS has chosen to pay for certain court-ordered services on a contracted rather than a rate-setting basis. Contracted services are those for which DCYS has decided to purchase a set number of units, while rate-set services are purchased on an as-needed basis. Contracted services are often unique one-of-a-kind services, such as family-based services or wilderness camp, or are those which DCYS has decided it needs to have available on an immediate or emergency basis, such as shelter care or crisis homes.

DCYS quality control procedures for contracted services differ somewhat from certification and recertification of rate set providers. While responsibility for quality control in this area has also been transferred to the BQM, the DCYS state office contracts specialist assigned to the Bureau of Administrative Services is primarily responsible for this function.

As with certification procedures for purchased services, contract monitoring is done annually and is conducted by a team of state office specialists, led by the contracts specialist. Other monitoring team members include the state office specialist in the specific program area being reviewed, and one member of the DCYS field staff. Monitoring procedures include a review of financial items such as billing procedures, insurance coverage, and the most recent financial audit, as well as reviewing the meeting schedule of the agency's board and the board's approval of the contract. The monitoring team also reviews the program specifications required in the contract, performance evaluations and training for agency staff, and a sample of client files for services received. The team also interviews the program director and staff. Although past contract monitoring procedures have not evaluated service outcomes according to the contract specifications, the contracts specialist stated they are in the process of incorporating that feature into the process.

Final steps in the contract monitoring process include developing a report discussing areas of achievement by the facility, as well as areas where improvements are needed and a time line for the program to address them. The contracts specialist indicated problem areas are brought to DCYS management for review.

5.3 AGENCY SERVICES

As indicated earlier, RSA 170-G:4 (XVIII) appears to require DCYS to certify the quality of and need for services provided by its staff of CPSWs and JSOs. DCYS management indicated they did not certify their own staff and disagreed there was statutory requirement for doing so. Because we question the validity and objectivity of the agency being able to formally certify

5. QUALITY CONTROL (Continued)

5.3 AGENCY SERVICES (Continued)

its own staff, we suggest the statute be changed to remove this ambiguity. However, we do not question the efficacy and appropriateness of an agency undertaking procedures designed to monitor the performance of its field staff for quality and need.

DCYS performance in this area has been inconsistent. During FY 1992, program specialist personnel from DCYS state office conducted on-site monitoring in district offices. Our analysis of the results of this on-site monitoring effort indicated sufficient justification exists for it to continue on a regular basis, albeit with some improvements. At this point, however, DCYS commitment to the effort appears constrained by staffing concerns. **(For a complete discussion on this subject including our recommendations and the agency's comments, see Observation #24, DCYS DISTRICT OFFICE MONITORING FOR QUALITY ASSURANCE SHOULD BE ONGOING, on page 99.)**

5.4 POLICIES AND PROCEDURES

Internal agency functions at DCYS are governed by policies and procedures. These policies and procedures address the performance of field and state office personnel and the standards by which the agency assesses the quality of staff performance. Policies and procedures define the philosophy and practices of the agency, as well as the specific actions it expects from its workforce.

In addition to internal policies and procedures, DCYS has promulgated administrative rules which govern the agency's interactions with the public. Administrative rules define not only agency standards for its activities in these interactions, but also its expectations regarding actions and standards of performance for the public.

Our analysis of DCYS policies and procedures, as well as of agency administrative rules, indicated numerous areas where improvements are needed. While the agency has made some efforts in these areas there remains much to be done. **(For a complete discussion on this subject including our recommendations and the agency's comments, see Observation #25, DCYS POLICIES AND PROCEDURES NEED UPDATING AND EXPANDING, #26, DCYS HAS FAILED TO PROMULGATE ADMINISTRATIVE RULES IN NUMEROUS AREAS, #27, NO POLICY REGARDING WORKLOAD STANDARDS FOR JUVENILE SERVICES OFFICERS, and #28, INSUFFICIENT CONTROLS REGARDING CONDUCT AND DOCUMENTATION OF INSTITUTIONAL INVESTIGATIONS, beginning on page 101.)**

STATE OF NEW HAMPSHIRE CHILD SETTLEMENT PROGRAM

6. CONCLUSION

The six and one-half year history of the child settlement program covered in our performance audit has included a number of changes in the types of services provided to children and their families, as well as in the Division for Children and Youth Services. In some areas DCYS has demonstrated the ability to respond to and accommodate the demands it has faced, particularly in rate setting for residential providers and staff training. In other areas the agency has been slow to adapt its processes and procedures. These include assessing the service needs of its client population and the performance of community-based services, the foster family program, maximizing federal funding, quality control of purchased and agency services, and agency policies and administrative rules. In addition, DCYS and county government relationships need to be improved.

Child settlement expenditures have increased steadily throughout the history of the program. However, we found no evidence that expenditures increased disproportionately to the numbers of children and families who received court-ordered services during the audit period. We did not examine the appropriateness of agency and court decisions regarding findings of abuse, neglect, delinquency, and CHINS, which have resulted in the increased numbers. We do think, however, that offering services to children and their families without the necessity of court orders would foster better relationships between the agency and a portion of its service population. This would also have the benefit of reducing some of the legal costs associated with child settlement.

Regarding its management of child settlement in general, DCYS in many respects is and has been stuck in a crisis-response mode, leaving the agency reactive rather than proactive. We see some altering of that mode with the changes initiated by the new director, particularly with the new agency mission and emphasis on family-based services, but in the problem areas identified the agency still has some distance to go.

STATE OF NEW HAMPSHIRE CHILD SETTLEMENT PROGRAM

OBSERVATIONS AND RECOMMENDATIONS

OBSERVATION NO. 1: DCYS SHOULD WORK WITH COUNTY HUMAN SERVICES PERSONNEL TO PROVIDE SOME CHILD PROTECTIVE AND JUVENILE SERVICES WITHOUT COURT ORDERS

Statutes relating to liability for court-ordered child protection, juvenile delinquent, and CHINS services have traditionally been interpreted to mean all services require court orders. This has meant that services to prevent out-of-home placements and other ancillary services to intact families would not be paid by DCYS and the counties without going to court. This may obstruct families from receiving services that could prevent out-of-home placements, create an adversarial relationship between DCYS and the family which makes intervention difficult, and drive up program expenditures.

During interviews with LBA staff, DCYS district office supervisors and area administrators cited more prevention services and less court involvement, as the best ways to better serve families and reduce settlement program expenditures. Forty-four percent of the district office supervisors and area administrators identified legal costs and court involvement as a factor in increased program expenditures, second only to the number and complexity of today's family problems. County human service administrators also cited more prevention services and less court involvement as the best ways to better serve families and reduce settlement program expenditures. However, 60 percent of the county human service administrators also indicated they either make sure there is a court order for a service before approving payment of the county's share, or have refused to pay for services provided without court orders.

Since FY 1986, local prevention and diversion services have been partially supported by DCYS through the five percent diversion incentive program, as mandated by RSA 170-G:4 (XVI). However, DCYS has traditionally underfunded this program. More recently, DCYS has also used federal funds to contract with private agencies for family resource and support services in unfounded child protection cases. However, these expenditures represent a small portion of total settlement-related expenditures. For example, in FY 1993 the family resource and support contracts and the diversion incentive allocations are projected at \$1.55 million. Together, these total only five percent of the total settlement budget for FY 1993.

Although family-based services and placement prevention programs require more formal evaluation by DCYS, LBA interviews with DCYS district office supervisors and county human service administrators indicate these programs may effectively prevent out-of-home placements. For example, information from the Sullivan County human service administrator indicates a 65 percent success rate for the CHINS diversion program in that county. Total FY 1992 funding for this program was only \$10,000.

OBSERVATION NO. 1: DCYS SHOULD WORK WITH COUNTY HUMAN SERVICES PERSONNEL TO PROVIDE SOME CHILD PROTECTIVE AND JUVENILE SERVICES WITHOUT COURT ORDERS (Continued)

Of 14 states surveyed by LBA staff, only one requires court involvement to the extent present in New Hampshire. The others have considerable flexibility to provide preventive services, including family preservation, without going to court. Most use court only when families will not cooperate with treatment recommendations, or when out-of-home placement is necessary to ensure the safety of the child. In general, the officials we interviewed said they avoid court when possible because the court process can create an adversarial relationship that makes it difficult to work with the family. A June 1991 study of New Hampshire child protection programs by the National Child Welfare Resource Center for Management and Administration reached essentially the same conclusion: "Families in need of services because a child may be at risk of abuse and neglect, and who are cooperative with the protective agency, should not have to be subject to a court's intervention."

RECOMMENDATION:

DCYS and county governments should work together and develop procedures for recommending and authorizing payment for ancillary services without such services being court ordered. Services for involuntary out-of-home placements must remain court ordered.

Once procedures have been developed and approved by the Commissioner of Health and Human Services and county governments, the Legislature may wish to amend RSA 169-B:40, 169-C:27, and 169-D:29 to specify ancillary services in non-placement cases do not require court orders. In addition, the legislature may wish to further amend these same RSAs to specify the State's right of action to collect reimbursements for these ancillary services from financially able parents.

AUDITEE RESPONSE:

We concur. Court orders have been required for the payment of all settlement services since the law became effective in January of 1986. Services not connected with settlement have been provided continuously without the need for a court order. This includes services provided under the five percent Diversion Funds, all Title XX services, services funded under the Juvenile Justice and Delinquency Prevention Act, and all Title IV-B services.

The unique New Hampshire funding stream occurs because the costs of settlement services are shared between the state and the counties, and payment has been refused by many counties without the mandate of a court order establishing financial liability. This has created operational problems in the field, since it moves the state's burden in child abuse cases to a higher standard of proof, and moves the actions of the workers

OBSERVATION NO. 1: DCYS SHOULD WORK WITH COUNTY HUMAN SERVICES PERSONNEL TO PROVIDE SOME CHILD PROTECTIVE AND JUVENILE SERVICES WITHOUT COURT ORDERS (Continued)

AUDITEE RESPONSE (Continued):

from a social services perspective to more akin to due process, as found in juvenile justice cases. This also forces workers to spend considerable amounts of time in court, and consequently takes away from their principal duties of visiting families and providing services.

The division has been committed for some time to increasing the funds available for prevention programs, and has within the past few years supported changing the statute to allow the five percent funds to be applied to prevention as well as diversion programs, and has instituted a number of local programs through grant funds to support families without having to enter the formal state child protection system. The division supports current legislation to increase the appropriation for prevention and diversion programs.

The division has not underfunded the five percent funds, as indicated in the observation. The constitution of the base figure from which the five percent is calculated has never been explicit, and no one was ever able to determine the amount which should be appropriated. The amount of money in the five percent funds has always been the amount appropriated by the Legislature, and was never determined solely by the division. Each year the division has been directed to submit a budget showing a reduction in funds, sometimes as much as 10 percent, which precluded the possibility of requesting additional funds for this line.

The division has entered agreements with all ten counties to now permit the provision of, and payment for, services without an order of the court. In cases where services other than placement are to be provided, the division now coordinates with the financially liable county to arrange for the payment without court intervention, and these services are tracked separately on the division's Children's Information System.

OBSERVATION NO. 2: DCYS SHOULD DEVELOP AND IMPLEMENT METHODS TO ASSESS THE SERVICE NEEDS OF ITS CLIENT POPULATION

DCYS has failed to place sufficient emphasis upon systematically identifying the service needs of its client population. For example, a needs assessment designed and implemented by the Bureau of Community Services and Program Development within DCYS in 1991 was constrained by internal factors. As a result, even though the agency has adopted a new mission and focus for its services — a family-based approach — it has done so without a reliable database upon which to make decisions regarding the needs of its client population.

OBSERVATION NO. 2: DCYS SHOULD DEVELOP AND IMPLEMENT METHODS TO ASSESS THE SERVICE NEEDS OF ITS CLIENT POPULATION (Continued)

New Hampshire is one of many states throughout the nation that have recognized problems with its child welfare services, and have begun to design and implement more family-based programs. These programs are designed to provide services to solve problems and preserve intact families, simultaneously reducing out-of-home placements.

The 1991 needs assessment could have provided a database for DCYS to design a service system based upon the identified needs of New Hampshire residents. However, the results were based solely upon a survey of the agency's own staff. The assessment was originally supposed to have four sources — DCYS staff, service recipients, service utilization statistics, and community forums. Utilization statistics were to be collected from the DCYS Children's Information System (CIS), self-reported data from residential facilities collected during the DCYS certification process, and census data from the Office of State Planning. The service recipient survey would have asked DCYS clients to rate the services they received. Finally, community forums were to be held around the state for non-DCYS professionals to discuss their opinions regarding service needs.

According to bureau staff, lack of time, staff, computer resources, and support from DCYS management caused the bureau to deviate from the planned methodology. First, service utilization data were not put in report form due to time constraints. These data were to help determine the relative success or failure of programs. Second, although the instrument for the service recipient survey had been designed, other activities prevented bureau staff from completing the project. Third, bureau staff did not have access to a computer to tally the survey results and would have had to do it by hand. Finally, bureau staff stated they were not allowed by DCYS management to shift their normal responsibilities to other DCYS staff while they completed the needs assessment.

The initial needs assessment design appeared valid and could have produced reliable results. However, the reliability of its results are questionable due to internal DCYS constraints. Relying on a single data source cannot be expected to result in a complete needs assessment. Utilizing all four originally proposed methods would have offered balance to the needs assessment results.

RECOMMENDATION:

DCYS should develop and consistently implement a standard methodology for identifying the service needs of its client population. Methods should include reviewing service utilization statistics, surveying DCYS field staff, service providers, district courts, and service recipients, as well as holding community forums. In addition, DCYS should include other state agencies in planning and implementing a comprehensive needs assessment regarding the service needs of children and their families. The DCYS 1992 - 1993 Needs Assessment Plan recommends including other vital state agencies,

OBSERVATION NO. 2: DCYS SHOULD DEVELOP AND IMPLEMENT METHODS TO ASSESS THE SERVICE NEEDS OF ITS CLIENT POPULATION (Continued)

RECOMMENDATION (Continued):

such as the Division of Mental Health, the Department of Education, and the Office of Alcohol and Drug Abuse Prevention. For service needs to be properly evaluated, input from knowledgeable sources outside of DCYS should also be considered.

DCYS should ensure that experienced staff and adequate resources are assigned to its needs assessment activities. DCYS should consider an adequately designed, implemented, and widely disseminated needs assessment as a strategic priority.

AUDITEE RESPONSE:

We concur. There exists a need for the division to establish and implement an accurate method of assessing the service needs of its client population. In response to the audit observations of providing a data base for DCYS to design a service system based upon the identified needs of New Hampshire residents, DCYS is in the process of implementing an automated case management system. At present a study is being conducted by the McDonald Associates which will result in a planning document for the compilation of a much needed data base. In response to the observation of staff lack of time and computer resources, as a result of the DCYS reorganization which resulted in a shift of bureau functions and personnel the agency is expected to be adequately equipped and will implement a coordinated method for conducting a systematic statewide needs assessment. Lastly support in the form of technical assistance in the identification of client needs from the federal Region 1 office has been offered and accepted.

The division as a result of its internal reorganization has streamlined staff functions and bureau responsibilities which has facilitated a mechanism for enhancing the planning and development of services. As a requirement for acceptance of federal funds, the division is mandated to conduct a comprehensive statewide needs assessment annually.

OBSERVATION NO. 3: THE FOSTER PARENT RECRUITING PROGRAM NEEDS IMPROVEMENT

Prior to the 1992 DCYS reorganization, the division did not have an effective foster parent recruiting program. Since reorganization, recruiting has been centralized within the DCYS state office. However, problems are still apparent with the recruiting program. For example, the DCYS policy manual still contains no guidance related to foster parent recruiting. In addition, the centralized recruiting program has not addressed issues such as referring prospective foster parents to district office licensing staff for training. Without an adequate number of foster

OBSERVATION NO. 3: THE FOSTER PARENT RECRUITING PROGRAM NEEDS IMPROVEMENT
(Continued)

homes the division cannot always provide a child with the most appropriate foster home. This may lead to unsuccessful placements and further trauma for children.

Our survey of a random sample of foster parents included several questions on foster parent recruiting (Appendix H). We asked foster parents to rate the effectiveness of DCYS foster parent recruiting. Over one-third of the respondents indicated recruiting was marginal or unsatisfactory, while 53.2 percent indicated it was good or satisfactory.

- Good 25.5%
- Satisfactory 27.7%
- Marginal 21.3%
- Unsatisfactory 17.0%
- No Response 8.5%

We also asked for comments on the recruiting program. Most frequent responses included:

- Never/seldom hear or see anything 29.8%
- DCYS responds slowly/never responds 12.8%
- We contacted DCYS ourselves 17.0%

We asked foster parents how DCYS could improve recruiting. Most frequent responses included:

- Advertise more 44.7%
- Be honest about realities of foster parenting 12.8%

Only one foster parent out of 47 respondents reported learning about foster parenting opportunities through a DCYS advertisement. Most either learned about it from a friend, relative, co-worker, or church associate, or sought information out of a personal concern for children or desire to do something helpful. Interviews with DCYS area licensing supervisors confirmed that most prospective foster parents contact district offices after hearing about foster parenting by "word of mouth."

At the time of our survey, DCYS did not have a clearly defined foster parent recruiting program. District office licensing workers were responsible for: 1) recruiting, 2) training, 3) ensuring licensed foster parents obtained required in-service training, and 4) ongoing quality assurance of licensed foster homes.

Recruiting efforts and success lacked consistency between district offices. DCYS area licensing supervisors reported there was no policy regarding recruiting and licensing workers recruited on an individual basis. Licensing workers had to use their own creativity and resources. The division's monitoring of district office licensing workers during 1991-1992 indicated that only two of 11 had formalized recruiting plans.

OBSERVATION NO. 3: THE FOSTER PARENT RECRUITING PROGRAM NEEDS IMPROVEMENT
(Continued)

Since the August 1992 reorganization, recruiting responsibilities have been reassigned to personnel at the state office. However, by January 1993, there still was no workplan addressing statewide recruitment efforts. In addition, practical details remained to be worked out, such as how prospective foster parents will be referred to district offices for training and licensing, as well as the role of the statewide foster parent association in recruiting.

RECOMMENDATION:

DCYS should accelerate its plan to centralize foster parent recruiting. As part of the continuing development of the recruitment program, DCYS should establish policies and procedures which spell out its goals related to, and identify activities which support, the foster parent recruitment program. The recruitment policy should address increasing the role of successful foster parents in recruiting efforts. In addition, DCYS should clarify procedures for referring potential foster parents to district office licensing staff.

AUDITEE RESPONSE:

We concur. Policy and procedures regarding recruitment should be spelled out and that the role of successful foster parents and the New Hampshire Foster Parent Association should take a primary role in this effort.

Marketing of this program involves a financial commitment which DCYS has not included in its operating budget, and like most "volunteer" efforts, it is costly to print brochures and to gain access to the media, particularly television air time. Public Service Advertisements will be used to advertise in this campaign, but the air time must be donated by the private sector upon whom this campaign depends for its success.

The central staff will be responsible for some state-wide media campaigning and to assist with local needs assessments. The referral process will not be different, in that inquiries will call the local office and access the local office licensing Social Worker. The central staff will not have contact with inquiries.

**OBSERVATION NO. 4: THE FOSTER PARENT PRE-SERVICE TRAINING PROGRAM REQUIRES
ADDITIONAL FOCUS**

Prospective foster parents attend a seven-week, 21 hour pre-service course based on a curriculum developed by Nova University in Fort Lauderdale, Florida. Courses are held in DCYS district offices and include such topics as general orientation to the system, impact of foster children on the biological family, working with natural families, emotional issues, and others. It is primarily a background and information course and does not build any particular skills.

Our survey of currently licensed foster parents included several questions on pre-service training. Although division rules require completion of this training prior to licensing, 31.9 percent of the 47 foster parents returning our survey had not completed the course. A majority of foster parents surveyed (74.5 percent) rated the pre-service program satisfactory or higher. Comments indicated 29.8 percent consider the training good, helpful, useful, or thorough. However, an equal number claimed that pre-service training was not representative of problems and situations encountered by foster parents. In addition, 34.0 percent of those surveyed recommended that DCYS revise the program to more accurately reflect the realities of foster parenting, while 17.0 percent suggested more training on behavior management, disciplinary issues and emotional problems. Finally, 12.8 percent would like refresher training after receiving their first foster child.

There is near unanimous agreement among child welfare officials across the nation that children coming into foster care have more problems and are more damaged than children a decade ago. Our interviews with DCYS district office supervisors, as well as surveys of DCYS field personnel and district court judges, confirm this trend in New Hampshire. For these reasons foster parents need more intensive preparation than before. Pre-service training should give foster parents at least a basic awareness of, as well as some coping skills for, the types of difficult behaviors they are likely to encounter in foster children. While these issues are typically addressed later during in-service training, exposure during pre-service training may help reduce foster parent stress and improve retention.

The Nova University course is designed to be jointly conducted by a child protective service worker and foster parent co-trainer. But, district office monitoring reports indicate that seven of 11 district offices do not have co-trainer service agreements and six of 11 do not use foster parent co-trainers. In our survey of foster parents, 12.8 percent of the respondents said the division should use more foster parent trainers.

Besides being out of compliance with division procedures, failing to use foster parents as co-trainers goes against common sense. Veteran foster parents who have experienced the realities of foster parenting can add much credibility to the program. Moreover, omission of foster parent trainers undermines the stated DCYS goal of a partnership between DCYS staff and foster parents.

**OBSERVATION NO. 4: THE FOSTER PARENT PRE-SERVICE TRAINING PROGRAM REQUIRES
ADDITIONAL FOCUS (Continued)**

RECOMMENDATION:

DCYS should revise the pre-service training curriculum to include more information on difficult behaviors exhibited by foster children and practical coping skills. In addition, DCYS should ensure that foster parents serve as co-trainers for pre-service training in every district office.

If the current foster parent training curriculum is unable to accommodate both of these factors, DCYS should consider switching to another pre-service course. A course used and highly recommended by child welfare officials in Oklahoma and South Dakota is called "Model Approach to Partnerships in Parenting" (MAPP). Designed by the Child Welfare Institute, Atlanta, Georgia, the MAPP program has a strong focus on building partnerships between agency and foster parents and working toward permanency for the child. This focus would appear well suited to the division's new emphasis on family centered programs.

AUDITEE RESPONSE:

We concur. We are currently in the process of revising Pre-Service training. In November 1992 we began the process by gathering current DCYS licensees, co-trainers, New Hampshire Foster Parent Association board members and other child placing agencies to discuss the NOVA curriculum, keep the parts that were useful and develop a curriculum for the areas that appear weak.

The NOVA training was designed as a "mutual selection" tool rather than a skill builder. While it is important that information regarding fostering and working with DCYS be shared with prospective foster parents, it is also necessary that some skills be learned in order to deal with difficult children. These issues are being discussed and a new "Pre-Service" training curriculum should begin in the late spring of 1993.

As a part of curriculum development, foster parent co-trainers are being recruited to work with the licensers in every district office. This has been a problem in the past due to lack of funds to reimburse foster co-trainers for their time and efforts. An updated training budget has been submitted to the director and the training unit to ensure that these funds will be available.

The division is well aware of the MAPP and other programs used throughout the country. Contact with foster care specialists in other states and particularly in New England is extensive, and New Hampshire this year hosted the New England Foster Care Conference. The New England Association of Child Welfare Commissioners and Directors focuses regularly on foster care training and other issues, and New Hampshire participates in and often leads these discussions.

OBSERVATION NO. 5: THE FOSTER PARENT IN-SERVICE TRAINING PROGRAM REQUIRES IMPROVEMENT

DCYS is not adhering to policies regarding foster parent in-service training and documentation. In addition, survey data from currently licensed foster parents indicate concerns regarding in-service training needs.

DCYS requires general care foster parents to have eight hours of supplemental or in-service training each year. Specialized foster parents require 16 hours per year. Almost 32 percent of 47 currently licensed foster parents who returned our survey said they received no supplemental training since becoming foster parents. In addition, more relevant training was an issue for 21.3 percent of foster parents, while 29.8 percent cited a need for training regarding child behaviors, characteristics of abused children, and discipline.

District office licensing workers monitor in-service training, but appear to take little or no action when requirements are not met. District office monitoring reports from 1991 and 1992 indicate that 57.8 percent of the records reviewed did not comply with training requirements. Five of 11 district offices did not keep adequate training records, and 6 of 11 did not request waivers for parents without the minimum required training.

Without proper training foster parents will not be prepared for the demands and challenges of foster care. DCYS policies and procedures specify minimum training and documentation requirements. Foster parents need training to recognize and handle problems and behaviors exhibited by foster children. DCYS could assess training needs by contacting foster parents directly or through the New Hampshire Foster Parent Association.

RECOMMENDATION:

DCYS should ensure that district office staff monitor, document, and ensure compliance with in-service training standards. DCYS should identify the in-service training needs of its currently licensed foster parent network and work with the New Hampshire Foster Parent Association to improve its foster parent base.

AUDITEE RESPONSE:

We concur. New Hampshire has required in-service training credits for nine years. It is the only state in New England that has required skill building training of foster parents. We concur that DCYS is not adhering to policy regarding foster parents in-service training and documentation.

We concur that without proper training foster parents will not be prepared for the demands and challenges of foster care. We concur that foster parents need training to recognize and handle problems and behavior exhibited by foster children.

OBSERVATION NO. 5: THE FOSTER PARENT IN-SERVICE TRAINING PROGRAM REQUIRES IMPROVEMENT (Continued)

AUDITEE RESPONSE (Continued):

Foster parents have a responsibility to attend training, earn credits, or face the consequence of license revocation. Training offered by the local office has low turnout which is attributed to lack of child care while foster parents attend training. State funding of child care to allow foster parents to attend training would be an excellent motivator to earn credits. The policy which describes in-service training is flexible enough to offer alternatives to formal training that is offered by DCYS.

We concur that DCYS should ensure that staff monitor, document and ensure compliance with in-service training standards. Service monitoring by supervisors of licensing in this and other areas will promote this area of concern into a strength.

The NHFPA works closely with DCYS to sponsor a state training conference and annual meeting/workshop which would provide for compliance with mandated training requirements. Incentives for foster parents to attend these may be day care and mileage reimbursement.

OBSERVATION NO. 6: DCYS SHOULD INCREASE AGENCY SUPPORT TO FOSTER PARENTS

DCYS policy requires monthly visits with foster parents by social workers during the first few months of placement, and no fewer than two visits per year thereafter. This policy dated May, 1973, appears inconsistent with needs stated by foster parents. DCYS foster parent licensing rules specify that foster parents will work with DCYS to implement case plans for children in their care. These requirements imply consistent communications and cooperation between DCYS staff and foster parents. LBA interviews with DCYS personnel and survey of foster parents indicate these elements are often absent in foster parent-DCYS relationships.

LBA interviews with DCYS state office personnel and foster care providers indicate that regular in-home contact between social workers and foster care providers is important for case management, permanency planning, and foster care quality assurance. Monthly contact helps social workers to remain focused on the case and better able to respond to situations in the case, both positive and negative.

Our survey of a random sample of foster parents revealed dissatisfaction with support received from DCYS. The most frequent comments included:

- Case workers sometimes, rarely, or never consult with foster parents regarding children in their care (74.5 percent).

OBSERVATION NO. 6: DCYS SHOULD INCREASE AGENCY SUPPORT TO FOSTER PARENTS
(Continued)

- Lack of contact with or support from social worker causes burnout, aggravation, frustration, and isolation; leads to adversarial relationships with DCYS; and denies foster parents help needed to solve problems (42.6 percent).
- Better support to, and communication with, foster families would improve retention (46.8 percent).
- Treating foster parents as team members, with more respect, and listening to their input would improve retention (31.9 percent).
- DCYS workers should regularly visit foster homes (31.9 percent), respond promptly to calls from foster parents (21.3 percent), or establish a backup response system when workers are not available (10.6 percent).
- DCYS sometimes, rarely, or never involves foster parents in efforts to reunite children with their families of origin (53.2 percent).
- Lack of support, respect, or consideration from DCYS workers (25.5 percent).
- Foster parent participation is not sought in case planning, therapy, or administrative reviews (23.4 percent).
- Late or insufficient payments are a problem (21.3 percent).

During an interview with an officer of the New Hampshire Foster Parent Association, LBA staff also learned that absence of after hours and weekend support from DCYS staff was a problem. This foster parent stated that procedures exist to contact a supervisor through the local police department, but experience indicated these procedures did not work.

DCYS staff cited high caseloads, paperwork, court requirements, and administrative review requirements as interfering with providing direct services. However, infrequent contact and support from DCYS compromises the speed with which foster parents and children obtain assistance with problems related to the placement. As a result, burnout, frustration, isolation, and similar feelings may cause qualified foster parents to leave. In addition, infrequent contact prevents caseworkers from observing first hand the quality of care provided children in foster and group homes. Finally, infrequent contact may lead to cases falling through the cracks and less emphasis on permanency planning.

OBSERVATION NO. 6: DCYS SHOULD INCREASE AGENCY SUPPORT TO FOSTER PARENTS
(Continued)

RECOMMENDATION:

- DCYS should develop new minimum case management standards for visiting children in foster care. At a minimum, standards should require monthly visits. DCYS state office staff and district office supervisors should ensure compliance with visitation standards is a top priority. Workload factors cited by DCYS staff are real, but administrative duties should not become the driving force in a system that exists to serve children and families in crisis.
- DCYS should develop methods to reduce office paperwork and increase staff field work. Possibilities include working with courts to reduce administrative requirements, shifting more administrative tasks to supervisors, and designating certain days as "field days" for workers to spend visiting children in foster and group homes.
- DCYS should develop communications procedures ensuring district office staff respond to calls from foster parents as soon as possible, but certainly within 24 hours. The division should also provide around the clock access to field staff. The current system, which involves calling local law enforcement agencies is unsatisfactory. Possible solutions include rotating on-call staff with pagers, or having a 24-hour toll free telephone number, staffed on a rotating basis by state office personnel.

AUDITEE RESPONSE:

We concur in part. The following will be done or has been done to correct the cause of the observation:

1. Although professional standards may include a monthly visit to foster parents by the child protective service worker, current caseloads make that impossible. Therefore the division will establish a minimum standard of one visit every eight weeks to foster family homes and will give this standard top priority. This standard will become effective in July, 1993.
2. The division has reduced office and paperwork and increased staff field work by funding twelve case technician positions allocated to the twelve district offices. DCYS staff are also authorized to provide services without court involvement, which should result in more time for field work.

We concur that better response to foster parents is desirable, but the division is not staffed adequately to reduce caseloads to a level where immediate 24-hour response is available to foster parents.

OBSERVATION NO. 7: DCYS AND COUNTY RELATIONSHIP IN SETTLEMENT PROGRAM NEEDS IMPROVEMENT

The county role in the child settlement program is multi-faceted. It is clear through RSAs 169-B, 169-C, and 169-D, as well as 170-G:4 (XVI), the Legislature intended the child settlement program to include the input of both DCYS and county governments. However, areas of conflict between county personnel and some DCYS state office personnel have strained the working relationship and resulted in limits to the county role. Relationships between DCYS district offices and the counties appear to be in better condition. In light of the change in mission at DCYS, as well as the ongoing management needs of the settlement program, the agency and the counties need to work together to ensure their relationship accommodates this change and to resolve areas of disagreement.

Areas of DCYS and County Conflict. CHSAs and DCYS state office personnel meet on a regular basis, however, it is obvious there is strain when talking with either about the other. Problem areas between DCYS state office and county human services administrators touch on all aspects of the county role in the settlement program. Some CHSAs question the division's commitment to contain rising costs that have occurred under the settlement program. CHSAs also complained DCYS paid insufficient attention to their input regarding the program and would not assist them in getting information from parents regarding insurance coverage to pay for settlement services.

DCYS state office personnel chided CHSAs for focusing on small amounts of money while DCYS is trying to run a multi-million dollar program, for holding up the payment process, for wanting veto power over service rates but not wanting to work on rate setting, and for insufficient collections of parental reimbursements. DCYS state office personnel described the counties as an "unwilling partner" and resistant to new services.

County Role Important. County personnel see themselves as essential for ensuring the integrity of settlement payment procedures. County human services administrators review and endorse payment authorizations for board and care, and ancillary providers. CHSAs are correct when they state they provide controls over the payment process which DCYS does not.

Board and care invoices are generated by the computer based payment system, the Children's Information System, and are not seen by DCYS personnel. The invoices are mailed from the Department of Health and Human Services (DHHS) to providers who endorse them and mail them to CHSAs. The CHSAs review the invoices, endorse them, and mail them to DHHS for data entry. Reviews by the provider and the CHSA are the only reviews for detecting and correcting inaccurate information before data entry. Some processing changes have been introduced in the payment system to speed up data entry, however, these changes have not eliminated the type of "hands-on" review performed by the CHSAs.

**OBSERVATION NO. 7: DCYS AND COUNTY RELATIONSHIP IN SETTLEMENT PROGRAM NEEDS
IMPROVEMENT (Continued)**

County Role Important (Continued)

Although endorsed by DCYS district office staff, ancillary invoices receive a closer review by the counties. CHSAs review each ancillary invoice to ensure the service has been ordered by the court and reported they do not submit invoices until they have the court order. Additional review steps include checking whether the correct rate is being charged for the provider, whether there are possible third party payers, and ensuring that services which are being billed for were actually provided.

CHSAs in several counties reported instances of identifying inaccurate bills and occasionally bills for services not performed. One of the strengths of the county role in the settlement program, as identified by one DCYS administrator, is that the counties save the program money when they find inaccuracies. This administrator also cautioned that some counties do not do as good a job as others, however.

County Role Should be Integrated with DCYS Mission. Other LBA observations (#13 and #16) will deal with county responsibilities regarding the five percent diversion incentives program and parental reimbursements. These observations contain recommendations for DCYS and the counties to work together to address problem areas within these functional areas. We did not observe any areas of conflict that could not be quickly settled with some extra effort on both sides.

CHSAs indicated they were interested in a larger role in policy making, rate setting, and information sharing. Two CHSAs would like more consistency from DCYS, or at least more information regarding when the agency makes exceptions to or waives policies. One CHSA stated counties were not interested in preventing services from being provided, they wanted to ensure that the best and most effective services are provided for the money.

The DCYS director agreed the division had not paid sufficient attention to the counties in some areas and indicated areas where she wanted to see an increase in the county role. She cautioned against counties seeing themselves as monitoring DCYS and instead encouraged CHSAs to see themselves as "players in the process" and "joining DCYS in providing services to family systems."

RECOMMENDATION:

DCYS and the county human services administrators should work together to revise their current working relationship in light of the change in mission at DCYS and the ongoing responsibilities of managing the child settlement program. The DCYS director should ensure state office management staff know and are committed to her goals for working with county governments. DCYS and county governments should establish a working agenda to address problem

OBSERVATION NO. 7: DCYS AND COUNTY RELATIONSHIP IN SETTLEMENT PROGRAM NEEDS IMPROVEMENT (Continued)

RECOMMENDATION (Continued):

areas in their working relationship and seriously address, clarify, and define their respective roles in carrying out the DCYS mission. Counties should be actively involved in helping DCYS to carry out its mission within their boundaries and be seen by DCYS as partners in that mission. DCYS should ensure the full participation of county governments in assessing service needs and program development in their areas.

AUDITEE RESPONSE:

We concur in part. County Human Services Administrators and DCYS should work together to revise their current working relationship in light of the change in mission at DCYS and the ongoing responsibilities of managing the child settlement program. The director has taken the lead by procuring an agreement with all ten counties for the provision of services without court intervention. The counties will be involved in the case planning and before services are provided the counties must concur that the services are appropriate. This is an improved role for the counties in the settlement program and should lead to improved relationships.

We do not concur that the counties provide controls over the payment process and DCYS does not. DCYS has established guidelines for each service and field staff, including supervisors, have been informed of these guidelines. In addition each service has many system edits before a claim for the service is paid. Edits include maximum rates, total cost, limited days or units, duplicate dates of services, name and identification number check for both child and provider, to name a few. Many of the claims the counties take credit for catching what would have been caught by the CIS edit checks. Additional review by the county is no guarantee of accurate billing and does result in a delay of provider payment. If all the counties did a consistent review of invoices then the observation would be valid, but they do not.

In so far as possible, DCYS will ensure the full participation of county governments in addressing service needs and program development in their areas.

OBSERVATION NO. 8: DCYS IS NOT USING AFDC TITLE IV-A EMERGENCY ASSISTANCE FUNDS FOR FAMILY-BASED SERVICES

DCYS currently uses state general funds to pay for family-based services. Using additional federal funds, such as **Title IV-A** emergency assistance, to help pay for family-based services could free general fund dollars for other preventive services.

OBSERVATION NO. 8: DCYS IS NOT USING AFDC TITLE IV-A EMERGENCY ASSISTANCE FUNDS FOR FAMILY-BASED SERVICES (Continued)

Title IV-E is the only federal entitlement program enacted specifically for children. DCYS is using **IV-E** to partly reimburse foster care costs, staff training, and adoption subsidies. However, other states are using provisions of other federal entitlement programs to help finance services for children and their families. DCYS has not yet taken advantage of these programs.

Title IV-A of the Social Security Act provides for emergency assistance to needy families (AFDC eligible families) with children. Federal guidelines allow states latitude to define emergency conditions and to decide what services to provide. Services may include payments for rent, utilities, and other needs, as well as counseling, child care, legal assistance, and other services. The service period is limited to 90 days, and the federal reimbursement rate is 50 percent. Participating states must have a IV-A plan approved by the U.S. Dept of Health and Human Services.

Most states use Title IV-A emergency assistance for rent, utilities, and similar needs. The New Hampshire Title IV-A plan authorizes emergency assistance payments for rental security deposits, utility deposits, rent and utility arrearages, and home heating fuel. At the present time, the New Hampshire IV-A emergency assistance plan does not permit family-based services to families at imminent risk of having a child placed out of the home.

Other states are expanding their definition of emergency to include imminent out of home placement of a child, and using the program to pay for family preservation service. Missouri and Tennessee have plans approved by the U.S. DHHS, and several other states surveyed by the LBA are preparing to implement this program.

Based on the experiences of Missouri, Tennessee, and other states, Title IV-A appears to be a viable means of securing federal financial assistance for family-based service programs. As a short-term intervention, family-based services are ideally suited to the 90-day limit of Title IV-A emergency assistance.

RECOMMENDATION:

DCYS should work with the Division of Human Services to incorporate provisions for family-based services, including cash assistance, into the state Title IV-A emergency assistance plan.

AUDITEE RESPONSE:

We concur. DCYS will be implementing an Emergency Assistance Program by July, 1993. DCYS has worked with the Division of Human Services, Office of Economic Services, to incorporate services provided by DCYS into the existing program. Draft policy was released and circulated to department staff. The counties also received the draft policy on emergency assistance.

OBSERVATION NO. 8: DCYS IS NOT USING AFDC TITLE IV-A EMERGENCY ASSISTANCE FUNDS FOR FAMILY-BASED SERVICES (Continued)

AUDITEE RESPONSE (Continued):

The Children's Information System (CIS) has been programmed to accommodate the new program. Application and other forms have been designed and circulated for comment among division staff. As the division moves towards providing family based services, the importance of securing federal reimbursement increases the likelihood that all families needing services will receive them.

OBSERVATION NO. 9: DCYS PROCEDURES FOR DETERMINING TITLE IV-E ELIGIBILITY ARE INSUFFICIENT

Comparative national statistics indicate that DCYS may not be receiving the full amount of Title IV-E funds to which it is entitled. This has been confirmed by a consultant hired by DCYS to review open case files for IV-E eligibility. In addition, the Single Audit of Federal Financial Assistance Programs for FY 1992 cited problems with Title IV-E eligibility documentation, leading the independent auditors to question all Title IV-E direct care payment reimbursements for that year. The State loses 50 percent in federal IV-E reimbursements for board and care and other eligible services for every eligible case not enrolled or properly documented. More state dollars spent on board and care mean fewer remaining for prevention programs and other non-residential services.

DCYS procedures do not ensure collection of all information required for determining Title IV-E eligibility. This appears to be due to at least three factors. First, DCYS management has not placed sufficient emphasis upon maximizing Title IV-E reimbursements. Second, the eligibility determination function is fragmented between DCYS and the Office of Economic Services (OES) within the Division of Human Services. Third, documentation procedures for judicial determination of reasonable efforts need to be improved.

DCYS may be missing out on IV-E reimbursements for an additional 22 percent of its open caseload as a result of their current procedures. From April to September 1992, the North American Family Institute (NAFI) reviewed 1,300 DCYS out-of-home placement cases not open for Title IV-E funding. Of the reviewed cases, 188 (14.5 percent) appeared eligible for Title IV-E. Another 109 case files lacked sufficient documentation to determine eligibility. Of 675 cases NAFI reviewers found ineligible, the majority did not meet basic IV-E eligibility criteria regarding income, parental status, and other factors. However, 98 cases were ineligible due to factors within DCYS control. Fifty-five cases were ineligible because the court order was insufficient to meet requirements of the federal Adoption Assistance and Child Welfare Act of 1980 (PL 96-272). The remaining 43 cases were ineligible because the case file did not contain a current foster home license.

OBSERVATION NO. 9: DCYS PROCEDURES FOR DETERMINING TITLE IV-E ELIGIBILITY ARE INSUFFICIENT (Continued)

OBSERVATION 9A:

Insufficient Management Attention. LBA analysis indicates DCYS management has not committed sufficient attention to the IV-E program and is partly responsible for New Hampshire's relatively low participation rate. The following examples support this conclusion:

- DCYS does not have a regular report identifying Title IV-E eligible children and the number of children in IV-E facilities.
- During interviews with LBA staff, the DCYS director, deputy director, and fiscal unit administrator were unaware of the NAFI IV-E review. The deputy director stated his belief that the agency had maximized Title IV-E eligibility.
- DCYS has not developed a plan for addressing significant eligibility documentation problems uncovered by the NAFI IV-E review.

A 1988 report by the Center for the Study of Social Policy indicated that "many states do not take full advantage" of Title IV-E funding opportunities. A national consultant in human services financing reform told LBA staff that a state with a reasonably good Title IV-E program should have at least 50 percent of children in foster care eligible for IV-E payments.

A 1991 survey of state IV-E eligibility rates (percentage of foster care children receiving IV-E payments) indicated the national average was 43 percent. This survey put the New Hampshire rate at 27 percent. In September 1992, NAFI also concluded New Hampshire's IV-E eligibility rate was 27 percent.

Like New Hampshire, many states are grappling with issues of shrinking budgets as well as increased demands for services to children and families. However, in some states child welfare agency management has spearheaded IV-E reform efforts which have increased revenues. For example, both Tennessee and Missouri have increased IV-E eligibility rates to over 50 percent, and have used these savings to implement new, innovative programs with the potential to reduce out-of-home placements.

RECOMMENDATION 9A:

DCYS should designate one person to manage the IV-E funding program. This task should be the person's primary duty, and the person should have frequent contact with the director and other key officials. The division should also create a regular report identifying IV-E eligible children and the number of children in IV-E facilities.

OBSERVATION NO. 9: DCYS PROCEDURES FOR DETERMINING TITLE IV-E ELIGIBILITY ARE INSUFFICIENT (Continued)

AUDITEE RESPONSE 9A:

We concur in part. It would be advantageous to DCYS to designate one person to manage the coordination of IV-E eligibility. At this time DCYS does not have enough staff to designate someone to do this full-time. The responsibilities of IV-E will continue to be shared by the appropriate bureau administrators.

The Division created a regular report to monitor IV-E eligibility in August of 1991. This report tracks the number and percentage of children who are eligible for Medicaid, IV-E, and AFDC. The report shows type of child, in-home and out-of-home, and district office. It is generated monthly and a copy is sent to each district office supervisor.

OBSERVATION 9B:

Fragmentation of the Eligibility Determination Process. DCYS district office personnel collect information and documents needed to determine Title IV-E eligibility. The district office forwards each file to the OES district office (usually co-located with the DCYS district office) for eligibility determination. DCYS district office supervisors indicated there was a history of IV-E eligibility backlogs due to paperwork delays on both sides.

OES district office case technicians also determine eligibility for all other federal assistance programs, including Aid to Families with Dependent Children (AFDC) and Food Stamps. Nationally, the AFDC caseload increased 27.9 percent from 1989 to 1992. In New Hampshire caseloads increased by 103.8 percent; the largest growth in the nation. OES workers experiencing growing caseloads may lack the resources needed to promptly and completely process IV-E eligibility determinations for DCYS.

Research compiled by the Institute for Human Services Management (IHSM), a national consultant in the field of federal financing reform, and the Center for the Study of Social Policy (CSSP) indicates that IV-E eligibility rates increase when states place the eligibility determination function within the child welfare agency. The CSSP concluded that states that leave IV-E eligibility determinations to regular AFDC workers exclusively are "likely to miss many more children who are, in fact, IV-E eligible."

IHSM has assisted Tennessee, Missouri, and other states that have improved their IV-E procedures and increased their IV-E eligibility rates. LBA interviews with officials in Tennessee and Missouri confirm the effectiveness of assigning IV-E eligibility determinations to child welfare workers. Approximately 2-3 years ago IHSM made a one-day visit to the NH DHHS. When interviewed by LBA, the IHSM consultant recalled New Hampshire's biggest problem as OES case technicians determining IV-E eligibility for DCYS cases.

OBSERVATION NO. 9: DCYS PROCEDURES FOR DETERMINING TITLE IV-E ELIGIBILITY ARE INSUFFICIENT (Continued)

OBSERVATION 9B (Continued):

In 1991, each DCYS district office received one case technician to reduce administrative burdens on CPSWs and JSOs. The administrator for the Bureau of Children recommended that case technicians be responsible "in whole or in part" for all applications for federal assistance programs, including Title IV-E. The recommendation package contained a checklist which, if used, could eliminate the documentation errors identified by NAFL. The LBA surveyed district office supervisors regarding case technician duties, and learned that all have some responsibility for federal assistance program applications. In these offices, IV-E backlogs were reduced on the DCYS side but remain in many cases on the OES side.

The DCYS Salem district office reported using its case technician to collect required information and documents for Title IV-E, and to make initial eligibility determinations. Applications are sent to the OES district office supervisor for review. According to the DCYS supervisor, the OES supervisor strongly supports this practice because it has reduced the workload for his staff. Benefits from this arrangement include eliminating backlogs for DCYS cases, complete eligibility files, and increased IV-E eligibility.

RECOMMENDATION 9B:

DCYS should request DHHS transfer responsibility for Title IV-E eligibility from OES to DCYS. As an alternative, the division should consider adopting procedures used by the DCYS Salem district office.

AUDITEE RESPONSE 9B:

We concur in part. We have requested that the Division of Human Services (DHS) transfer responsibility for IV-E eligibility to DCYS. As a result of that request, the department has taken the following actions:

1. The Division of Human Services will continue to process AFDC eligibility for DCYS' money payment IV-E cases.
2. During the next three months, the OES/DHS Regional Administrators will review all open IV-E foster care money payment cases to ensure that all proper documentation for DCYS to receive federal funds exists in each case or that the case is closed if sufficient documentation is not available.
3. The OES field supervisors will similarly review new cases as they are opened.
4. At the conclusion of three months, OES will conduct a "quality control" review of approximately 36 cases, sharing the results with DCYS and the Commissioner's Office.

OBSERVATION NO. 9: DCYS PROCEDURES FOR DETERMINING TITLE IV-E ELIGIBILITY ARE INSUFFICIENT (Continued)

AUDITEE RESPONSE 9B (Continued):

5. If the results of this review indicate DHS has not sufficiently documented eligibility, the transfer of this responsibility from DHS to DCYS, along with staffing requirements, will be reconsidered by the Commissioner.
6. If the results are that DHS has properly handled its responsibilities with these cases, OES will provide continued assurances to DCYS by conducting two more sample reviews, at six month intervals, with the same understandings as in the first three month review.
7. At the conclusion of the third sampling, a decision agreeable to DCYS, DHS and the Commissioner's Office will be made regarding the frequency and/or necessity of future reviews.

We do not concur that DCYS should adopt the procedures used by the Salem district office to expedite IV-E eligibility. Salem has taken on work that should be done by DHS staff. As you state, the OES supervisor strongly supports this practice because it has reduced the workload for his staff. DCYS does not have the staff statewide to assume work that currently is the responsibility of DHS.

OBSERVATION 9C:

Judicial Determination of Reasonable Efforts. According to PL 96-272, the court holding jurisdiction is supposed to determine if out-of-home placements are necessary for the welfare of the child, as well as to document that reasonable efforts have been made to prevent or eliminate the need for removal of the child and to make it possible for the child to return home. Apart from providing a safeguard against inappropriate out-of-home placements, judicial determinations of reasonable efforts are necessary to ensure that cases which are otherwise eligible for IV-E reimbursement will retain their eligibility status. As the NAFI review of open DCYS cases demonstrated, 55 (4.2 percent) of 1,300 cases were ineligible for IV-E reimbursement because they did not meet this requirement. NAFI personnel reported these files either contained no court order or the language in the court order was not sufficient to indicate a judicial determination.

DCYS policy requires CPSWs and JSOs to document reasonable efforts and submit to the court a report of services provided and action recommended. However, the policy does not specify the contents of this report. DCYS manual item 631 states the court report "addresses the current status of the child and recommendations for future actions." The judge's determination of reasonable efforts should be specified in the court order for services.

OBSERVATION NO. 9: DCYS PROCEDURES FOR DETERMINING TITLE IV-E ELIGIBILITY ARE INSUFFICIENT (Continued)

OBSERVATION 9C (Continued):

Because court orders did not always address reasonable efforts directly, DCYS developed Form 2274 (Judicial Determination of Reasonable Efforts) to help simplify the process. By checking the appropriate line for one or more of five statements, the judge signifies whether reasonable efforts have been made in the case. According to OES personnel, however, even with Form 2274 determination of reasonable efforts remains problematic.

The Child Welfare League of America and the Youth Law Center provided LBA staff with examples of reasonable efforts documentation procedures from other states. Courts in these states are required to make their determinations based on evidence presented at the hearing and refuse to find that reasonable efforts were made if the evidence is not sufficient to satisfy the agency's obligation.

New Hampshire child advocates believe New Hampshire needs better reasonable efforts procedures for case workers and judges. At a minimum they suggest the division and the courts use an evaluation form that describes what services were provided, how well these services worked, what services were available but not used, and why, and what services were needed but not available.

RECOMMENDATION 9C:

DCYS should clarify its policies regarding court reports to provide clear and complete documentation of reasonable efforts. DCYS and the Administrative Office of the Courts should work together to ensure court order language meets Title IV-E eligibility requirements, and to develop a training program for judges on available services to children and families and factors which demonstrate reasonable efforts.

AUDITEE RESPONSE 9C:

We do not concur. DCYS established its policies regarding court reports and documentation of reasonable efforts in 1986 with the Administrative Office of the Courts in conjunction with the Region 1 Federal Office. All parties agree that the policies developed are sufficient.

OBSERVATION NO. 10: DCYS IS NOT CLAIMING ALL THE TITLE IV-E FUNDS FOR WHICH IT MAY BE ELIGIBLE

DCYS is not claiming all Title IV-E reimbursements for which it may be eligible. As a result, state general funds are being expended for costs that could be covered by federal funds.

In September 1992, the North American Family Institute completed a review of active case files for 1,300 children in out-of-home placement, but not eligible for Title IV-E reimbursement. NAFI identified 188 of these cases as potentially eligible. NAFI gave the division individual work sheets for each case reviewed, but the division has not yet notified the district offices of these cases and directed a formal eligibility determination be made. In addition, NAFI did not attempt to determine eligibility for 248 closed cases.

According to LBA calculations based on CIS data, during FY 1992 approximately \$4.98 million in placement costs were incurred for children that NAFI identified as potentially eligible for Title IV-E reimbursement. If these cases are eligible, DCYS is entitled to additional reimbursements of \$2.49 million. Since federal rules permit retroactive claims for up to two years, DCYS can still recover these costs.

RECOMMENDATION:

DCYS should immediately determine Title IV-E eligibility for the 188 cases identified by NAFI. DCYS should submit retroactive claims for reimbursement for all eligible cases. DCYS should also review all closed cases for potential eligibility, and submit claims for reimbursement where appropriate.

AUDITEE RESPONSE:

We concur in part. The division did notify the district offices of the 188 cases identified as potentially eligible for Title IV-E reimbursement, as well as 16 other cases already determined eligible at the time of the NAFI review (for a total of 204 cases), and the district offices did conduct a formal eligibility determination. As of May 5, 1993 all cases were reviewed to identify the current status of the case, the amount of Title IV-E funds expended, the dates of eligibility and other funding sources which may be used in place of Title IV-E funds. A total of 78 cases (38.2 percent) were determined eligible for reimbursements of approximately \$1.22 million. Another 12 cases were determined ineligible for IV-E due to eligibility for SSA or SSI reimbursement.

We do not concur that the DCYS should review all closed cases for potential eligibility. To retrieve those cases would be very difficult, if not impossible, and to invest staff time to determine the eligibility of those cases which are retrieved would not be cost effective.

OBSERVATION NO. 11: ADMINISTRATIVE REVIEW NEEDS IMPROVEMENT

The administrative review process lacks sufficient controls to ensure the division makes reasonable efforts to preserve and reunite families. Without procedures to hold DCYS accountable, the administrative review process cannot be fully effective in ensuring that children are in foster care only as long as necessary to remove barriers to family reunification or another permanent home.

State and federal laws require regular reviews of open DCYS cases to ensure that appropriate services are being provided. According to RSA 169-C:24, each case must be reviewed at least annually by the court holding jurisdiction. Public Law 96-272 requires reasonable efforts to be made:

- a) prior to placing a child in foster care to prevent or eliminate the need for removing the child from home, and
- b) to make it possible for the child to return home.

PL 96-272 also requires developing case plans for each child in care, semiannual administrative reviews and judicial reviews at least every 18 months to ensure compliance with case plans.

DCYS contracts with North American Family Institute to conduct semiannual administrative reviews for all children in out-of-home placements. District court judges report scheduling judicial reviews at least annually and more often at six to nine month intervals.

The administrative review process requires DCYS to document what it has done in each case to avoid or terminate out-of-home placements. The contract with NAFI addresses these requirements by mandating that the review address: 1) continuing necessity for and the appropriateness of placements, 2) extent of compliance with case plans, 3) progress made toward alleviating or mitigating causes necessitating placement, and 4) a likely date by which the child may be returned home or placed for adoption or legal guardianship.

During interviews with LBA staff, NAFI personnel expressed concern over the administrative review process. In addition, others interviewed by the LBA, including a family-based services provider and an attorney involved as a guardian ad litem, stated that reviewers do not sufficiently question case workers regarding what has and will be done to get children out of foster care and into permanent homes. One NAFI reviewer said "it is quite possible to have a review and fill out the administrative review form and still not address the pertinent issues or major stumbling blocks of a case." NAFI reviewers indicated they do not feel they have a clear mandate regarding what actions to take to ensure agency compliance with case plans. Reviewers would prefer more authority. Signals from the agency have been conflicting; some support more authority and others do not.

OBSERVATION NO. 11: ADMINISTRATIVE REVIEW NEEDS IMPROVEMENT (Continued)

DCYS has not clearly defined its expectations of reviewers in the administrative review process. DCYS general procedures manual item 631 states that the reviewer is "responsible for moderating discussions," and completing portions of the administrative review form. Completed forms are filed in the case record, but policy makes no provisions for review of administrative review findings by district office supervisors, area administrators, or state office personnel.

PL 96-272 clearly intends that administrative reviews identify what must be done to get children out of foster care and back with their families, or into another permanent living arrangement. When administrative reviewers conclude that DCYS is not doing everything possible to achieve permanency, a logical extension of this mandate would be to extend the authority to hold DCYS accountable for taking the actions necessary.

RECOMMENDATION:

DCYS should clarify the role and responsibility of administrative reviewers with respect to ensuring cases are receiving services appropriate and consistent with established case plans. We understand that the division and NAFI have held preliminary discussions on this, and we encourage further dialogue. We also understand the DCYS director has some reservations regarding continuing to contract out administrative reviews. We offer for consideration procedures used by Vermont's Agency for Human Services (AHS), where administrative reviews are conducted by a special case review unit assigned to the AHS Commissioner's office. If reviewers believe the Vermont Department of Social Services is not doing enough to achieve permanency for a particular child, they can file an appeal on behalf of the child.

AUDITEE RESPONSE:

We concur in part. We agree that in addition to moderating discussions and completing portions of the administrative review form, the administrative reviewer should be guided by a procedure which assures that appropriate action is taken as a result of review findings.

The division hastens to point out that the last Federal Region 1 review of records included close examination of the administrative reviews. The result of that audit was that the division received a perfect score, the first state in Region 1 to have achieved such a high level of compliance.

OBSERVATION NO. 12: DCYS HAS NOT ACCESSED VARIOUS MEDICAID OPTIONS TO HELP FINANCE COMMUNITY-BASED SERVICES

Under Title XIX of the Social Security Act, Medicaid provides matching funds to states for health related care for low income people. As an open ended entitlement program, Medicaid reimburses states for part of the cost of all approved medical services and associated administrative activities. By not taking advantage of all appropriate Medicaid options, DCYS may be spending State general fund money on services that could be reimbursable through Medicaid.

Besides basic medical and health services, Medicaid authorizes a series of optional services. These services include but are not limited to: 1) clinic services, 2) dental services, 3) preventive services, 4) rehabilitative services, 5) personal care services, 6) inpatient psychiatric services, and 7) case management services.

Our review of literature and discussions with child welfare officials outside New Hampshire indicate other states are using various Medicaid options to help pay for community-based treatment for children and families. For example:

- Vermont uses the Home and Community Based Services waiver program to provide home-based treatment and other services to seriously emotionally disturbed children.
- Vermont uses the Medicaid Case Management option to provide case management to seriously emotionally disturbed children as part of a multidisciplinary treatment approach.
- Kentucky uses the rehabilitation option to provide in-home services to families in crisis.
- South Carolina uses Early Periodic Screening, Diagnosis, and Treatment (EPSDT) discretionary services to furnish community-based mental health services to children.

New Hampshire currently uses the Medicaid case management option to help pay for case management activities of juvenile services officers. According to the DHHS Medicaid Coordinator this yields approximately \$200,000 per year that would normally come out of state general funds. DCYS is preparing to implement a pilot EPSDT program in Manchester, the New Hampshire Foster Children's Health Care Project. Project objectives include screening, assessment, and comprehensive health care for foster children in Manchester, using the maximum allowable federal funds through Medicaid and other federal programs. This four-year demonstration project will be jointly operated by Child and Family Services of New Hampshire, Child Health Services of Manchester, and the DCYS.

With these initiatives, DCYS has begun moving toward maximum use of Medicaid funding. However, more may be possible. Initiatives in other states illustrate that Medicaid can be a valuable source of funds for children and family services. The DHHS Medicaid Program Coordinator is very

OBSERVATION NO. 12: DCYS HAS NOT ACCESSED VARIOUS MEDICAID OPTIONS TO HELP FINANCE COMMUNITY-BASED SERVICES (Continued)

knowledgeable of Medicaid programs and service options. In August 1991 he provided the DCYS Revenue Enhancement Committee with a report that described Medicaid options which could benefit DCYS, and explained the problems and complexities inherent in dealing with Medicaid. We find no evidence to indicate that DCYS ever acted on this report.

RECOMMENDATION:

DCYS should work closely with the DHHS Medicaid Program Coordinator to determine which Medicaid options can be used to pay for services to children and their families. The Medicaid coordinator indicates that he now regularly meets with the recently hired DCYS revenue enhancement specialist. This is a good start, but we also recommend the coordinator brief the DCYS director on Medicaid options, and then periodically meet with the director for updates on various funding possibilities. As with the Title IV-E program, we believe high-level emphasis is essential to effective employment of federal funding programs.

AUDITEE RESPONSE:

We concur in part. DCYS has explored the various options available under the Medicaid Program, including those identified in the Medicaid report prepared by the New Hampshire Medicaid Coordinator. The options identified in that report included the following: personal care services, therapeutic foster care, in-home rehabilitative services, residential service, intensive day programming, diagnostic assessments, therapy, prevention/education, illness management, and high risk intervention. As explained below, several options either have been or are in the process of being implemented. Options not yet addressed have been prioritized in terms of benefits to the state and will be addressed as time and staff resources permit.

As each option is addressed, DCYS contacts and consults with other states, and also with associations knowledgeable about children's services, such as Child Welfare League of America (CWLA) and the New England Association of Child Welfare Commissioners and Directors. New Hampshire recently co-sponsored the revenue enhancement conference for the New England child welfare agencies, at which Medicaid issues were a major focus. The Division is working closely with the Office of Medical Services (OMS), the Division of Mental Health and Developmental Services (DMHDS), and with service providers, as it develops new Medicaid reimbursable services and initiates the steps to implement those services.

One area for which medicaid reimbursement has been sought is in residential facilities for children. The division has researched how other states are utilizing medicaid for these facilities. The division has chosen to pursue the rehabilitation option for this service and is in the process of amending the State Medicaid Plan. Title XIX federal representatives are providing guidance to facilitate plan amendment approval. The division is reviewing the administrative rules relative to residential facilities.

OBSERVATION NO. 12: DCYS HAS NOT ACCESSED VARIOUS MEDICAID OPTIONS TO HELP FINANCE COMMUNITY-BASED SERVICES (Continued)

AUDITEE RESPONSE (Continued):

A second area for which the State Medicaid Plan is being amended to utilize Medicaid is for therapeutic foster care. Also under the rehabilitation option, services provided in foster homes to treat physical, psychiatric and emotional problems, may be reimbursed by Medicaid.

Progress has also been made in utilizing the Home and Community Based Services Waiver Program. This waiver program provides community based treatment and other services for developmentally disabled children. The program is operated through the Division of Mental Health and Developmental Services. An interagency team consisting of staff from this division, including the DCYS educational specialists, the Department of Education, and the Division of Mental Health and Developmental Services, has been formed to identify children potentially eligible for waivers and to secure Medicaid waivers for eligible children.

OBSERVATION NO. 13: PROCEDURES FOR COLLECTING PARENTAL PAYMENTS FOR COURT-ORDERED SERVICES ARE INSUFFICIENT

RSA 169-B:40, 169-C:27, and 169-D:29 authorize collections from parents, or other persons chargeable by law for the child's support, for reimbursements of court-ordered child settlement expenses. The aforementioned statutes also authorize the counties to collect these reimbursements on behalf of DCYS. From the amounts they collect, 25 percent is credited toward each county's share of settlement costs. Fifteen percent of the remaining amount is credited to each county's bill for administrative expenses associated with collecting parental reimbursements.

Personnel at both DCYS state office and the county level expressed dissatisfaction with the parental reimbursement system. DCYS state office personnel point to small amounts collected and insufficient legal sanctions for not paying. County human services personnel expressed mixed feelings about having responsibility for collecting parental reimbursements and problems with courts issuing financial affidavits to parents. Our analysis indicates some immediate problems do exist with parental reimbursements, however, more information is needed to accurately assess the effectiveness of county collection procedures.

Similar Procedures Used for Determining Liability and Collecting Delinquent Reimbursements. CHSAs reported similar procedures for collecting information needed to establish parental liability for settlement costs. Most CHSAs wait until a court-ordered service has been billed before determining whether parents will be liable for reimbursing some portion of the costs. Liability is determined through financial information provided by parents on court-issued affidavits. Once ability to pay is established, a monthly or weekly reimbursement amount is determined based on income level

OBSERVATION NO. 13: PROCEDURES FOR COLLECTING PARENTAL PAYMENTS FOR COURT-ORDERED SERVICES ARE INSUFFICIENT (Continued)

and recommended to the court. Some CHSAs reported they ask parents to sign reimbursement recommendations before they are submitted to the court. Once the court order authorizing reimbursement is signed by the judge, the parents become liable for making regular payments as long as expenses are incurred for services.

CHSAs also reported similar procedures used for attempting to collect delinquent parental reimbursements. Most use a series of three or more letters, each one containing stronger language, with the final letter notifying the parents that a contempt of court motion would be filed with the court for nonpayment. CHSAs reported mixed success with these collection methods, citing economic conditions and insufficient use of legal sanctions as making collections difficult.

Problems With Financial Affidavits. RSA 169-B:40, 169-C:27, and 169-D:29 require the individual chargeable by law for the child's support to submit a financial statement to the court whereupon the court may order reimbursement to the state. In most instances, rather than financial affidavits being submitted to the court, they are instead returned to the CHSA. Eight CHSAs reported current and past problems with one or more courts issuing financial affidavits to parents, as well as compliance problems with parents returning financial affidavits.

DCYS state office personnel agreed that courts not issuing financial affidavits may be a problem. One DCYS administrator stated some courts do not feel parents should be responsible when the state has custody of the child.

Results from an LBA staff survey of district court judges indicated strong compliance with issuing financial affidavits. Twenty-three of the 30 (76.7 percent) district court justices responding to the survey stated they always issue financial affidavits. Another 20 percent of the respondents stated they usually issue affidavits. Although four of the courts identified by CHSAs as not issuing affidavits did not respond to the LBA survey, it does appear that the majority of courts do issue affidavits.

Parental compliance with completing and returning affidavits, as well as verification of information submitted were identified as problem areas for some CHSAs and district court judges. Four CHSAs reported difficulties with parents returning affidavits, while four judges (13.3 percent) rated compliance as fair or poor. Three judges also questioned the accuracy and completeness of information provided by parents, while three judges questioned whether the affidavit was too complex for parents.

Insufficient Information to Assess Effectiveness of County Procedures. DCYS provided information which demonstrated parental reimbursements were \$304,958 in FY 1992, less than one percent of settlement expenditures. CHSAs also provided the LBA with information on parental reimbursements. While the county information differed slightly from the DCYS data, it also

OBSERVATION NO. 13: PROCEDURES FOR COLLECTING PARENTAL PAYMENTS FOR COURT-ORDERED SERVICES ARE INSUFFICIENT (Continued)

demonstrated a small amount of settlement program expenditures is recovered through parental reimbursements. Differences in the two sets of information aside, neither the DCYS nor county data indicated how the amount of parental reimbursements collected compared to the amount owed.

Presenting parental reimbursements as a proportion of total settlement expenditures does not provide an adequate measure of the effectiveness of county parental reimbursement collection efforts. Additional information is needed regarding the amount of parental reimbursements not collected by the counties. This information, in combination with the information on reimbursements actually collected would indicate the total amount of parental liability. Then the amounts collected expressed as a proportion of the total owed would help to quantify the effectiveness of county collection procedures. However, this information was not readily available from the CHSAs. Most CHSAs did not know how much they collected compared to what parents owed. One CHSA stated it was impossible to know what was owed until the services were finished. While this is true, some record should be maintained regarding reimbursement amounts that are owed on an accrual basis.

Insufficient Legal Remedies Available. Statutes authorizing parental reimbursements also allow counties to file liens against real and personal property for nonpayment. Most CHSAs also file contempt of court motions against delinquent parents. Two CHSAs said they did not bring contempt proceedings for nonpayment, while others indicated contempt orders and property liens were ineffective.

DCYS personnel also expressed dissatisfaction with legal sanctions available for dealing with nonpayment. One DCYS administrator stated he would like to see statutory language similar to the child support laws (RSAs 161-B, 161-C), which specifies how much support parents are liable for and provides stronger recourse to recovery, including assignment of earnings. State office personnel also stated an interest in DCYS collecting parental reimbursements directly, indicating a belief the agency could be more successful.

RECOMMENDATION:

- DCYS and county human services personnel should work together to examine the effectiveness of procedures for collecting payments from parents under court order to reimburse settlement expenses. DCYS and the CHSAs should work together to determine the total amount of parental liability. Once established, DCYS and the CHSAs should determine if delinquent parental reimbursements are sufficient to require developing different collection efforts and possibly stronger legal sanctions.

OBSERVATION NO. 13: PROCEDURES FOR COLLECTING PARENTAL PAYMENTS FOR COURT-ORDERED SERVICES ARE INSUFFICIENT (Continued)

RECOMMENDATION (Continued):

- If as a result of the DCYS and CHSA analysis, it appears that stronger legal sanctions are needed to enforce reimbursement orders, DCYS should ask the Legislature to review and consider amending RSA 169-B:40 (VII), 169-C:27 (VII), and 169-D:29 (VII), by expanding the penalties for such noncompliance.
- DCYS and the CHSAs should track court compliance with issuing financial affidavits. The DCYS director should confer with the Administrative Office of the Courts concerning any courts identified as not issuing financial affidavits and develop ways to improve compliance.

AUDITEE RESPONSE:

We do not concur that DCYS and county human services personnel need to examine the effectiveness of collecting payments from parents. Both parties know it to be extremely ineffective. FY 1992 collections of \$304,958 are less than one percent of settlement expenditures. DCYS feels that representing parental reimbursement as a proportion of total settlement expenditures does provide one very valid measure of the effectiveness of county parental reimbursement collection efforts. The method you suggest of expressing the amounts collected as a proportion of the total owed has two drawbacks you fail to address. If the counties refuse to even attempt parental reimbursements or if judges refuse to order parental reimbursements (both cases exist), there is little that DCYS can do. Four of the courts identified as not issuing affidavits did not even respond to your survey.

DCYS will continue to work with the county human services personnel and the judges to increase the effectiveness of parental reimbursements.

We do not concur that stronger legal sanctions are needed to enforce reimbursements. Contempt of court motions against delinquent parents should suffice in the majority of cases. The problem as you point out in your observations, is that some of the counties do not bring contempt proceedings to the court. Several years ago the counties felt stronger measures were needed and they sponsored legislation that enhanced the statutes. They may now file liens against real estate and personal property for nonpayment.

If used, these two measures provide the counties with effective legal sanctions.

We do not concur that DCYS should track court compliance with issuing financial affidavits. DCYS has no power to tell the courts what to do. The division is focusing its efforts on keeping families out of court and providing services without the need for court intervention. The counties have agreed to try this approach for one year. The long term effect of this

OBSERVATION NO. 13: PROCEDURES FOR COLLECTING PARENTAL PAYMENTS FOR COURT-ORDERED SERVICES ARE INSUFFICIENT (Continued)

AUDITEE RESPONSE (Continued):

effort will be decreased legal costs and fewer out-of-home placements, and the division will have a relationship with families that is less adversarial. The counties may obtain financial reimbursement for each family.

OBSERVATION NO. 14: A MORE FLEXIBLE FAMILY-BASED SERVICES PROGRAM IS NEEDED

The current DCYS family-based services model limits how providers tailor services to individual family needs. In addition, reliance on a single model may limit the number of families that can be served by this intervention.

Current DCYS contracts for family-based services specify a single service delivery model. Minimum service length is 90 days. An extension of up to 90 days may be granted by DCYS.

According to the contracts, each week providers must deliver five hours of face to face contact with each family, regardless of family circumstances or stage of service. Family-based services providers claim that the five-hour requirement is not appropriate for all families, and would like to see a more flexible approach. Families in the early stage of services may require more than five hours a week. Families in the latter stage may require as little as one hour a week.

We interviewed child welfare officials in 14 other states. Of the 13 that had family-based services programs, none have a single hourly requirement for all families. All give providers the flexibility to adjust services to levels consistent with family needs and caseload size. In addition, eight of the states surveyed use a shorter program model based on the four to six week Homebuilders program. Nationally, 31 states use the original or a modified version of Homebuilders. This program is short and very intensive.

Caseloads are usually limited to no more than two, and workers might see each family up to 20 hours a week. Some states use a Homebuilders model for short term crisis intervention and stabilization, and a longer model for families with more chronic problems.

RECOMMENDATION:

DCYS should implement a more flexible family-based program model that allows providers to tailor services consistent with individual family needs. DCYS should also consider implementing a shorter, more intensive program for families that would benefit from this approach and do not require longer term treatment.

OBSERVATION NO. 14: A MORE FLEXIBLE FAMILY-BASED SERVICES PROGRAM IS NEEDED
(Continued)

AUDITEE RESPONSE:

We concur with these observations and DCYS has already modified the current contract provisions for a more flexible service. CPSWs, JSOs, families and providers were an integral part in the redesign of the contract.

Under the new service design, family counseling services are provided to alleviate individual and family dysfunction and to provide an alternative to placing a child outside the family home or to permit a child to return home from placement.

It is important to note that the division is moving toward a family-centered locus, and not to a particular program model. The expansion of services and implementation of new services, including changes cited in this response, are aimed at providing an optimal level of interaction within a family, and not at preventing placement solely. This distinction is important.

OBSERVATION NO. 15: CASH ASSISTANCE SHOULD POSSIBLY BE A FEATURE OF FAMILY-BASED PROGRAM SERVICES

Family-based services contracts require providers to help families obtain assistance in meeting concrete needs such as housing, food, education, transportation and employment. Contracts do not provide for cash assistance to help meet these needs. In some cases providers can refer families to public assistance programs such as Aid to Families with Dependent Children and Food Stamps. However, according to one provider and one DCYS program administrator, in relation to other states New Hampshire has more working poor who do not qualify for public assistance programs. Without the resources required to meet basic needs, some New Hampshire families may not realize the full benefits of family-based services.

In the book "Making Reasonable Efforts: Steps for Keeping Families Together," child welfare and juvenile law agencies recommend states provide cash assistance to families for help with emergency needs. This includes state-funded payments to families ineligible for federal assistance programs. In interviews with the LBA, child welfare officials in several states identified cash assistance as very important components of their family-based services programs. This applies to families in rural and urban settings.

The principle behind cash assistance is that no matter how much a family wants to participate in family-based services, it cannot fully concentrate on the program if distracted by other stressors. One state official called cash assistance "...the best part of the whole program. Help with housing, transportation, or another concrete need often relieves stress and makes it easier to work with the family." Another stated that "Abuse and neglect can stem from real life problems. A clinical approach is not always needed. Real life support can help."

OBSERVATION NO. 15: CASH ASSISTANCE SHOULD POSSIBLY BE A FEATURE OF FAMILY-BASED PROGRAM SERVICES (Continued)

Cash assistance need not be expensive. Kentucky, for example, provides up to \$750 per family through two different funding programs. Given the high cost of out-of-home placements, this would appear to be a relatively small investment in keeping families together.

RECOMMENDATION:

DCYS and family-based services providers should evaluate the need for cash assistance as part of the family-based services program. DCYS should explore ways to provide cash assistance where it is considered vital to the success of the intervention.

AUDITEE RESPONSE:

We do not concur that the Division for Children and Youth Services should provide cash assistance as part of the family-based services program. A comprehensive study of family-based services programs would show that only a small number have cash, or hard services dollars available, and that the availability or lack thereof is no indication in the sources of the program. In fact, national data is beginning to reflect the importance of community fiscal support and not state fiscal support for the hard services, as this creates better connectedness to the community, and less dependency on state government. There are currently in place a variety of ancillary services which contribute directly to family preservation. In addition to these services, the Division for Children and Youth Services is currently preparing an Emergency Assistance Program to be funded through Title IV-A. The intent of the program is to fund services/items necessary to provide a child with living arrangements in a home and to assure that families will be preserved.

OBSERVATION NO. 16: DIVERSION INCENTIVES PROGRAM NEEDS IMPROVEMENT

RSA 170-G:4 (XVI) requires DCYS to distribute funds to cities, towns, and counties which have or are developing prevention and alternative care programs for juveniles, including prevention of child abuse and neglect. The statute also requires the amount of the distribution to be not less than five percent of the amount appropriated each year for placement costs. However, child settlement appropriations do not differentiate between funds for residential services (placements) or ancillary services, making it difficult to estimate how much should be allocated to the diversion incentive program. Appropriations for the diversion incentive program have not been equal to five percent of the funds expended for placements in previous fiscal years. In addition, DCYS is not obtaining information required by administrative rules, which would help it to evaluate the local programs receiving the diversion incentive funds.

OBSERVATION NO. 16: DIVERSION INCENTIVES PROGRAM NEEDS IMPROVEMENT
(Continued)

Over the history of the diversion incentive program, the funding requirements stated in RSA 170-G:4 (XVI) have not been operative. DCYS personnel maintain the reason for this is because statutory language is open to various interpretations and because the Legislature has determined the amount appropriated for the program. Since 1989, \$1,039,500 has been specifically appropriated annually for the diversion incentives program. In FY 1992, this amount represented only 3.1 percent of the \$33.4 million residential expenditures (placements) for child settlement.

LBA interviews with DCYS personnel responsible for the diversion incentive program indicated controls related to the program were minimal. LBA analysis indicates administrative rules are generally adequate, but compliance with quality assurance requirements should be improved. Quarterly program status reports are required from each grant recipient, detailing expenditures and status of goals attained. In addition, annual evaluations of recipients are required to be conducted by each county and DCYS to include review of data quality reports and records. Finally, recipients are required to provide an annual report detailing programmatic structure, services provided, community and fiscal impact, demonstration of goals attained, short and long-term goals, and plans for self-sufficiency.

Quarterly reports appear to be filed in compliance with the administrative rules. However, other elements of the quality assurance requirements, including annual evaluations by DCYS and county administrations, and annual reports from each recipient of the detail required by the rules, are not being met. Missing in particular are demonstrations of the goals being attained, as well as outcome data demonstrating program effectiveness. As a result, DCYS and the counties have little in the way of reliable information for evaluating the quality of the services funded through the diversion incentive program.

RECOMMENDATION:

DCYS should request the Legislature fully fund the diversion incentive program, or in the alternative, should request the Legislature amend RSA 170-G:4 (XVI) to reflect its current practice of level funding the diversion incentive program. In addition, DCYS should invite the counties to assist the division in developing and implementing a program to assess the effectiveness of local intervention and prevention programs, as well as identifying additional service needs.

AUDITEE RESPONSE:

We concur in part. Since 1989 the New Hampshire Legislature has consistently level funded the program at \$1,039,500. RSA 170-G:4 states "the amount to be distributed for this program shall be not less than five percent of the amount appropriated in each fiscal year to DCYS for placement costs."

OBSERVATION NO. 16: DIVERSION INCENTIVES PROGRAM NEEDS IMPROVEMENT
(Continued)

AUDITEE RESPONSE (Continued):

This statute has undergone various interpretations as to which actual budgetary line items should be considered for the five percent appropriation.

House Bill 510 has requested clarification regarding the total amount of appropriation and further requests an increase to ten percent of the total amount of placement cost to be appropriated for the Diversion Incentive Funds programming. The division supports this legislation.

DCYS has made great efforts to include county government assistance for quality assurance measurement of the Incentive Fund programs. Three of the ten counties (Grafton, Merrimack and Strafford) actively work with DCYS to conduct annual site visits and audits. Monthly progress reports and annual reports are helpful tools used by the Division to assess program effectiveness. Supporting data regarding monitoring outcomes is not stored on a data base at DCYS due to lack of technical automation for the purpose.

The stated recommendations are only feasible if additional resources are allocated to meet those ends.

OBSERVATION NO. 17: NO DATA REGARDING THE EFFECTIVENESS OF FAMILY-BASED SERVICES, INTERVENTION, AND PREVENTION PROGRAMS

There is no system to collect and analyze data regarding the effectiveness of family-based services, intervention and prevention programs funded by the State. As a result, DCYS has not evaluated these programs to determine their performance.

DCYS does not require the three family-based services contractors to report on program effectiveness. In addition, although it collects annual data on the number of persons served, DCYS does not require counties to report on the effectiveness of programs financed in whole or in part with five percent diversion funds.

Child welfare officials in other states consider ongoing evaluation an important part of their family-based services programs. States that do not have evaluation programs recognize this as a fundamental weakness and are working to implement an evaluation system. An effective evaluation program can provide useful information for program adjustments, requests for additional funds, and public education campaigns.

OBSERVATION NO. 17: NO DATA REGARDING THE EFFECTIVENESS OF FAMILY-BASED SERVICES, INTERVENTION, AND PREVENTION PROGRAMS
(Continued)

In FY 1993 DCYS has contracts totaling \$1,866,378 for family-based services programs, \$511,681 for family stabilization programs, \$692,311 for intensive tracking programs, as well as allocations of \$1,039,500 for five percent diversion programs. Without comprehensive evaluation procedures, DCYS cannot determine the effectiveness of these programs. This is especially important in view of the agency's emphasis on family-based programs.

RECOMMENDATION:

DCYS should develop and implement evaluation procedures for all family-based, intervention, and prevention programs. These procedures should include outcome data at the end of service, as well as follow-up contacts at six months and one year for all families served by these programs.

AUDITEE RESPONSE:

We concur. With the addition of a data based computer to the Bureau of Quality Management, the bureau will be able to begin to evaluate the effectiveness of these programs. In addition, the program specialist for ancillary certification will develop a monitoring system that will include on-site visits. Client satisfaction will be an integral part of this evaluation. The monitoring team will consist of program specialists in the BQM, the Bureau of Children and Families, the Bureau of Community Services and Program Development, and occasionally the Bureau of Administrative Services.

The development of this evaluation tool should be completed by the beginning of 1994. Due to the volume of programs utilized by DCYS, without additional staff it is unlikely that programs can be effectively evaluated on an annual basis. The bureau will develop a paper evaluation format that can be implemented on an annual basis. This format will be developed concurrently with the on-site monitoring system.

OBSERVATION NO. 18: DCYS RATE SETTER DOES NOT CONSULT WITH THE DCYS ADVISORY BOARD

RSA 170-G:4 (XVII) requires that the rate setter establish rates for programs and services after consultation with the DCYS advisory board. The rate setter does not meet with the board.

OBSERVATION NO. 18: DCYS RATE SETTER DOES NOT CONSULT WITH THE DCYS ADVISORY BOARD (Continued)

The rate setting process does not appear to have suffered from lack of consultation with the board. Moreover, given the prior juvenile justice orientation of the board, consultation may not have been necessary. However, the division director has indicated the advisory board will begin to focus more broadly on issues related to the agency as a whole. When this occurs, the board may be able to provide some assistance to the rate setter.

RECOMMENDATION:

DCYS should reevaluate the requirement for consultation with the DCYS advisory board. If the requirement is valid, the rate setter should comply. If not, the division should request statutory change to delete the requirement.

AUDITEE RESPONSE:

We concur. The division will request statutory change to delete the requirement. The DCYS Advisory Board as is appropriate is to be involved in new global functions and policies of the division.

OBSERVATION NO. 19: DCYS SHOULD INCLUDE WORKERS' COMPENSATION COSTS WHEN CALCULATING RATES FOR STATE INSTITUTIONS

DCYS does not include workers' compensation costs as part of the formula used to calculate board and care rates for the Youth Development Center, the Adolescent Detention Center, and the Tobey School. As a result, daily rates for these facilities are lower than they should be, and DCYS is not capturing from the counties a full 25 percent share of state costs for providing court-ordered services in these facilities.

DCYS personnel pointed out that workers' compensation costs are not included in the operating budget of these three institutions. For that reason workers' compensation costs are not included in the rate setting formula. Workers' compensation costs are paid from funds not otherwise appropriated and do not impact agency operating budgets. However, workers' compensation costs are included along with other agency expenditures on the Statement of Appropriations and, while not direct costs for the agency, are real expenditures of state funds.

By not including the cost of workers' compensation into budgets when setting rates for state-owned facilities, DCYS is underestimating costs associated with their operation. Using a lower operating budget figure results in a lower daily rate and an even smaller share of the actual state costs recovered from the counties. LBA analysis indicates that including workers' compensation costs for FY 1992 in the YDC base operating budget for FY 1993

OBSERVATION NO. 19: DCYS SHOULD INCLUDE WORKERS' COMPENSATION COSTS WHEN CALCULATING RATES FOR STATE INSTITUTIONS (Continued)

would increase the daily rate by \$11.24 (from \$224.84 to \$236.08 per day). An estimate for FY 1993 workers' compensation costs, based upon the average increase in workers' compensation over five years, would result in an even higher daily rate.

LBA analysis indicates from FY 1988 through FY 1991, the Bureau of Residential Services had the highest workers' compensation loss rate, or proportion of employee payroll lost to workers' compensation costs, of any state agency. From FY 1987-1992, workers' compensation losses added over \$1.7 million to State costs for operating YDC, none of which was included in YDC's rate setting formula.

DCYS administrative rule He-C 6422.03, regarding rate setting, requires providers to submit expense information related to employee benefits, including workers' compensation, as part of their rate applications. DCYS should use the same type of cost information for setting rates in state-owned facilities.

RECOMMENDATION:

DCYS should include workers' compensation costs as part of the operating budgets when calculating rates for the Youth Development Center, the Adolescent Detention Center, and the Tobey School. To estimate its workers' compensation cost for the next fiscal year, DCYS should calculate the average loss rate over the previous five fiscal years and apply that to its estimated total salary for the next fiscal year.

AUDITEE RESPONSE:

We do not concur that workers' compensation should be considered in computing rates at YDC and YSC.

The State as a whole does not budget this item. Basically because our status of being self-insured. Providers on the other hand, pay for this as an insurance and it is a constant within their budget. It is such a volatile item, it could potentially create large disparities from year to year in rates.

OBSERVATION NO. 20: THE DCYS RATE SETTER DOES NOT REGULARLY VISIT RESIDENTIAL FACILITIES IN NEW HAMPSHIRE

The current DCYS rate setter is very knowledgeable of New Hampshire residential facilities. He acknowledges that visits to some facilities have given him knowledge of facility layout and operations that have proved helpful during the rate setting process. At this point, however, the rate setter does not regularly schedule on-site visits to residential facilities.

OBSERVATION NO. 20: THE DCYS RATE SETTER DOES NOT REGULARLY VISIT RESIDENTIAL FACILITIES IN NEW HAMPSHIRE (Continued)

Regular visits to each facility will familiarize the rate setter with the unique environment of each. Visits may also improve relations with providers by allowing for face-to-face contact and private discussions of issues and concerns.

RECOMMENDATION:

The DCYS rate setter should visit each residential facility at least once during each biennium.

AUDITEE RESPONSE:

We concur. Rate setting was established in statute by the division in 1988 to bring order to the payment system. Although other states have entire agencies devoted solely to rate setting, DCYS has only one position for setting rates. Every attempt will be made to visit each residential facility at least once during the biennium, but it is difficult with only a single position.

OBSERVATION NO. 21: DCYS HAS FAILED TO ESTABLISH RATE SETTING RULES RELATIVE TO FOSTER FAMILY HOMES

RSA 170-E:34 (I)(f) requires the Commissioner of the Department of Health and Human Services to adopt rules relative to "Compensation to foster family homes for the costs of caring for each child placed in their custody." In addition, RSA 170-G:4 (XVII) grants DCYS "the power and duty" to establish rates for all services, placements and programs paid by the division pursuant to court orders. Currently, DCYS does not set foster family home rates nor has DHHS adopted rules regarding compensation to foster family homes.

Over 21 percent of the respondents to our mail survey of New Hampshire foster parents identified insufficient compensation rates as one of the major problems they experienced as foster parents. Over 25 percent also stated increased compensation would improve retention of foster parents.

DCYS annually reviews rates for all types of residential placements except foster family care. Legislative intent seems clear in RSA 170-G:4 (XVII) which grants DCYS "the power and duty" to establish rates for all services, placements and programs paid by the division pursuant to court orders. In addition, RSA 170-G:4 (XVII)(a) grants DCYS the power and duty to annually review rates for services, placements and programs, while considering the effect of the rates on current costs, quality, and availability of services. Neither statute cites any exceptions to these powers and duties, including rates for foster family homes.

**OBSERVATION NO. 21: DCYS HAS FAILED TO ESTABLISH RATE SETTING RULES
RELATIVE TO FOSTER FAMILY HOMES (Continued)**

RECOMMENDATION:

DCYS should develop a rate setting formula that ensures adequate compensation levels for foster family homes, and set rates for these providers on an annual basis. The division may wish to consult with the New Hampshire Foster Parent Association in developing the rate setting formula.

AUDITEE RESPONSE:

We concur in part. The budget constraints of the past eight years have precluded a rate increase for foster homes. Living within budgets set at 95 percent or 90 percent of the previous year does not allow the agency sufficient funds to increase rates. In 1987 the Foster Parent Association sponsored legislation which increased their rates. Had they not lobbied hard for its passage they may not have gotten any increase.

For the biennium 1994-1995 DCYS has requested increases in foster home rates within the IV-E foster care budget.

OBSERVATION NO. 22: DCYS PROVIDER MONITORING PROCEDURES NEED IMPROVEMENT

The Bureau of Quality Management (BQM) is responsible for ensuring quality and needed services are furnished by residential and ancillary service providers. The BQM certifies providers meeting certification for payment standards and is supposed to regularly monitor their performance. However, the BQM does not monitor residential providers annually as required by DCYS policy nor do Bureau personnel conduct on-site monitoring of ancillary providers.

More Frequent Monitoring of Residential Facilities is Needed. DCYS policy manual item 860 requires annual on-site monitoring of residential providers. Currently, however, each of the 58 in-state residential providers is monitored on-site approximately once every year and a half. On-site monitoring is the division's primary means for assuring quality services from residential providers. Longer site visit cycles reduce the effectiveness of the division's quality assurance and can contribute to communication breakdowns between DCYS and providers. LBA staff observing an on-site monitoring visit found the BQM monitoring team did an excellent job communicating DCYS policies and expectations to the provider. In addition, the monitoring team observed first hand how the program implements policy. It is clearly beneficial for both DCYS as well as the provider to interact more frequently than less.

OBSERVATION NO. 22: DCYS PROVIDER MONITORING PROCEDURES NEED IMPROVEMENT
(Continued)

LBA telephone interviews with quality assurance personnel in other New England states indicate that increased monitoring of residential facilities may be desirable. Connecticut formerly conducted annual on-site monitoring visits but has recently started conducting them quarterly and monitoring personnel report they are working well. "Cross-pollination," or transferring good practices between programs, is one benefit cited. Likewise, Maine used to conduct quarterly monitoring visits, but due to staff shortages, had to cut back to two or three visits per year. Maine's certification official added that quarterly monitoring visits were better. Finally, although Vermont conducts one site visit per year, that state's certification official believes three visits per year would be ideal, provided they had more staff.

Insufficient commitment of staff resources appears to be contributing to the lack of annual on-site monitoring visits. The current BQM monitoring team consists of one full-time staff member who, in addition to monitoring duties, is also responsible for certifying residential providers, coordinating visits, and acting as liaison to the Group Home Association. Other monitoring team members include a Bureau of Residential Services representative, who is the clinical director for YDC, and staff from the Bureau of Children and Families.

No Monitoring of Ancillary Service Providers. Although required by DCYS policy, the BQM is not actively monitoring ancillary service providers. DCYS policy manual item 862 states service providers are monitored at random and in response to DCYS field staff requests. According to DCYS personnel, the monitoring process for ancillary providers is supposed to include on-site reviews of provider reports and other documents at DCYS district offices. However, DCYS staff have not evaluated the quality of services provided by ancillary providers in at least three years. Lack of regular monitoring compromises DCYS ability to ensure quality services are provided to its clients.

According to BQM staff, there is currently no time or personnel for monitoring due to paperwork associated with the annual recertification cycle for certified providers and the high volume of new ancillary service provider certification applications. The BQM staff reported they receive more than ten requests for certification per week. In addition, the BQM does not have an efficient method of managing paperwork associated with monitoring and certification. BQM staff reported they often must go through each of the 2,000 provider files by hand when retrieving archived information on specific providers.

OBSERVATION NO. 22: DCYS PROVIDER MONITORING PROCEDURES NEED IMPROVEMENT
(Continued)

Regular Feedback from DCYS Field Staff is Lacking. Field staff are an excellent source of information about service providers because they have more frequent contact with them. However, BQM contacts with DCYS field staff are insufficient to determine the quality of services provided to DCYS clients. Although required by policy, there is currently no formal process to determine the opinions of field staff regarding the quality of providers. As a result, DCYS quality assurance personnel are not obtaining feedback from staff having first hand experience with providers.

Although the residential monitoring team makes contact with field staff, it does not specify a standardized format for their responses. DCYS policy manual item 860 requires the Bureau of Children and Families representative on the monitoring team to contact a minimum of five DCYS workers who have children placed at the facility under review. A review of BQM documents indicated that field personnel were contacted regularly, but the methods of response vary. In addition, despite DCYS policy manual item 862, which requires the ancillary monitoring team's Bureau of Children and Families representative to contact field staff to obtain information about their experiences with service providers, no such contact is made.

RECOMMENDATION:

- DCYS should ensure compliance with policy item 860 and ensure annual on-site monitoring for each residential provider. In addition, DCYS should consider alternative procedures for on-site monitoring, including more frequent monitoring and developing a peer review system that includes members of the New Hampshire Group Home Association on monitoring teams. Monitoring should include two or three narrowly focused visits by one or two team members. In any case, the full monitoring team can be utilized for the annual certification visit.
- DCYS should ensure adequate staff and resources are committed to monitoring ancillary service providers. Certifying new ancillary providers and monitoring existing providers should comply with DCYS policies. DCYS should explore alternative procedures for monitoring and recertification, such as extending recertification cycles from one to two years and a peer review system for monitoring ancillary providers.
- The BQM should comply with DCYS policy manual items 860 and 862 and ensure regular standardized feedback from field personnel is obtained regarding provider performance. One process could involve mailing standardized provider evaluation forms to field personnel. These forms could be used by field personnel to identify providers with whom there are concerns, as well as providers who are exceptionally good.

OBSERVATION NO. 22: DCYS PROVIDER MONITORING PROCEDURES NEED IMPROVEMENT
(Continued)

AUDITEE RESPONSE:

We concur in part. We agree more frequent visits are needed to residential providers. This is especially true with programs experiencing problems and having difficulties complying with standards. We also agree field staff are a good source of feedback. We also agree there is an insufficient commitment to staffing the monitoring/certification unit. This issue alone presents many obstacles in the enforcement of quality assurance measures.

We do not concur in part. There are sufficient measures to acquire feedback from DCYS field staff regarding provider performance: we do try to contact a minimum of five DCYS workers as part of a review. In addition:

- As an annual practice a notice is sent to field supervisors every March, soliciting comments about in-state and out-of-state programs. This information is used as part of the next review and determining recertification.
- The Quality Assurance Unit responds to ongoing complaints about programs. Recently the practice has been to include the field staff in the actual participation in the resolution of the complaint investigation.
- Any changes with providers are communicated to the field with an update of the resource guide.

The responsibilities of the full time staff member responsible for certifying residential providers were not inclusive. In addition to the duties stated, the following are also responsibilities:

- Contract monitoring
- Out-of-state providers monitoring and certification
- Liaison with the Special Education Providers Association
- Maintaining statistics on residential programs
- Day care certification
- Rule and policy writing
- Recently assigned the licensing of the Experiential Wilderness program
- Maintaining a resource guide of in-state and out-of-state providers for the Division
- Centralized distribution of licenses to field staff in order to maintain medicaid status

OBSERVATION NO. 22: DCYS PROVIDER MONITORING PROCEDURES NEED IMPROVEMENT
(Continued)

AUDITEE RESPONSE (Continued):

We disagree with the suggested practice of using other providers for a peer review process. This practice is currently done by the New Hampshire Department of Education. We are members of that site visit process. There are several major flaws:

- Inconsistency of volunteers
- Various levels of experience
- Confidentiality issues
- Thoroughness. Rotating volunteers do not have the training needed to enforce regulations.
- DOE contracts the coordination of volunteers, then monitors the contractor. We believe this is effective if the volunteers who acquire site visit information constantly change.

OBSERVATION NO. 23: PROCEDURES FOR RECERTIFYING ANCILLARY SERVICE PROVIDERS SHOULD BE IMPROVED

Part of the recertification procedures for ancillary service providers requires each provider to submit a self-evaluation reporting on services provided to DCYS. Criteria for self-evaluations are vague however, and neither DCYS administrative rules nor certification applications provide sufficient guidance.

Controls do exist for self-evaluations submitted by residential providers. These providers receive a compliance checklist they fill out and mail back to DCYS. This information is augmented by information gathered by the DCYS monitoring team during on-site visits.

For ancillary providers, however, there are no uniform requirements regarding information the self-evaluation should include, no standardized form, and no other method of evaluating quality of services provided. The BQM relies solely on the self-evaluation to determine the quality of services delivered by ancillary providers in the absence of any regular on-site monitoring or comments from DCYS field staff. Ancillary certification rules and application materials simply ask for a written statement by the provider describing the services provided and for any change in services provided. As a result, providers submit to DCYS whatever information they feel is appropriate.

BQM staff indicated concerns that the information submitted by providers is inconsistent and may be exaggerated. As a result, DCYS bases its decisions on information that may be biased or inflated when it recertifies ancillary providers. In addition, since providers can use different criteria to evaluate the quality of services they provide, it is impossible to determine which programs are effective.

OBSERVATION NO. 23: PROCEDURES FOR RECERTIFYING ANCILLARY SERVICE PROVIDERS SHOULD BE IMPROVED (Continued)

RECOMMENDATION:

DCYS should revise its Certification for Payment Standards for Ancillary Service Providers to specify criteria for self-evaluations. When referencing self-evaluations, application materials should reflect these criteria. Ideally, standardized forms for each type of provider should be developed and used to provide uniform information to DCYS.

AUDITEE RESPONSE:

We concur. It is recognized by the division that the Ancillary Certification/Recertification process needs to be streamlined. Plans are in effect to meet with the district offices and have them determine which providers to continue to certify. This should cut down the large numbers of providers who are certified annually, but not used by the district offices.

In addition, length of certification is being evaluated. It is the intent of the Division to begin to certify providers according to licensure rather than on an annual basis. This change will enable the program specialist to spend time on site visits and program monitoring. This process should be completed within one year.

As a part of the monitoring system, a standardized self-evaluation will be developed for each type of provider. This self-evaluation will be sent to the provider with the notice for recertification and should be returned with the renewal application. Prior to renewal, the program specialist will meet with district office staff to determine the need for renewal, as well as to evaluate the provider's self-evaluation. Renewal will be granted based on need and quality of services rendered.

OBSERVATION NO. 24: DCYS DISTRICT OFFICE MONITORING FOR QUALITY ASSURANCE SHOULD BE ONGOING

During 1991 and 1992, program specialists from DCYS state office made monthly evaluation visits to DCYS district offices. Functional areas evaluated included assessment, family services, placement, foster care, juvenile services, interstate compact, adoption, and independent living. We reviewed the specialist-written monitoring reports for each district office. These reports revealed numerous problems in all functional areas.

Most of the identified problems related to compliance with DCYS policies and procedures regarding record keeping and documentation. These included incomplete case plans, no documentation of face-to-face case transfers occurring, and failing to maintain updated medical release forms and case contact logs. The foster care programs in most district offices were cited

OBSERVATION NO. 24: DCYS DISTRICT OFFICE MONITORING FOR QUALITY ASSURANCE SHOULD BE ONGOING (Continued)

for insufficient record keeping regarding foster parent references, home studies, and compliance with requirements for in-service training. Insufficient documentation of reasonable efforts, a necessary element for Title IV-E eligibility and reimbursement of foster care costs, was also a problem in the majority of district offices.

Other more serious problems were also identified, including CPSWs failing to attend case conferences, not referring children in care to the independent living program within required time lines, and assessment workers not providing feedback to professionals who report suspected instances of abuse and neglect. These latter problems go beyond questions regarding how well CPSWs and JSOs document the services they provide, and ask whether as case managers they are actually meeting their responsibilities as required by DCYS policy.

The administrator for the Bureau of Children and Families, which manages district office operations, indicated findings from monitoring visits were discussed with area administrators and copies of the reports were submitted to the DCYS deputy director. In some cases, state office program specialists went to district offices to help design and implement corrective actions. The BOCF administrator was unaware if reports were discussed directly with district office personnel. The DCYS deputy director indicated district office monitoring would not continue due to reassignment of most program specialists at state office during the recent reorganization of the division. The deputy director stated they would like to continue district office monitoring but did not know how at this point.

RECOMMENDATION:

DCYS should ensure ongoing quality assurance evaluations occur annually within each district office. With state office personnel unavailable, a peer review system should be developed. The four area administrators should coordinate the district office quality assurance program and serve, on a rotating basis, as on-site managers during evaluations. District office supervisors and assistant supervisors should comprise the evaluation teams. Neither supervisors nor area administrators should evaluate their own district offices.

Standardized data gathering and reporting forms should be developed to obtain quantitative data regarding compliance with DCYS policies and procedures. In addition, forms should be designed to obtain qualitative data including evaluators' comments and summaries, as well as recommendations to address problems or issues regarding district office operations. District office supervisors and their area administrators should work together to develop and implement corrective action plans to address identified problems in a timely manner.

OBSERVATION NO. 24: DCYS DISTRICT OFFICE MONITORING FOR QUALITY ASSURANCE SHOULD BE ONGOING (Continued)

AUDITEE RESPONSE:

We concur. The division agrees that each District Office should be evaluated on an annual basis. This evaluation should be comprehensive and conducted by evaluators who can be objective and forthcoming with their findings.

The recommendations made on the observation worksheet would enable district offices to be evaluated, but may not be as objective as necessary. Due to increasing caseloads, each district office faces similar problems in effective time management. Because this is felt universally in the field, it could be difficult for one area administrator or supervisor in an area where they are also having problems.

The most effective way to evaluate district offices would be to have state office personnel conduct on-site monitoring using standardized forms, such as was done in 1991 and 1992. The Bureau of Quality Management understands that district office monitoring is part of its function. We are presently evaluating possible grants, or internship possibilities to assist the workload of BQM to enable this process to begin.

OBSERVATION NO. 25: DCYS POLICIES AND PROCEDURES NEED UPDATING AND EXPANDING

DCYS policies are in many cases outdated and reflect neither changes made in DCYS procedures and forms, nor revisions to the RSAs. In addition, policies do not exist for some significant DCYS functions, such as investigating allegations of institutional abuse or neglect. The policy manual itself is a mixture of styles that is confusing to follow. Revisions to DCYS policies are needed to address shortcomings and to ensure policies conform to state laws and the DCYS mission.

Twenty policy items date back to 1985 or earlier, including 12 that predate 1980, years before DCYS existed as a separate division. These include significant portions of the adoption program, the family services program, organization and channels of communication, and general information relating to legal issues. In addition, several policies are insufficiently or incorrectly cross referenced (Items 690c, 6023.1 e5; 688, 6019.1 a&b; and 771 a3, c4), give inaccurate references to the RSAs (Items 620, 5180; 690e, 6025.1 e; 690f, 6026.3 a; 703, 6021; 6103 b; and 6103.1 d), or give incorrect information regarding legal liability for costs associated with services to children in care (Items 690g, 6027.2 a-d; and 1303).

OBSERVATION NO. 25: DCYS POLICIES AND PROCEDURES NEED UPDATING AND EXPANDING (Continued)

Portions of the adoption program's policies have not been updated since 1977 and, in the case of the section on termination of parental rights, give inaccurate information on who may file a petition as well as incomplete information regarding the grounds for termination. Several sections of these policies and others not updated refer to responsibilities of the Division of Welfare, not DCYS.

Policies regarding procedures for institutional investigations are absent from the DCYS policy manual. These are investigations into allegations of abuse or neglect filed against service providers or DCYS staff, and are handled by a special unit within DCYS state office. DCYS policy item 680 requires allegations of this nature be referred to the institutional investigator. However, where there are policies regarding procedures and time lines for completing assessments of abuse and neglect reports, DCYS staff informed the LBA that neither rules nor policy regarding conduct of institutional investigations have been promulgated. Lack of policy may have contributed to at least one such investigation taking a longer than necessary amount of time to be completed, resulting in some hardships for the provider.

DCYS policies give little guidance for procedures such as assessing families or identifying their service needs. National child welfare and youth law organizations recommend that state child welfare agencies provide written guidelines, procedures, or protocols on reasonable efforts. These procedures should cover each stage of the agency's interaction with families. DCYS policies appear to fall short of specifying the type of criteria and procedures recommended, especially criteria for determining when it is appropriate to remove a child without prior provision of preventive services, procedures for determining services that allow a child to remain with or return to the family, and criteria for determining when reunification efforts are no longer appropriate.

LBA surveys of DCYS field staff, as well as interviews with district office supervisory personnel and area administrators, also indicate the need for more comprehensive service-related policies and procedures. More than 60 percent of DCYS field personnel and one-third of its field services supervisory and management staff indicated guidelines did not exist to help identify which services to recommend after an investigation of a child's home conditions. In addition, DCYS management personnel acknowledged there is no detailed guidance for family assessments, needs identification and service recommendations, and stated workers rely on their training and experience when doing family assessments. Insufficient written procedures leave open for interpretation what DCYS expects from the 174 CPSWs and supervisors and 60 JSOs and supervisors in its 12 district offices and six juvenile units regarding family assessments and service recommendations.

OBSERVATION NO. 25: DCYS POLICIES AND PROCEDURES NEED UPDATING AND EXPANDING (Continued)

RECOMMENDATION:

DCYS should revise and expand its policies to reflect current state statutes, the existence of DCYS as a separate division, and to correct other identified inaccuracies. Policies should be reorganized to reflect the continuum of child protection and juvenile services of the agency. DCYS should examine the amount of specific guidance provided in policies that relates to procedures for family assessment, needs identification, and service recommendations.

Given the agency's recently revised mission which focuses its services on preserving the family, policies regarding assessment, family services, and juvenile services should be expanded to reflect this mission and articulate the procedures for ensuring it is translated into practice. Assessment policies, in particular, need more specificity regarding procedures and information for identifying the dynamics of each case and the appropriate services to help protect children and preserve their families. Family services policies should be expanded to reflect a focus on services to keep children and their families together, to reunify children in placement, and to develop permanent plans for children not reunified with their families. Juvenile services policies should reflect more detail on procedures for assessing cases and providing services to preserve families while also addressing legal responsibilities and needs of delinquents and CHINS.

AUDITEE RESPONSE:

We concur. DCYS has been aware of the majority of the observations made by the audit. Staff lay-offs and re-assignments have reduced the policy and planning unit to a single employee. The BOC and family staff has been equally affected.

The BQM staff will continue to urge other state office staff to clearly describe their program areas and to take responsibility for 1 or 2 service specifications. The BQM staff is limited to providing technical assistance, coordination, and encouragement to state office staff. Policy unit staff will continue to identify policy and rule projects under development.

The filing of administrative rules will continue to be a DCYS priority for state office staff.

Policies that are not working or are clearly out-of-date with the New Hampshire state statutes will be identified, and then made obsolete or given priority for staff assignment and revision.

OBSERVATION NO. 26: DCYS HAS FAILED TO PROMULGATE ADMINISTRATIVE RULES IN NUMEROUS AREAS

DCYS has neglected to adopt administrative rules in most areas of its operations. Exceptions to this lack of rulemaking include the five percent incentive funds program, certification of service providers for payment, and rate setting for all services except foster family care. The purpose of administrative rules is to specify how and under what terms an agency will conduct its business in areas that affect the public. Administrative rules define the terms of an agency's interaction with the public. By failing to promulgate administrative rules, DCYS has failed to identify and notify how it will interact with the public. This interferes with the public's right to know and raises questions of liability for the state.

Specific examples of where DCYS has failed to adopt administrative rules are listed below. The majority are areas where administrative rules have lapsed after DCYS was created and transferred responsibility for these functional areas. Many of these areas are addressed in DCYS policies. However, as indicated in observation #25, DCYS policies and procedures are generally in need of revision. In three areas DCYS has never developed any administrative rules: 1) a workload formula for juvenile services officers for determining the number of juvenile services officers to employ, 2) conduct and documentation of institutional investigations, and 3) service rates for foster family homes.

He-C 6100	Organizational Rules
He-C 6301-6306	General Program Administration
He-C 6401	Social Services Block Grant Program
He-C 6403	Child Services Program
He-C 6407	Safeguarding Information
He-C 6409	Legal Representation for Social Workers
He-C 6412	Application
He-C 6414	Determination of Initial Eligibility
He-C 6417	Redetermination
He-C 6421	Termination of Social Services
He-C 6426	Child Protection Program
He-C 6431	Family Services Program
He-C 6436	Adoption Program
He-C 6443	Medical Authorizations and Placements
He-C 6446	Foster Family Care Licensing Standards
He-C 6448	Standards for Child Placing Agencies
He-C 6464	Purchased Services-General Information
He-C 6465	Purchased Services-Title XX
He-C 6803	Title IV-B Plan
	Workload and Hiring Standards for Juvenile Services Officers
	Conduct and Documentation of Institutional Investigations
	Rate Setting for Foster Family Care

OBSERVATION NO. 26: DCYS HAS FAILED TO PROMULGATE ADMINISTRATIVE RULES IN NUMEROUS AREAS (Continued)

RECOMMENDATION:

Concurrent with revising and expanding its policies to reflect current state statutes, DCYS should ensure administrative rules are developed and adopted in those areas of agency operation identified above, where appropriate, according to RSA 541-A. In areas where DCYS believes administrative rules are unnecessary or a program no longer exists, the agency should notify the joint Legislative Committee on Administrative Rules of that opinion.

AUDITEE RESPONSE:

We concur. DCYS has been aware of the majority of the observations made by the audit. Staff lay-offs and re-assignments have reduced the policy and planning unit to a single employee. The BOC staff has been equally affected.

The BQM staff will continue to urge YDC and state office staff to clearly describe their program areas in order to file rules. The policy unit staff is limited to providing technical assistance, coordination, tracking, and encouragement. The policy unit staff will also continue to identify rule projects under development in an effort to monitor progress.

The filing of administrative rules will continue to be a DCYS priority for state office staff. The director has emphasized to state office staff that policy must be developed and released prior to rulemaking.

Unnecessary rulemaking required by law will be identified and the Joint Legislative Committee will be notified. These now include training of DCYS staff and JSO workload standards. Both are internal areas that have no requirements for the public.

OBSERVATION NO. 27: NO POLICY REGARDING WORKLOAD STANDARDS FOR JUVENILE SERVICES OFFICERS

DCYS has not developed workload standards for its juvenile services officers. The agency has informal standards based upon recommendations from national organizations. However, these informal standards are exceeded consistently in the agency's juvenile units. DCYS does have workload standards in policy for other field staff, specifically its foster family care licensing, family services, and assessment CPSWs. Although required by statute since 1988 to develop a workload formula to be used in administrative rules for determining the number of JSOs to hire, DCYS has developed neither.

RECOMMENDATION:

DCYS should develop caseload standards for juvenile services officers, consistent with RSA 170-G:3 (III) and 170-G:15.

OBSERVATION NO. 27: NO POLICY REGARDING WORKLOAD STANDARDS FOR JUVENILE SERVICES OFFICERS (Continued)

AUDITEE RESPONSE:

We concur in part. RSA 170-G:15 requires assignment of Juvenile Services Officers in consultation with the New Hampshire Judges Association. In 1987, prior to the effective date of Chapter 402 of the Laws of 1987, the division consulted with the New Hampshire Judge's Association regarding the allocation of juvenile services officers effective January 1, 1988.

The division has formed a committee to establish work load standards for juvenile services officers. The committee includes representatives from DCYS management, the State Employees Association, and JSO members of Chapter 15 of the SEA.

Initial discussions have occurred in recent months. Formal meetings will begin May 18, 1993 with a target date for proposed work load standards being October 1, 1993.

The division has recently received authorization for five new juvenile services officer positions and one new juvenile services supervisor position. These will be full-time temporary positions obtained with federal funds. These positions will result in an immediate reduction in case load numbers in their assigned areas: Laconia, Concord, Portsmouth, Salem, and Hanover/Lebanon.

OBSERVATION NO. 28: INSUFFICIENT CONTROLS REGARDING CONDUCT AND DOCUMENTATION OF INSTITUTIONAL INVESTIGATIONS

Institutional investigations are investigations into abuse and neglect alleged to have occurred in state institutions, health facilities, group homes and residential facilities, foster homes, shelter care, day and residential camps, and other residential facilities. Institutional investigations are an integral part of quality assurance, and help to ensure children in DCYS custody are kept safe from additional abuse and neglect. Since 1987, institutional investigations have been the responsibility of DCYS state office personnel. Despite the importance and responsibility of institutional investigations, DCYS has failed to develop any policies specific to their conduct and documentation.

Two investigation specialists conduct institutional investigations at DCYS state office and are supervised by the administrator of the Bureau of Quality Management and the DCYS deputy director. During 1992, institutional investigations personnel completed 103 investigations of 189 reports. Investigations included reports concerning state employees, staff in board and care facilities and camps, residents in board and care facilities, and foster family homes. Seventy-four percent of the completed investigations were closed as unfounded.

OBSERVATION NO. 28: INSUFFICIENT CONTROLS REGARDING CONDUCT AND DOCUMENTATION OF INSTITUTIONAL INVESTIGATIONS
(Continued)

Currently, the only specific reference in the DCYS policy manual to institutional investigations is found in Item 680, which details procedures for referring credible reports of abuse and neglect to the unit. A draft policy referring to institutional investigations of foster family homes, said to be three years in the making, has been developed. No policies have been developed referring to investigations of group homes, state institutions, or other board and care providers. In addition, no policies or guidelines have been developed regarding caseload standards, documenting the investigation, time lines for completing an investigation, transferring investigations, or supervisory review of completed and ongoing investigations. Institutional investigations personnel currently document their contacts on forms developed for recording case contacts by CPSWs and JSOs. In addition, although investigations personnel indicate they safeguard information according to DCYS Policy Item 20, this policy contains no specific reference to institutional investigations.

Without specific policies in place, DCYS has no way of ensuring that institutional investigations are conducted using efficient and effective methods ensuring quality documentation and timely decision-making, as well as fair treatment for all involved. In the absence of policy and guidelines, investigative personnel have no references regarding agency expectations for how they conduct and document their investigations, time lines for completing investigations, when they should consult with supervisory personnel, what the agency defines as reasonable caseloads for investigators, or even if they should transfer an ongoing investigation if for some reason they cannot complete it within a reasonable time line.

RECOMMENDATION:

DCYS should ensure a complete set of policies are developed immediately regarding institutional investigations. Policies should specify procedures for conducting investigations in all state institutions, board and care facilities, foster family homes, and other areas of responsibility. In addition, policies should contain guidelines regarding documentation and supervision of institutional investigations, safeguarding information, time lines for completing investigations, transferring ongoing investigations between personnel, and caseloads for institutional investigators.

AUDITEE RESPONSE:

We concur in part. DCYS has failed to develop any policies specific to how institutional investigations are conducted.

The policy for investigations of abuse/neglect in foster homes has been in final draft, pending director's signature, since the beginning of March 1993.

OBSERVATION NO. 28: INSUFFICIENT CONTROLS REGARDING CONDUCT AND DOCUMENTATION OF INSTITUTIONAL INVESTIGATIONS
(Continued)

AUDITEE RESPONSE (Continued):

The Investigations Unit staff have been participating in the Bureau of Children and Families Assessment Policy Development Committee in anticipation that procedures for other institutional investigation procedures may be incorporated into that policy, since procedurally the functions are nearly identical. Documentation, supervision, and timelines should be consistent within the assessment/investigation function, regardless of the setting in which the alleged abuse or neglect occurred.

As to the recommendation that policies need to be developed specific to transferring ongoing investigations between personnel and caseload standards for institutional investigations, until the documented need for additional staff resources is addressed, there is no ability to respond to these areas of recommendation.

OTHER ISSUES AND CONCERNS

STATE OF NEW HAMPSHIRE CHILD SETTLEMENT PROGRAM

OTHER ISSUES AND CONCERNS

In this section we present issues reviewed during our audit which we did not develop as formal observations. While not fully developed, these issues are not without significance. The DCYS and the DHHS, the legislature, and the executive branch may consider them worthy of action or further study; therefore, we have included suggestions where appropriate.

OVERSIGHT OF DCYS DECISION-MAKING

DCYS has been the center of considerable controversy for a number of years. The DCYS state office has been picketed; newspapers across the state have printed articles and editorials condemning the agency; and legislative hearings have brought out crowds of angry residents, many claiming to be parents who have been victimized by DCYS and the district courts.

In this performance audit we did not attempt to address the validity of agency findings in child abuse and neglect investigations, or agency and district court decisions regarding recommended services in specific cases. Nor did we investigate allegations made by people who feel themselves victimized by the agency. However, during the course of our audit we were approached by some people who indicated they possessed information demonstrating multiple errors and violations of rules by DCYS when investigating child abuse and neglect. The information provided by these sources fell outside of the scope of our performance audit. However, there were cases where questionable acts and decisions may have been made by DCYS. While we do not feel the information substantiated any specific wrongdoing by the agency, it did give us some indication of the type of allegations being made against the agency.

In addition to the information provided by critics of the agency, there have been in recent years a number of cases in state and federal court, such as "Ethan H.," "Jane Doe," and "Eric L." which allege wrongful decision-making by DCYS. The former cases involved findings of child abuse by the agency which were found to be unsubstantiated. The last case alleges, among other things, the agency has not made reasonable or sufficient efforts to investigate abuse and neglect reports, to adequately train caseworkers and foster parents, to develop adequate case plans, or to create non-institutional specialized placements for children who need them.

Despite the efforts made by the new DCYS director to "open up" the agency and to redirect its mission to a family-centered service model, there remains in the public mind a negative view of DCYS. This problem is not unique to New Hampshire. During 1992, for instance, a series of public

OTHER ISSUES AND CONCERNS (Continued)

OVERSIGHT OF DCYS DECISION-MAKING (Continued)

hearings were held in Massachusetts in response to allegations against that state's child protection agency; while in California, the San Diego County Grand Jury issued a report in February 1992 regarding complaints made against the county's Childrens Services Bureau.

To us, these facts indicate a need to strengthen oversight of DCYS decision-making. While oversight structures exist through the Office of the Commissioner of Health and Human Services and the Oversight Committee on Health and Human Services, we believe an independent review function similar to an ombudsman who has the time and resources would help in resolving controversy, start to heal the poor public perceptions, and be a means of quality control. We believe locating the ombudsman within the Department of Health and Human Services would be appropriate.

NEED FOR FINANCIAL SYSTEMS CROSSWALK

Determining the actual costs associated with child settlement is difficult at best, and may be impossible given current cost accounting procedures. We began by comparing the Statement of Appropriations (SOA), which is generally accepted by legislators and the LBA as accurately representing state expenditures, and the bill payment system developed by DCYS, the Children's Information System (CIS). We observed inconsistencies between these two systems regarding costs related to child settlement services, however, which we were unable to reconcile. When we brought our concerns to personnel within the DCYS and the DHHS commissioner's office, we were informed that because the two systems were of different design and purpose, reconciling the SOA with the CIS was not possible.

Basically, the CIS was designed with the child receiving settlement-related services as the primary variable, while the SOA is derived from the New Hampshire Integrated Financial System (NHIFS) and was designed with the vendor receiving payments from the State as the major variable. In addition, various adjustments to child settlement expenditures, deriving from reimbursements by federal, third-party or parental sources, are accounted for differently in the SOA and the CIS. The SOA deducts these adjustments from expenditure reports, while the CIS treats them as credits against payments already made for the child. As a result, additional payments to providers are not added within the CIS until the credited amounts are offset. Sometimes these credits carry over from one fiscal year to the next, resulting in different expenditure levels being reported by the two systems.

Given these differences, we decided to use the SOA to represent the "true" costs of child settlement. However, we believe the need exists for an easier and more accurate method for tracking child settlement expenditures and reconciling them with the SOA. The agency and the department should explore methods to crosswalk the CIS with NHIFS.

APPENDIX A

APPENDIX A

Residential Provider Survey (In-State)

Name _____

Facility Name _____ Telephone # _____

Address _____

(NOTE: N = 27)

The first set of questions concerns general information about your facility.

1. What type of facility do you operate?

<u>0</u>	A.	Experiential Wilderness Program
<u>5</u>	B.	General Group Home
<u>0</u>	C.	Independent Living Boarding Home
<u>0</u>	D.	Inpatient Psychiatric Care
<u>9</u>	E.	Intensive Group Home/Educational Facility
<u>10</u>	F.	Intermediate Group Home
<u>0</u>	G.	Nursing Home
<u>1</u>	H.	Rehabilitation Center
<u>1</u>	I.	Shelter Care
<u>0</u>	J.	Treatment Program
<u>1</u>	K.	Other
<u>0</u>		Missing

2. In what year did your facility begin operating?

<u>4</u>	A.	1875-1900
<u>1</u>	B.	1901-1925
<u>0</u>	C.	1926-1950
<u>6</u>	D.	1951-1975
<u>15</u>	E.	1976-Present
<u>1</u>		Missing

3. When did you begin providing services to the state of New Hampshire Division for Children and Youth Services (DCYS)?

<u>4</u>	A.	1-5 years ago
<u>14</u>	B.	6-10 years ago
<u>4</u>	C.	11-15 years ago
<u>0</u>	D.	16-20 years ago
<u>2</u>	E.	21-25 years ago
<u>1</u>	F.	More than 25 years ago
<u>2</u>		Missing

4. What age groups do you serve?

<u>1</u>	A.	0-18
<u>3</u>	B.	6-18
<u>8</u>	C.	10-18
<u>2</u>	D.	14-18
<u>12</u>	E.	Other
<u>1</u>		Missing

5. What services do you provide?

<u>27</u>	A.	Board and Care
<u>2</u>	B.	Education - General
<u>9</u>	C.	Education - Special
<u>15</u>	D.	Treatment for Emotional/Behavioral Disorders
<u>5</u>	E.	Substance Abuse Treatment
<u>7</u>	F.	Sexual Abuse Treatment
<u>7</u>	G.	Other
<u>0</u>		Missing

6. What is the capacity of your facility?

<u>19</u>	A.	0-25
<u>6</u>	B.	26-50
<u>0</u>	C.	51-75
<u>1</u>	D.	76-100
<u>1</u>	E.	101-150
<u>0</u>	F.	151-200
<u>0</u>	G.	More than 200
<u>0</u>	H.	More than 300
<u>0</u>		Missing

7. What was your average occupancy rate over the past 12 months?

<u>0</u>	A.	0-20%
<u>0</u>	B.	21-40%
<u>2</u>	C.	41-60%
<u>4</u>	D.	61-80%
<u>21</u>	E.	81-100%
<u>0</u>	F.	More than 100%
<u>0</u>		Missing

8. How many children from the state of New Hampshire DCYS did you serve over the past 12 months?

<u>2</u>	A.	1-5
<u>1</u>	B.	6-10
<u>6</u>	C.	11-15
<u>2</u>	D.	16-20
<u>4</u>	E.	21-25
<u>1</u>	F.	26-30
<u>11</u>	G.	Over 30
<u>0</u>		Missing

9. How many children from other states did you serve over the past 12 months?

<u>6</u>	A.	1-5
<u>0</u>	B.	6-10
<u>2</u>	C.	11-15
<u>0</u>	D.	16-20
<u>0</u>	E.	21-25
<u>0</u>	F.	26-30
<u>1</u>	G.	Over 30
<u>18</u>	H.	Did not serve children from other states
<u>0</u>		Missing

The next set of questions concerns the New Hampshire DCYS rate setting process.

10. What do you like about the current New Hampshire DCYS rate setting process?

<u>11</u>	A.	Rate setters are competent, knowledgeable, responsive
<u>7</u>	B.	Process has improved in recent years
<u>8</u>	C.	Process is fair, flexible, or reasonable
<u>3</u>	D.	Providers have input
<u>0</u>	E.	DCYS accepts rates set by host states
<u>4</u>	F.	Procedures are clearly defined
<u>2</u>	G.	Have not been involved in the rate setting process
<u>1</u>	H.	It is a way to monitor the use of state funds
<u>0</u>	I.	Automated
<u>4</u>		Missing

11. What do you dislike about the current New Hampshire DCYS rate setting process?

- 8 A. Too much control over expenses, procedures, programs
- 9 B. Time consuming, cumbersome, or tedious
- 4 C. Rate setters do not understand facility operations
- 5 D. Inflexible, does not allow for unique environments
- 5 E. Does not reward efficient, effective programs
- 3 F. Unfair, equal facilities receive different rates
- 2 G. Process not timely
- 1 H. DCYS micromanagement
- 3 I. Some decisions not objective
- 1 J. Forms slanted toward group homes, some school categories not included
- 1 K. DCYS understaffed, delays result
- 1 L. Appeals process must be streamlined
- 0 M. Does not pay 100 percent of actual costs
- 0 N. Trend away from out-of-state placements may reduce or end referrals
- 0 O. Should require only copies of licenses and rates from out-of-state providers
- 1 P. Rates do not cover all services/programs, more dollar than client driven
- 0 Q. Unfamiliar with process
- 15 Missing

12. What is your opinion of the New Hampshire DCYS rate setting process?

- 1 A. Very complicated
- 12 B. Fairly complicated
- 11 C. Fairly simple
- 0 D. Very simple
- 3 Missing

12. Comment

- 2 A. Is/has improved
- 6 B. Complicated
- 1 C. Training would help
- 1 D. Very thorough
- 1 E. Complicated when DCYS and another agency involved
- 0 F. Does not cover all services offered
- 16 No comment

13. Do you provide services to any New Hampshire state government agencies besides the Division for Children and Youth Services?

- A. Yes 9 B. No 18 Missing 0

14. If you answered "Yes" to question 13, please specify which other agencies you serve. If you answered "No" to question 13, please skip to question 17.

- 7 A. Department of Education
- 1 B. Office of Economic Services (HHS)
- 1 C. Office of Refugee Resettlement
- 1 D. Division of Mental Health and Developmental Services
- 18 Missing

15. How would you compare the rate setting process in these other New Hampshire agencies to the DCYS rate setting process?

- 0 A. Much more complicated
- 0 B. Slightly more complicated
- 6 C. About the same
- 1 D. Slightly less complicated
- 0 E. Much less complicated
- 20 Missing

16. Are there any aspects of rate setting procedures from other agencies you would like the Division for Children and Youth Services to adopt? If yes, please explain why you believe they could improve the New Hampshire DCYS rate setting process.

- A. Yes 1 B. No 8 Missing 18

17. Do you negotiate rates with agencies from other states?

- A. Yes 6 B. No 21 Missing 0

18. If you answered "Yes" to question 17, please list the other states. If you answered "No" to question 17, please skip to question 21.

- | | | | |
|----------------|----------------|-----------------|-----------------|
| <u>3</u> A. ME | <u>3</u> B. VT | <u>4</u> C. MA | <u>1</u> D. CT |
| <u>0</u> E. RI | <u>1</u> F. NY | <u>1</u> G. NJ | <u>0</u> H. PA |
| <u>0</u> I. MD | <u>0</u> J. FL | <u>0</u> K. NC | <u>0</u> L. TN |
| <u>0</u> M. CA | <u>0</u> N. MO | <u>0</u> O. IL | <u>0</u> P. IN |
| <u>0</u> Q. GA | <u>0</u> R. WA | <u>0</u> S. DC | <u>0</u> T. UT |
| <u>0</u> U. WY | <u>0</u> V. NV | <u>0</u> W. AZ | <u>0</u> X. NM |
| <u>0</u> Y. NE | <u>0</u> Z. CO | <u>0</u> AA. WV | <u>0</u> BB. DE |

19. How would you compare the rate setting process in these other states to the New Hampshire DCYS rate setting process?

- 0 A. Much more complicated
- 1 B. Slightly more complicated
- 2 C. About the same
- 1 D. Slightly less complicated
- 0 E. Much less complicated
- 23 Missing

19. Comment

- 1 A. Rules are more logical, based on sound accounting principles
- 1 B. Allows for differences between providers
- 2 No comment

20. Are there any aspects of rate setting processes in other states you would like the New Hampshire DCYS to adopt? Please explain why each could improve the DCYS rate setting process.

- 1 A. Adopt Massachusetts procedure for greater fairness, simplicity, and adequacy of rates
- 1 B. Reduce paperwork by developing cost history and set unit rate for each facility
- 2 C. Hire financially astute professionals
- 0 D. Use a vacancy factor
- 0 E. More frequent reviews of clothing and personal allowances
- 0 F. Set official rates and have reciprocal arrangement
- 23 Missing

21. Do you believe the New Hampshire rate setting process is fair?

1. Yes 15 2. No 8 Missing 4

21. Comment

- 3 A. Rates do not reflect changing times/expenses
- 1 B. Need more open/personal negotiations
- 3 C. Rate disparities between equal facilities/programs
- 2 D. Process has improved
- 1 E. Process less arbitrary than other states
- 1 F. Considers projected provider expenses
- 1 G. Have been able to resolve differences
- 4 H. Rules do not consider different levels of service provided and ages served
- 2 I. Rate setters neither accountants/financial analysts
- 0 J. Does not cover costs of care
- 1 K. Same agency buying the services sets the costs
- 12 No comment

22. Have you ever requested reconsideration of a rate set by the New Hampshire DCYS?

1. Yes 22 2. No 4 Missing 1

23. If you answered "Yes" to question 22, how did you feel about the outcome? If you answered "No" to question 22, please skip to question 25.

7 A. Very dissatisfied
6 B. Dissatisfied
9 C. Satisfied
1 D. Very satisfied
5 Missing

23. Comment

2 A. Inflexible or long, drawn out process
1 B. Including basic operating expenses in rate would have precluded request for reconsideration
1 C. DCYS prevented agency from providing much needed services to local community
0 D. Less flexibility than in previous years
0 E. Follow host state rate
0 F. DCYS ignored our requests
23 No comment

24. Have you ever appealed a rate set by the New Hampshire DCYS to the Commissioner of Health and Human Services?

1. Yes 13 2. No 13 Missing 1

25. If you answered "Yes" to question 24, how did you feel about the outcome? If you answered "No" to question 24, please skip to question 26.

2 A. Very dissatisfied
2 B. Dissatisfied
7 C. Satisfied
0 D. Very satisfied
16 Missing

25. Comment

- 2 A. Process is too complicated
- 2 B. Hearing officers do not understand complexities of programs and services provided
- 1 C. Process is getting better
- 1 D. Good exchange of positions, led to mutual understanding
- 23 No comment

26. If you could change any elements of the New Hampshire DCYS rate setting process, which would you change? For each, please explain how your change would improve the process.

- 5 A. Simplify the process
- 2 B. Base rate on actual costs
- 2 C. Train providers in rate setting process
- 2 D. Standardize procedures for all agencies providing services to children
- 2 E. Provide set rates for similar services/facilities
- 3 F. Let market determine rates
- 1 G. Include some projected provider costs
- 2 H. Interpret rules more fairly to reflect provider needs
- 2 J. Use an 85 percent break even rate for small providers
- 1 K. Add fiscal unit staff
- 1 L. Review rate setting, licensing, certification and monitoring procedures for overlap
- 2 M. Use independent rate setting board with financial knowledge and programmatic advisors
- 1 N. Devise special form for educational providers
- 1 O. More joint DCYS/provider efforts to control major cost items such as insurance
- 0 P. Use good facilities, even if they are out-of-state
- 0 Q. Accept host state rate as official/don't duplicate process
- 10 Missing

27. How often is your program certified/recertified by the New Hampshire DCYS?

- 23 A. Every year
- 1 B. Every 2 years
- 2 C. Every 3 years
- 0 D. Other interval
- 0 E. Have not been recertified
- 1 Missing

28. What is your opinion of the monitoring procedures used by the New Hampshire DCYS to certify/recertify your program?

- 1 A. Very complicated
- 8 B. Fairly complicated
- 15 C. Fairly simple
- 1 D. Very simple
- 2 Missing

28. Comment

- 1 A. Some monitoring/licensing procedures overlap
- 2 B. Too detailed
- 2 C. NH certifies in accordance with interstate compact
- 22 No comment

29. If your program provides services to other states, how would you compare the monitoring procedures of those other states to the monitoring procedures of the New Hampshire DCYS?

- 0 A. Very complicated
- 2 B. Fairly complicated
- 3 C. Fairly simple
- 2 D. Very simple
- 12 E. My program does not provide services to other states
- 3 F. The other states do not have monitoring procedures
- 6 Missing

29. Comment

- 1 A. Some states have increased intervals and reduced duplication of efforts
- 0 B. All other states certify in accordance with the interstate compact
- 26 No comment

30. What is your assessment of the New Hampshire DCYS billing system?

- 0 A. Very inefficient
- 3 B. Somewhat inefficient
- 15 C. Somewhat efficient
- 9 D. Very efficient
- 0 Missing

30. Comment

- 2 A. Slow to react to changes/new clients
- 1 B. County participation delays the process
- 9 C. Has improved/is improving
- 1 D. Rates with multiple components (education, board and care, clinical services) cause delays
- 0 E. Very labor intensive; involves numerous individuals
- 0 F. Never know where to send the invoices/hit or miss affair
- 16 No comment

31. As a board and care provider, you receive invoices from DCYS twice a month for the children in your care. What is your opinion of the frequency with which these invoices are issued?

- 24 A. Twice a month is fine
- 0 B. Would prefer weekly invoices
- 3 C. Would prefer monthly invoices
- 0 Missing

31. Comment

- 3 A. Monthly invoices are okay if payment is prompt
- 1 B. Triplicate invoices would save copying time
- 23 No comment

32. How would you rate the accuracy of the charges on the invoices you receive from DCYS twice a month?

- 5 A. Always Accurate
- 19 B. Usually Accurate
- 3 C. Sometimes Accurate
- 0 D. Seldom Accurate
- 0 E. Never Accurate
- 0 Missing

32. Comment

- 0 A. Sometimes inaccurate when patient status changes
- 3 B. Dates usually off by a day or two
- 1 C. Problems slow to resolve
- 0 D. Actual cost is \$125/day—\$39/day paid by NH is unreasonable
- 23 No comment

33. Have you ever experienced a delay in receiving payment from the New Hampshire DCYS for services to New Hampshire children?

1. Yes 26 2. No 1 Missing 0

33. Comment

1 A. Process has improved over past years.
26 No comment

34. If you answered "Yes" to question 33, please explain the circumstances of the delay and its outcome.

10 A. Administrative errors by DCYS personnel
5 B. Problems with counties - delays or disagreements
4 C. DCYS data processing problems
5 D. DCYS processing delays
3 E. New cases and changes in status result in lengthy delays
2 F. Payments are generally late (2-3 months)
1 G. State office staff is very helpful in identifying and solving problems
3 H. Year end processing delays cause cash flow problems
1 I. Multiple agency placements can cause delays
3 J. Process is getting better
3 Missing

35. Additional comments

8 A. System is good and/or getting better
0 B. Paperwork requirements are too much
0 C. Want to provide services to more NH children
0 D. Change/improve administrative procedures to facilitate payments
1 E. Listen to/cooperate with providers more, to acquire information necessary to provide needed community social services
1 F. Unable to get Medicaid funding for NH students—as a result, it is difficult to obtain required care
0 G. Serious problems collecting from Merrimack County and Nashua
1 H. Reactive responses are usually more expensive and don't solve the real problems—if youngsters identified earlier and treatment maximized, out of home placements would be of shorter duration
16 No comment

APPENDIX A (Continued)

Residential Provider Survey (Out-of-State)

Name _____

Facility Name Telephone # _____

Address _____

(NOTE: N = 43)

The first set of questions concerns general information about your facility.

1. What type of facility do you operate?

- | | | |
|-----------|----|---|
| <u>2</u> | A. | Experiential Wilderness Program |
| <u>1</u> | B. | General Group Home |
| <u>1</u> | C. | Independent Living Boarding Home |
| <u>2</u> | D. | Inpatient Psychiatric Care |
| <u>33</u> | E. | Intensive Group Home/Educational Facility |
| <u>2</u> | F. | Intermediate Group Home |
| <u>0</u> | G. | Nursing Home |
| <u>0</u> | H. | Rehabilitation Center |
| <u>1</u> | I. | Shelter Care |
| <u>2</u> | J. | Treatment Program |
| <u>0</u> | K. | Other |
| <u>0</u> | | Missing |

2. In what year did your facility begin operating?

- | | | |
|-----------|----|--------------|
| <u>9</u> | A. | 1875-1900 |
| <u>2</u> | B. | 1901-1925 |
| <u>4</u> | C. | 1926-1950 |
| <u>14</u> | D. | 1951-1975 |
| <u>14</u> | E. | 1976-Present |
| <u>0</u> | | Missing |

3. When did you begin providing services to the state of New Hampshire Division for Children and Youth Services (DCYS)?

- | | | |
|-----------|----|------------------------|
| <u>15</u> | A. | 1-5 years ago |
| <u>9</u> | B. | 6-10 years ago |
| <u>9</u> | C. | 11-15 years ago |
| <u>1</u> | D. | 16-20 years ago |
| <u>2</u> | E. | 21-25 years ago |
| <u>1</u> | F. | More than 25 years ago |
| <u>6</u> | | Missing |

4. What age groups do you serve?

<u>0</u>	A.	0-18
<u>9</u>	B.	6-18
<u>11</u>	C.	10-18
<u>6</u>	D.	14-18
<u>17</u>	E.	Other
<u>0</u>		Missing

5. What services do you provide?

<u>43</u>	A.	Board and Care
<u>22</u>	B.	Education - General
<u>37</u>	C.	Education - Special
<u>43</u>	D.	Treatment for Emotional/Behavioral Disorders
<u>17</u>	E.	Substance Abuse Treatment
<u>28</u>	F.	Sexual Abuse Treatment
<u>8</u>	G.	Other
<u>0</u>		Missing

6. What is the capacity of your facility?

<u>11</u>	A.	0-25
<u>12</u>	B.	26-50
<u>7</u>	C.	51-75
<u>4</u>	D.	76-100
<u>5</u>	E.	101-150
<u>1</u>	F.	151-200
<u>0</u>	G.	More than 200
<u>3</u>	H.	More than 300
<u>0</u>		Missing

7. What was your average occupancy rate over the past 12 months?

<u>0</u>	A.	0-20%
<u>0</u>	B.	21-40%
<u>2</u>	C.	41-60%
<u>3</u>	D.	61-80%
<u>36</u>	E.	81-100%
<u>1</u>	F.	More than 100%
<u>1</u>		Missing

8. How many children from the state of New Hampshire DCYS did you serve over the past 12 months?

<u>26</u>	A.	1-5
<u>5</u>	B.	6-10
<u>4</u>	C.	11-15
<u>1</u>	D.	16-20
<u>1</u>	E.	21-25
<u>0</u>	F.	26-30
<u>1</u>	G.	Over 30
<u>5</u>		Missing

9. How many children from other states did you serve over the past 12 months?

<u>12</u>	A.	1-5
<u>3</u>	B.	6-10
<u>0</u>	C.	11-15
<u>2</u>	D.	16-20
<u>3</u>	E.	21-25
<u>3</u>	F.	26-30
<u>17</u>	G.	Over 30
<u>3</u>	H.	Did not serve children from other states
<u>0</u>		Missing

The next set of questions concerns the New Hampshire DCYS rate setting process.

10. What do you like about the current New Hampshire DCYS rate setting process?

<u>0</u>	A.	Rate setters are competent, knowledgeable, responsive
<u>1</u>	B.	Process has improved in recent years
<u>5</u>	C.	Process is fair, flexible, or reasonable
<u>0</u>	D.	Providers have input
<u>23</u>	E.	DCYS accepts rates set by host states
<u>2</u>	F.	Procedures are clearly defined
<u>5</u>	G.	Have not been involved in the rate setting process
<u>0</u>	H.	It is a way to monitor the use of state funds
<u>1</u>	I.	Automated
<u>6</u>		Missing

11. What do you dislike about the current New Hampshire DCYS rate setting process?

- 0 A. Too much control over expenses, procedures, programs
- 2 B. Time consuming, cumbersome, or tedious
- 2 C. Rate setters do not understand facility operations
- 1 D. Inflexible, does not allow for unique environments
- 0 E. Does not reward efficient, effective programs
- 0 F. Unfair, equal facilities receive different rates
- 0 G. Process not timely
- 0 H. DCYS micromanagement
- 0 I. Some decisions not objective
- 0 J. Forms slanted toward group homes, some school categories not included
- 0 K. DCYS understaffed, delays result
- 0 L. Appeals process must be streamlined
- 3 M. Does not pay 100 percent of actual costs
- 1 N. Trend away from out-of-state placements may reduce or end referrals
- 1 O. Should require only copies of licenses and rates from out-of-state providers
- 1 P. Rates do not cover all services/programs, more dollar than client driven
- 1 Q. Unfamiliar with process
- 31 Missing

12. What is your opinion of the New Hampshire DCYS rate setting process?

- 3 A. Very complicated
- 2 B. Fairly complicated
- 11 C. Fairly simple
- 5 D. Very simple
- 22 Missing

12. Comment

- 0 A. Is/has improved
- 1 B. Complicated
- 0 C. Training would help
- 0 D. Very thorough
- 0 E. Complicated when DCYS and another agency involved
- 1 F. Does not cover all services offered
- 41 No comment

13. Do you provide services to any New Hampshire state government agencies besides the Division for Children and Youth Services?

- A. Yes 7 B. No 30 Missing 6

14. If you answered "Yes" to question 13, please specify which other agencies you serve. If you answered "No" to question 13, please skip to question 17.

<u>7</u>	A.	Department of Education
<u>0</u>	B.	Office of Economic Services (HHS)
<u>0</u>	C.	Office of Refugee Resettlement
<u>0</u>	D.	Division of Mental Health and Developmental Services
<u>36</u>		Missing

15. How would you compare the rate setting process in these other New Hampshire agencies to the DCYS rate setting process?

<u>0</u>	A.	Much more complicated
<u>1</u>	B.	Slightly more complicated
<u>5</u>	C.	About the same
<u>0</u>	D.	Slightly less complicated
<u>0</u>	E.	Much less complicated
<u>37</u>		Missing

16. Are there any aspects of rate setting procedures from other agencies you would like the Division for Children and Youth Services to adopt? If yes, please explain why you believe they could improve the New Hampshire DCYS rate setting process.

A. Yes 1 B. No 6 Missing 36

17. Do you negotiate rates with agencies from other states?

A. Yes 22 B. No 19 Missing 2

18. If you answered "Yes" to question 17, please list the other states. If you answered "No" to question 17, please skip to question 21.

<u>4</u>	A.	ME	<u>6</u>	B.	VT	<u>6</u>	C.	MA	<u>4</u>	D.	CT
<u>5</u>	E.	RI	<u>2</u>	F.	NY	<u>2</u>	G.	NJ	<u>2</u>	H.	PA
<u>3</u>	I.	MD	<u>2</u>	J.	FL	<u>2</u>	K.	NC	<u>2</u>	L.	TN
<u>1</u>	M.	CA	<u>1</u>	N.	MO	<u>5</u>	O.	IL	<u>2</u>	P.	IN
<u>1</u>	Q.	GA	<u>2</u>	R.	WA	<u>2</u>	S.	DC	<u>1</u>	T.	UT
<u>2</u>	U.	WY	<u>2</u>	V.	NV	<u>1</u>	W.	AZ	<u>1</u>	X.	NM
<u>1</u>	Y.	NE	<u>1</u>	Z.	CO	<u>3</u>	AA.	WV	<u>1</u>	BB.	DE

19. How would you compare the rate setting process in these other states to the New Hampshire DCYS rate setting process?

- 0 A. Much more complicated
- 5 B. Slightly more complicated
- 6 C. About the same
- 3 D. Slightly less complicated
- 1 E. Much less complicated
- 28 Missing

19. Comment

- 0 A. Rules are more logical, based on sound accounting principles
- 0 B. Allows for differences between providers
- 43 No comment

20. Are there any aspects of rate setting processes in other states you would like the New Hampshire DCYS to adopt? Please explain why each could improve the DCYS rate setting process.

- 3 A. Adopt Massachusetts procedure for greater fairness, simplicity, and adequacy of rates
- 0 B. Reduce paperwork by developing cost history and set unit rate for each facility
- 0 C. Hire financially astute professionals
- 2 D. Use a vacancy factor
- 1 E. More frequent reviews of clothing and personal allowances
- 1 F. Set official rates and have reciprocal arrangement
- 36 Missing

21. Do you believe the New Hampshire rate setting process is fair?

1. Yes 20 2. No 2 Missing 21

21. Comment

- 0 A. Rates do not reflect changing times/expenses
- 1 B. Need more open/personal negotiations
- 0 C. Rate disparities between equal facilities/programs
- 0 D. Process has improved
- 0 E. Process less arbitrary than other states
- 0 F. Considers projected provider expenses
- 0 G. Have been able to resolve differences
- 0 H. Rules do not consider different levels of service provided and ages served
- 0 I. Rate setters neither accountants/financial analysts
- 1 J. Does not cover costs of care
- 0 K. Same agency buying the services sets the costs
- 41 No comment

22. Have you ever requested reconsideration of a rate set by the New Hampshire DCYS?

1. Yes 11 2. No 20 Missing 12

23. If you answered "Yes" to question 22, how did you feel about the outcome? If you answered "No" to question 22, please skip to question 25.

- 0 A. Very dissatisfied
- 4 B. Dissatisfied
- 5 C. Satisfied
- 2 D. Very satisfied
- 32 Missing

23. Comment

- 1 A. Inflexible or long, drawn out process
- 0 B. Including basic operating expenses in rate would have precluded request for reconsideration
- 0 C. DCYS prevented agency from providing much needed services to local community
- 1 D. Less flexibility than in previous years
- 1 E. Follow host state rate
- 0 F. DCYS ignored our requests
- 40 No comment

24. Have you ever appealed a rate set by the New Hampshire DCYS to the Commissioner of Health and Human Services?

1. Yes 0 2. No 34 Missing 9

25. If you answered "Yes" to question 24, how did you feel about the outcome? If you answered "No" to question 24, please skip to question 26.

<u>0</u>	A. Very dissatisfied
<u>0</u>	B. Dissatisfied
<u>0</u>	C. Satisfied
<u>0</u>	D. Very satisfied
<u>43</u>	Missing

25. Comment

<u>0</u>	A. Process is too complicated
<u>0</u>	B. Hearing officers do not understand complexities of programs and services provided
<u>0</u>	C. Process is getting better
<u>0</u>	D. Good exchange of positions, led to mutual understanding
<u>43</u>	No comment

26. If you could change any elements of the New Hampshire DCYS rate setting process, which would you change? For each, please explain how your change would improve the process.

<u>2</u>	A. Simplify the process
<u>4</u>	B. Base rate on actual costs
<u>0</u>	C. Train providers in rate setting process
<u>0</u>	D. Standardize procedures for all agencies providing services to children
<u>0</u>	E. Provide set rates for similar services/facilities
<u>0</u>	F. Let market determine rates
<u>0</u>	G. Include some projected provider costs
<u>0</u>	H. Interpret rules more fairly to reflect provider needs
<u>0</u>	J. Use an 85 percent break even rate for small providers
<u>0</u>	K. Add fiscal unit staff
<u>0</u>	L. Review rate setting, licensing, certification and monitoring procedures for overlap
<u>0</u>	M. Use independent rate setting board with financial knowledge and programmatic advisors
<u>0</u>	N. Devise special form for educational providers
<u>0</u>	O. More joint DCYS/provider efforts to control major cost items such as insurance
<u>1</u>	P. Use good facilities, even if they are out-of-state
<u>1</u>	Q. Accept host state rate as official/don't duplicate process
<u>35</u>	Missing

27. How often is your program certified/recertified by the New Hampshire DCYS?

<u>29</u>	A.	Every year
<u>0</u>	B.	Every 2 years
<u>0</u>	C.	Every 3 years
<u>0</u>	D.	Other interval
<u>9</u>	E.	Have not been recertified
<u>5</u>		Missing

28. What is your opinion of the monitoring procedures used by the New Hampshire DCYS to certify/recertify your program?

<u>0</u>	A.	Very complicated
<u>3</u>	B.	Fairly complicated
<u>23</u>	C.	Fairly simple
<u>6</u>	D.	Very simple
<u>11</u>		Missing

28. Comment

<u>0</u>	A.	Some monitoring/licensing procedures overlap
<u>0</u>	B.	Too detailed
<u>1</u>	C.	NH certifies in accordance with interstate compact
<u>42</u>		No comment

29. If your program provides services to other states, how would you compare the monitoring procedures of those other states to the monitoring procedures of the New Hampshire DCYS?

<u>0</u>	A.	Very complicated
<u>6</u>	B.	Fairly complicated
<u>15</u>	C.	Fairly simple
<u>4</u>	D.	Very simple
<u>1</u>	E.	My program does not provide services to other states
<u>1</u>	F.	The other states do not have monitoring procedures
<u>17</u>		Missing

29. Comment

<u>0</u>	A.	Some states have increased intervals and reduced duplication of efforts
<u>1</u>	B.	All other states certify in accordance with the interstate compact
<u>42</u>		No comment

30. What is your assessment of the New Hampshire DCYS billing system?

- 5 A. Very inefficient
- 6 B. Somewhat inefficient
- 17 C. Somewhat efficient
- 9 D. Very efficient
- 6 Missing

30. Comment

- 2 A. Slow to react to changes/new clients
- 1 B. County participation delays the process
- 0 C. Has improved/is improving
- 1 D. Rates with multiple components (education, board and care, clinical services) cause delays
- 2 E. Very labor intensive; involves numerous individuals
- 1 F. Never know where to send the invoices/hit or miss affair
- 37 No comment

31. As a board and care provider, you receive invoices from DCYS twice a month for the children in your care. What is your opinion of the frequency with which these invoices are issued?

- 25 A. Twice a month is fine
- 1 B. Would prefer weekly invoices
- 10 C. Would prefer monthly invoices
- 7 Missing

31. Comment

- 3 A. Monthly invoices are okay if payment is prompt
- 0 B. Triplicate invoices would save copying time
- 40 No comment

32. How would you rate the accuracy of the charges on the invoices you receive from DCYS twice a month?

- 8 A. Always Accurate
- 28 B. Usually Accurate
- 0 C. Sometimes Accurate
- 0 D. Seldom Accurate
- 0 E. Never Accurate
- 7 Missing

32. Comment

- 3 A. Sometimes inaccurate when patient status changes
- 0 B. Dates usually off by a day or two
- 0 C. Problems slow to resolve
- 1 D. Actual cost is \$125/day—\$39/day paid by NH is unreasonable
- 39 No comment

33. Have you ever experienced a delay in receiving payment from the New Hampshire DCYS for services to New Hampshire children?

1. Yes 20 2. No 19 Missing 4

33. Comment

- 0 A. Process has improved over past years.
- 43 No comment

34. If you answered "Yes" to question 33, please explain the circumstances of the delay and its outcome.

- 6 A. Administrative errors by DCYS personnel
- 4 B. Problems with counties - delays or disagreements
- 1 C. DCYS data processing problems
- 3 D. DCYS processing delays
- 7 E. New cases and changes in status result in lengthy delays
- 1 F. Payments are generally late (2-3 months)
- 0 G. State office staff is very helpful in identifying and solving problems
- 0 H. Year end processing delays cause cash flow problems
- 3 I. Multiple agency placements can cause delays
- 0 J. Process is getting better
- 24 Missing

35. Additional comments

- 3 A. System is good and/or getting better
- 1 B. Paperwork requirements are too much
- 4 C. Want to provide services to more NH children
- 2 D. Change/improve administrative procedures to facilitate payments
- 0 E. Listen to/cooperate with providers more, to acquire information necessary to provide needed community social services
- 1 F. Unable to get Medicaid funding for NH students—as a result, it is difficult to obtain required care
- 1 G. Serious problems collecting from Merrimack County and Nashua
- 0 H. Reactive responses are usually more expensive and don't solve the real problems—if youngsters identified earlier and treatment maximized, out of home placements would be of shorter duration
- 32 No comment

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APPENDIX B

APPENDIX B

DEFINITIONS OF RESIDENTIAL AND ANCILLARY SERVICES UNDER CHILD SETTLEMENT

Residential Services:

Experiential Wilderness Program - an institution utilizing special wilderness campsites to provide therapeutic, specialized care and training in self reliance and independent living for 12 to 57 children.

Foster Family Care - provides a substitute family life environment for children for a planned, temporary period of time.

General Group Home - a facility providing specialized services to five or more children, six years of age and older who may benefit from a residential environment. General Group Homes provide the least restrictive, non-secure setting for children receiving settlement services.

Independent Living Boarding Home - provides room, board, supervision, and instruction in adult living skills in an experiential setting for youths 16 years and older.

Inpatient Psychiatric Care - a facility providing psychiatric care to youth who are determined to be psychotic and/or severely depressed and in need of psychiatric care through a comprehensive psychiatric evaluation.

Intensive Group Home/Educational Facility - a restrictive multidisciplinary program treating children's physical, intellectual, emotional, and social needs while providing educational services in an approved special education program.

Intermediate Group Home - a moderately restrictive facility providing daily programs, crisis intervention, education, vocation, recreation, and family outreach services and supervision which may be coordinated by professional community services in accordance with children's case plans.

Nursing Home - a home or facility which provides domiciliary and medical services and nursing care to children as individually required.

Rehabilitation Center - a facility with a planned, goal oriented, and structured program providing treatment and rehabilitation services to developmentally/mentally impaired children to improve their functioning in a least restrictive environment.

Relative Home - a home in which substitute care is given to children by a blood or marriage relative of the children.

Residential Services (Continued):

Secure Detention - a short-term secure care facility for non-committed juveniles charged with delinquent offenses and serious crimes while awaiting the disposition of the court.

Secure Treatment - secure care, supervision, and treatment for juveniles adjudicated delinquent for serious crimes for a specified term not to exceed their age of majority.

Shelter Care - a facility providing care for a maximum of 60 days for youth between the ages of 12 and 18 years of age that are not physically assaultive, have no mental disorders or substance withdrawal, who are awaiting further placement, evaluation, completion of a case plan, or court action.

Therapeutic Foster Care - an intensive family-based treatment program provided by foster parents in accordance with a child's structured treatment plan.

Treatment Program - a multidisciplinary program providing comprehensive treatment/rehabilitation services to emotionally disturbed, behaviorally disordered, and/or multi-handicapped children.

Ancillary Services:

Administrative Review - a semi-annual review of a child's case plan for all children that have a legal relationship to DCYS and who are placed out of their home.

Case Management - the implementation, coordination, and maintenance of the DCYS case plan.

Child Day Care - a family day care home, family group day care home, or group day care facility which cares for children's needs for food, activity, rest, minor medical care and other requirements for growth, development, and physical care for a portion of a 24-hour day.

Clothing Allowance - funding for essential clothing for children in foster family homes.

Crisis Care - a licensed foster home under contract with DCYS which accepts children for emergency placements.

Dental Services - necessary preventive and/or remedial dental care for children.

Diagnostic Evaluation - the psychological testing and/or assessment of the nature and cause of a child's and/or family's dysfunction which may include mental status, child development, family history, and recommendations for treatment.

Ancillary Services (Continued):

Family-Based Service - intensive, short term, therapeutic interventions delivered in a family's home to prevent placement of children by strengthening the family.

Family Counseling - group mental health treatment for families.

Family Service Aide - assistance with household management, transportation to community services, and visits between family members for children and families.

Group Outpatient Counseling - group mental health treatment for children and/or their families.

Guardian Ad Litem - a representative designated by the court to represent a child's best interests when that child is considered legally incapable of representing his/her own best interests.

Individual Outpatient Counseling - mental health treatment for children and/or their families on an individual basis.

Legal Services - legal representation for DCYS, children, and families.

Medical Services - necessary preventive and/or remedial medical care for children.

Outreach and Tracking - the implementation, coordination, and maintenance of cases, including intensive tracking and supervision of children in need of services (CHINS) and delinquent juveniles.

Parent Aide - consultation and instruction in family living issues for parents.

Recreation - outdoor recreation, athletics, and/or nature appreciation in residential and non-residential camp settings.

Respite Care - substitute care of foster children to allow the children's regular caregiver to rest from the responsibilities of providing continuous care to children.

Supplemental Foster Care - additional payments to foster parents for children requiring more than customary care.

Termination of Parental Rights Review/Report - the completion of a termination of parental rights study and written petition for a DCYS district office.

Transportation - funding for transportation of children and families to and from services that support and strengthen the family.

Source: DCYS.

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APPENDIX C

APPENDIX C

DISTRICT COURT JUSTICES SURVEY

Name: _____ Telephone: _____

Court name and location: _____

(NOTE: N = 30)

The first set of questions asks for some background information.

1. How many years have you been a district court justice?

<u>3</u>	1.	1-5 years
<u>7</u>	2.	6-10 years
<u>19</u>	3.	11 or more years
<u>1</u>		Missing

2. On average, how many juvenile cases do you preside over in a week?

<u>11</u>	1.	1-5
<u>10</u>	2.	6-10
<u>1</u>	3.	11-15
<u>4</u>	4.	16-20
<u>2</u>	5.	21 or more
<u>1</u>		Less than 1
<u>1</u>		Missing

The next set of questions concerns cost issues related to the Child Settlement Program.

3. One of the reasons for this performance audit is the rise in costs of the child settlement program. Since 1986, when the State and the counties assumed responsibility for child settlement, costs of the program have risen from \$3.5 million to over \$26 million. To what factors would you attribute this rise in costs?

<u>4</u>	1.	Federal laws/guidelines	<u>8</u>	8.	More cases
<u>3</u>	2.	Lack of/insufficient residential providers	<u>2</u>	9.	More specialized treatment
<u>2</u>	3.	Parental behaviors/abilities	<u>3</u>	10.	Children with multiple problems
<u>4</u>	4.	Don't know/no opinion	<u>9</u>	11.	Other
<u>2</u>	5.	More placements	<u>5</u>	12.	More knowledge re problems/behaviors
<u>10</u>	6.	Cost/quality of programs			Missing
<u>2</u>	7.	Loss of local programs/control	<u>4</u>		

4. How often does your court issue financial affidavits to parents in child settlement cases?

<u>23</u>	1.	Always
<u>6</u>	2.	Usually
<u>1</u>	3.	Sometimes
<u>0</u>	4.	Rarely
<u>0</u>	5.	Never

4. Comment

<u>2</u>	1.	Part of normal procedure
<u>1</u>	2.	Work closely with County Human Service Administrator
<u>1</u>	3.	Handled by court clerk
<u>26</u>		No comment

5. How would you rate parental compliance regarding completion of the financial affidavit?

<u>8</u>	1.	Excellent
<u>11</u>	2.	Good
<u>5</u>	3.	Satisfactory
<u>3</u>	4.	Fair
<u>1</u>	5.	Poor
<u>2</u>		Missing

5. Comment

<u>3</u>	1.	Parents don't complete/give accurate information
<u>2</u>	2.	Court can't control compliance
<u>3</u>	3.	Form too complex for many parents
<u>9</u>	4.	Other
<u>15</u>		No comment

The next set of questions asks you to evaluate the DCYS field personnel who you see in your court.

6. What is your overall opinion of the DCYS field personnel who appear in your court?

<u>7</u>	1.	Excellent
<u>15</u>	2.	Good
<u>6</u>	3.	Satisfactory
<u>0</u>	4.	Fair
<u>0</u>	5.	Poor
<u>2</u>		Missing

6. Comment

<u>4</u>	1.	JSO(s) excellent	<u>2</u>	5.	Sizeable turnover
<u>4</u>	2.	CPSW(s) vary	<u>5</u>	6.	Other
<u>6</u>	3.	Varies	<u>13</u>		No comment
<u>2</u>	4.	Quality/dedication improved			

7. Do DCYS personnel appear to be adequately trained?

1. Yes 25 2. No 5

If no, please describe the areas where additional training is needed.

<u>2</u>	1.	Incest
<u>2</u>	2.	Need ongoing training
<u>3</u>	3.	Legal procedure/case presentation/basic evidence
<u>4</u>	4.	Other

8. What is your opinion regarding the quality of investigations of a child's home conditions by DCYS field personnel who appear in your court?

<u>8</u>	1.	Excellent
<u>12</u>	2.	Good
<u>7</u>	3.	Satisfactory
<u>0</u>	4.	Fair
<u>1</u>	5.	Poor
<u>1</u>		Other
<u>1</u>		Missing

8. Comment

<u>2</u>	1.	Quality improved	<u>3</u>	4.	Varies
<u>2</u>	2.	Prefer more comprehensive reports	<u>5</u>	5.	Other
<u>2</u>	3.	Very good/useful	<u>19</u>		No comment

9. What is your opinion regarding the quality of reports filed by DCYS personnel?

<u>8</u>	1.	Excellent
<u>12</u>	2.	Good
<u>7</u>	3.	Satisfactory
<u>0</u>	4.	Fair
<u>0</u>	5.	Poor
<u>1</u>		Other
<u>2</u>		Missing

9. Comment

- 6 1. Varies
- 1 2. Need consistency
- 2 3. JSO(s) excellent
- 1 4. Timeliness sometimes a problem
- 1 5. Prefers written reports to oral ones
- 21 No comment

10. What is your opinion regarding the quality of service recommendations by DCYS personnel?

- 9 1. Excellent
- 13 2. Good
- 6 3. Satisfactory
- 1 4. Fair
- 0 5. Poor
- 1 Other

10. Comment

- 1 1. Quality recommendations, services expensive
- 2 2. Few options/alternatives
- 2 3. Sometimes not appropriate
- 1 4. Skeptical if motivated by financial considerations
- 1 5. CPSWs not always informed of options
- 1 6. DCYS recognizes need for and recommends service
- 1 7. Sometimes believe services should end sooner
- 1 8. Varies
- 1 9. Very thorough/appropriate professional input
- 1 10. More worried about quality of some providers
- 21 No comment

11. Are service recommendations made by DCYS personnel appropriate?

- 2 1. Always
- 27 2. Usually
- 1 3. Sometimes
- 0 4. Rarely
- 0 5. Never

12. How often do you order the services recommended by DCYS personnel?

<u> 2</u>	1. Always
<u> 27</u>	2. Usually
<u> 0</u>	3. Sometimes
<u> 0</u>	4. Rarely
<u> 0</u>	5. Never
<u> 1</u>	Missing

13. Under what conditions might you order different services?

<u> 2</u>	1. Caseworker did not do an adequate job
<u> 11</u>	2. Other suggestions/reports/recommendations
<u> 3</u>	3. If the family is known to the court
<u> 4</u>	4. Recommendations inappropriate/ not in child's best interest
<u> 4</u>	5. Better alternative exists
<u> 5</u>	6. Judge's opinion/perspective differs
<u> 7</u>	7. Other
<u> 5</u>	Missing

14. How often do you order an investigation of a child's home conditions by an agency other than DCYS?

<u> 0</u>	1. Always
<u> 1</u>	2. Usually
<u> 3</u>	3. Sometimes
<u> 13</u>	4. Rarely
<u> 12</u>	5. Never
<u> 1</u>	Missing

15. Under what conditions might you order this?

<u> 5</u>	1. Clear conflict/litigation with DCYS
<u> 5</u>	2. None, never
<u> 2</u>	3. Don't know
<u> 2</u>	4. Availability of other agencies
<u> 10</u>	5. Other
<u> 7</u>	Missing

The next set of questions pertains to factors which you consider when deciding which services to order.

16. Please list the factors you consider when deciding whether to order an out-of-home placement.

- | | | |
|-----------|-----|--|
| <u>2</u> | 1. | Cost |
| <u>3</u> | 2. | Travel distance/location |
| <u>14</u> | 3. | Protection/safety/interest of child |
| <u>2</u> | 4. | Availability of other alternatives |
| <u>4</u> | 5. | Imminent danger exists |
| <u>6</u> | 6. | Adequacy/suitability of out-of-home services |
| <u>6</u> | 7. | Child's compliance/behavior/abilities |
| <u>4</u> | 8. | Nature of problem/offense |
| <u>5</u> | 9. | Parental compliance/behavior/abilities |
| <u>3</u> | 10. | Least restrictive environment/reasonable efforts |
| <u>6</u> | 11. | Home/family conditions |
| <u>6</u> | 12. | Treatment/educational/physical needs |
| <u>2</u> | 13. | Outcome of previously ordered in-home services |
| <u>6</u> | 14. | Public safety/welfare/protection |
| <u>19</u> | 15. | Other |
| <u>1</u> | | Missing |

17. How effective do you consider DCYS procedures for determining the most appropriate services?

- | | | |
|-----------|----|----------------------|
| <u>10</u> | 1. | Very effective |
| <u>12</u> | 2. | Somewhat effective |
| <u>1</u> | 3. | Somewhat ineffective |
| <u>0</u> | 4. | Very ineffective |
| <u>7</u> | | Missing |

17. Comment

- | | | |
|-----------|----|---|
| <u>7</u> | 1. | Don't know procedures |
| <u>3</u> | 2. | Recommendations based upon previous experiences |
| <u>2</u> | 3. | Recommendations appear to be based on cost considerations |
| <u>8</u> | 4. | Other |
| <u>16</u> | | No comment |

18. How often do you order the services recommended by DCYS personnel?

- | | | |
|----|-----------|--------------------------|
| 1. | Always | |
| 2. | Usually | DID NOT CODE, |
| 3. | Sometimes | |
| 4. | Rarely | DUPLICATE OF QUESTION 12 |
| 5. | Never | |

19. In cases where you depart from DCYS recommendations, whose advice do you most often follow?

- 2 1. Attorney for the child
- 10 2. Guardian Ad Litem
- 0 3. Attorney for the parents
- 0 4. Service provider
- 4 5. Other(s) (Please specify)
- 8 All/combination of above
- 6 Missing

19. Comment

- 8 1. Listen to all/follow consensus
- 3 2. Other professionals
- 2 3. Own instincts/intuition
- 3 4. Usually guardian ad litem
- 2 5. Facts/circumstances of the case
- 1 6. Provider
- 1 7. CASA worker
- 15 No comment

20. Regarding their role as protecting the interest of minors, how would you rate the knowledge and preparedness of the Guardians Ad Litem who appear in your court?

	Knowledge	Preparedness
Excellent	12	8
Good	11	10
Satisfactory	4	7
Marginal	0	0
Unsatisfactory	0	0
Missing	3	5

20. Comment

- 3 1. Problems only work once in that court
- 5 2. Little experience with/rarely use GALS
- 2 3. Court is careful in selecting/appointing GALS
- 4 4. Other
- 16 No comment

21. Have you ever had service providers attempt to influence the type of services that you order?

1. Yes 13 2. No 15 Missing 2

If yes, please describe the situation(s).

<u>2</u>	1. Received brochures/printed materials
<u>3</u>	2. When promoting their services
<u>3</u>	3. Sometimes recommend other providers/termination
<u>2</u>	4. Never recommend termination/reunification
<u>4</u>	5. Providers testify and make recommendations
<u>7</u>	6. Other
<u>14</u>	Missing

22. Do you ever order services to be provided by specific providers?

<u>0</u>	1. Always
<u>10</u>	2. Usually
<u>17</u>	3. Sometimes
<u>2</u>	4. Rarely
<u>0</u>	5. Never
<u>1</u>	Missing

23. Under what conditions might you specify a provider?

<u>8</u>	1. Previous experience/knows provider
<u>6</u>	2. DCYS recommendation
<u>2</u>	3. Convincing/persuasive case presented
<u>3</u>	4. Previous/ongoing relationship with the provider
<u>11</u>	5. Particular provider offers specific service
<u>2</u>	6. Circumstances of the case/needs of the child
<u>8</u>	Other
<u>1</u>	Missing

The next set of questions pertains to family preservation and placement prevention programs.

24. Are you aware of any family preservation/placement prevention programs in your area?

1. Yes 24 2. No 5 Missing 1

If yes, please indicate those programs of which you are aware.

<u>22</u>	1. Family strength/ Family Focus	<u>1</u>	8. DCYS
<u>10</u>	2. Mediation	<u>1</u>	9. Key Program
<u>1</u>	3. Visiting Nurse's Association	<u>2</u>	10. Family counseling therapists
<u>1</u>	4. Parenting program	<u>1</u>	11. Family First
<u>2</u>	5. Tracking	<u>1</u>	12. School/home coordinators
<u>2</u>	6. Diversion	<u>4</u>	Missing
<u>1</u>	7. County intervention		

25. How often do you order family preservation/placement prevention services?

10 1. Usually
10 2. Sometimes
3 3. Rarely
1 4. Never
6 Missing

25. Comment

6 1. When think it will work and is appropriate/
available
1 2. When parents and juvenile agree to contract
1 3. Consideration for every case but seldom order
1 4. Use diversion and mediation regularly
1 5. Usually use least invasive approach first
1 6. Often tried before case comes to court
1 7. Concerned about cost but only one available
18 No comment

26. How effective do you consider family preservation programs in preventing out-of-home placements?

8 1. Very effective
15 2. Somewhat effective
2 3. Somewhat ineffective
0 4. Very ineffective
5 Missing

26. Comment

<u>1</u>	1. Not always effective but worth trying
<u>5</u>	2. Very effective in appropriate case/works well
<u>1</u>	3. Focus too treatment oriented
<u>1</u>	4. May prevent placement but not convinced most effective service is rendered
<u>2</u>	5. Short term effectiveness/see reappearances in court
<u>2</u>	6. Depends on family efforts
<u>1</u>	7. Need more foster homes
<u>1</u>	8. Need whole community involved
<u>16</u>	No comment

The next set of questions pertains to court reviews of ordered services.

27. How often do you review the outcomes of services that you have ordered?

<u>19</u>	1. Always
<u>10</u>	2. Usually
<u>0</u>	3. Sometimes
<u>1</u>	4. Rarely
<u>0</u>	5. Never

28. Please describe the procedures you use to review these outcomes.

<u>25</u>	1. Periodic/regular hearings
<u>2</u>	2. Question other family members
<u>4</u>	3. Upon request of interested parties
<u>13</u>	4. Reports from providers/DCYS
<u>1</u>	5. May close without a hearing
<u>1</u>	6. Review compliance with service orders
<u>4</u>	Missing

29. How would you assess the effectiveness of the services that you have ordered?

<u>0</u>	1. Always Effective
<u>11</u>	2. Usually Effective
<u>16</u>	3. Sometimes Effective
<u>0</u>	4. Rarely Effective
<u>0</u>	5. Never Effective
<u>3</u>	Missing

29. Comment

- 4 1. Mixed results
- 1 2. Go with what worked in previous cases
- 1 3. Placements more effective than weekly therapy
- 1 4. Insufficient continuity/intensity with weekly therapy
- 1 5. Disappointed success rate not higher
- 2 6. Depends on family/child
- 1 7. Can't determine what works/what doesn't
- 1 8. Review if not working
- 1 9. Keep a lot of families together
- 21 No comment

30. Do you ever use the outcomes to inform decisions you make regarding what services to order in other cases?

- 9 1. Always
- 8 2. Usually
- 6 3. Sometimes
- 2 4. Rarely
- 0 5. Never
- 5 Missing

Thank you for completing the survey. Please use the space below if you have any general comments regarding child settlement, or to indicate if you would like to speak directly with the staff conducting this performance audit regarding any issues of importance to you.

- 1 1. The state should have routine quality control of services, with input from judges, police, prosecutors public defenders
- 1 2. Child protection cases are among the most difficult for district courts
- 1 3. Continuous training for social workers regarding placement alternatives and treatment models can help everyone
- 1 4. Problem not expense of services but statutory mandate of keeping family together, which is impossible in many cases
- 1 5. Juvenile cases are most difficult, challenging, and frustrating in district courts, but success can be most rewarding
- 1 6. More foster homes, small group homes, and crisis centers needed near child's home
- 1 7. Survey does not appear to have been put together by individuals with extensive experience in surveys dealing in the area of human services
- 1 8. Until determine the total settlement costs for children served by the district courts in 1985, underlying premise of survey will be flawed
- 22 No comment

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APPENDIX D

APPENDIX D

STATE OF NEW HAMPSHIRE DISTRICT COURTS AND JURISDICTIONS

<u>COURT</u>	<u>JURISDICTION</u>
AUBURN	Auburn, Candia, Deerfield, Nottingham, Raymond, Northwood
BERLIN	Berlin, Milan, Dummer, Cambridge, Success
CLAREMONT	Claremont, Cornish, Unity, Charlestown, Acworth, Langdon, Plainfield
COLEBROOK	Colebrook, Pittsburg, Clarksville, Wentworths Location, Errol, Millsfield, Columbia, Stewartstown, Stratford, Dix's Grant, Atkinson and Gilmanton Academy Grant, Second College Grant, Dixville, Erving's Location, Odell
CONCORD	Concord, Loudon, Canterbury, Dunbarton, Bow, Hopkinton
CONWAY	Conway, Bartlett, Jackson, Eaton, Chatham, Harts Location, Albany, Madison, Hales Location
DERRY	Derry, Chester, Londonderry, Sandown
DOVER	Dover, Barrington
DURHAM	Durham, Lee, Madbury
EXETER	Exeter, Newmarket, Stratham, Fremont, Newfields, East Kingston, Epping, Kensington, Brentwood
FRANKLIN	Franklin, Northfield, Danbury, Andover, Boscawen, Salisbury, Hill, Webster
GOFFSTOWN	Goffstown, Weare, New Boston, Frankestown
GORHAM	Gorham, Shelburne, Randolph, Bean's Purchase, Martin's Location, Green's Grant, Pinkham's Grant, Thompson and Merserve Purchase, Sargent's Purchase, Cutt's Grant, Bean's Grant, Crawford's Purchase, Low and Burbank's Grant, Chandler's Purchase, Hadley's Purchase

<u>COURT</u>	<u>JURISDICTION</u>
HAMPTON	Hampton, Hampton Falls, North Hampton, South Hampton, Seabrook
HANOVER	Hanover, Orford, Lyme
HAVERHILL	Haverhill, Bath, Landaff, Benton, Piermont, Warren, Woodsville
HENNIKER	Henniker, Warner, Bradford
HILLSBORO	Hillsboro, Deering, Windsor, Antrim, Bennington
HOOKSETT	Hooksett, Allenstown, Pembroke
JAFFREY/ PETERBOROUGH	Jaffrey, Dublin, Fitzwilliam, Troy, Rindge Temple, Sharon, Greenville, Greenfield, Peterborough, Hancock, New Ipswich
KEENE	Keene, Stoddard, Westmoreland, Surry, Gilsum, Sullivan, Nelson, Roxbury, Marlow, Swanzey, Marlborough, Winchester, Richmond, Hinsdale, Harrisville, Walpole, Alstead, Chesterfield
LACONIA	Laconia, Meredith, New Hampton, Gilford, Sanbornton, Tilton, Belmont, Alton, Gilmanton, Center Harbor
LANCASTER	Lancaster, Stark, Northumberland, Carroll, Whitefield, Dalton, Jefferson, Kilkenney
LEBANON	Lebanon, Enfield, Canaan, Grafton, Orange
LINCOLN	Lincoln, Woodstock, Livermore
LITTLETON	Littleton, Monroe, Lyman, Lisbon, Franconia, Bethlehem, Sugar Hill, Easton
MANCHESTER	Manchester
MERRIMACK	Merrimack, Bedford
MILFORD	Milford, Brookline, Amherst, Mason, Wilton, Lyndeborough, Mont Vernon
NASHUA	Nashua, Hudson, Pelham, Hollis, Litchfield
NEW LONDON	New London, Wilmont, Newbury, Sutton
NEWPORT	Newport, Grantham, Croydon, Springfield, Goshen, Sunapee, Lempster, Washington

<u>COURT</u>	<u>JURISDICTION</u>
OSSIPEE	Ossipee, Tamworth, Freedom, Effingham, Wakefield
PITTSFIELD	Pittsfield, Epsom, Chichester, Barnstead
PLAISTOW	Plaistow, Hampstead, Kingston, Newton, Atkinson, Danville
PLYMOUTH	Plymouth, Bristol, Dorchester, Groton, Wentworth, Rumney, Ellsworth, Thornton, Campton, Waterville, Ashland, Hebron, Holderness, Bridgewater, Alexandria
PORTSMOUTH	Portsmouth, Newington, Greenland, Rye, New Castle
ROCHESTER	Rochester, Milton, New Durham, Farmington, Strafford, Middleton
SALEM	Salem, Windham
SOMERSWORTH	Somersworth, Rollinsford
WOLFEBORO	Wolfeboro, Tuftonboro, Moultonboro, Sandwich, Brookfield

Note: Effective May 13, 1992

Source: RSA 502-A:1

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APPENDIX E

APPENDIX E

FISCAL YEAR 1992 FUNDING SOURCES CHILD SETTLEMENT AND DCYS

<u>STATE GENERAL FUNDS</u>	<u>PURPOSE</u>
\$ 789,419	Office of Director, DCYS
2,509,828	Bureau of Children
150,324	Bureau of Community Services
184,152	Bureau of Administrative Services
2,120,616	Juvenile Services
25,846	Juvenile Justice Program
675,065	Youth Services Center (YSC) Administration
879,351	YSC Juvenile Detention Unit
23,647	YSC Special Education Program
11,000	Tobey School Recycling
612	Title IV-E Training
26,169	James O. Compliance, DCYS
2,296,279	Title IV-E Grants
20,531,553	Child Settlement
1,039,500	Family Support Systems (Five Percent Diversion Incentives)
77,264	Workers' Compensation, DCYS
190,369	Administration, Youth Development Center (YDC)
245,390	Custodial Care, YDC
413,344	Operation and Maintenance, YDC
189,052	Parole, YDC
74	Friendship House, YDC
2,693,851	Rehabilitative Programs, YDC
340,389	Rehabilitative Education, YDC
540,462	James O. Compliance, YDC
<u>351,167</u>	Workers' Compensation, YDC
<u>\$36,304,723</u>	TOTAL

**FISCAL YEAR 1992 FUNDING SOURCES
CHILD SETTLEMENT AND DCYS**

COUNTY PAYMENTS	PURPOSE
\$ 106,653	YSC Administration
178,506	YSC Juvenile Detention Unit
216,571	YSC Special Education Program
765,427	Title IV-E Grants
6,843,850	Child Settlement
20,041	Female Residential Center
238,530	Administration, YDC
118,717	Custodial Care, YDC
168,096	Operation and Maintenance, YDC
95,539	Parole, YDC
627,511	Rehabilitative Programs, YDC
<u>204,129</u>	Rehabilitative Education, YDC
<u>\$ 9,583,570</u>	TOTAL

FEDERAL GRANTS	PURPOSE
\$ 5,158,576	Bureau of Children
298,971	Juvenile Justice Program
213,598	Teen Independent Living
1,838	Title IV-E Training
35,219	James O. Compliance
1,428,742	Title XX Grants
458,251	Title IV-B Grants
3,064,769	Title IV-E Grants
79,226	Child Abuse Grants
665,025	Family Support Systems
<u>25,123</u>	Childrens Justice Grant
<u>\$11,429,338</u>	TOTAL

**FISCAL YEAR 1992 FUNDING SOURCES
CHILD SETTLEMENT AND DCYS**

<u>OTHER FUNDS</u>	<u>PURPOSE</u>
\$ 60	Bureau of Children (Private Local Funds)
185,524	Juvenile Services (Transfer from Division of Human Services)
38,673	YSC Administration (Transfer from Department of Education)
1,930	YSC Juvenile Detention Unit (DCYS Advisory Board)
1,034,545	YSC Special Education (Local School Districts)
36,873	Tobey School Recycling (Private Local Funds)
69,774	Refugee Assistance (Transfer from Division of Human Services)
16,650	Artists in School, YDC
82,264	Custodial Care, YDC (Education Department Grant)
2,855	Rehabilitative Programs, YDC (Hesser Work Study)
1,157	Vocational Education Grant, YDC
74,163	Rehabilitative Education, YDC (Transfer from Department of Education)
168,702	Rehabilitative Education, YDC (Local School Districts)
25,290	Enhanced Learning, YDC
2,291	Institutional Library Funds
220	AIDS Education, Philbrook
24,300	Juvenile Detention Camp (Transfer from Department of Education)
5,308	Adult Basic Education
1,524	Chapter I Handicapped
8,147	Recycling Program, YDC (Job Training Council)
24,238	Corrections Funds For YDC
4,908	Food Service Training, YDC (Clearing Account)
478,934	Data Management and Administration (Department of Health and Human Services)
<u>245,674</u>	Assigned Counsel fees for abused, neglected, or delinquent children (Indigent Defense Fund)
<u>\$ 2,534,004</u>	TOTAL
<u>\$59,851,635</u>	<u>GRAND TOTAL</u>

Source: LBA analysis of Fiscal Year 1992 Statement of Appropriations and Summary of Restricted Revenues.

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APPENDIX F

APPENDIX F

DCYS Field Personnel Survey

Name _____ Telephone _____

Job Title and Rank _____ District Office _____

(NOTE: N = 83)

1. How long have you been a CPSW or JSO?

<u>4</u>	1. Less than one year
<u>30</u>	2. 1-3 years
<u>24</u>	3. 3-6 years
<u>16</u>	4. 6-9 years
<u>4</u>	5. 9-12 years
<u>5</u>	6. 12-15 years
<u>0</u>	7. More than 15 years
<u>0</u>	Missing

The first set of questions concern pre-service and in-service training offered by the DCYS.

2. Did you receive any pre-service training when the DCYS hired you?

<u>16</u>	1. Yes
<u>67</u>	2. No
<u>0</u>	Missing

3. If yes, how would you rate the quality of the training?

<u>0</u>	1. Excellent
<u>11</u>	2. Good
<u>5</u>	3. Satisfactory
<u>3</u>	4. Marginal
<u>2</u>	5. Unsatisfactory
<u>62</u>	Missing

Comment

<u>5</u>	1. Should Offer Pre-Service Training
<u>4</u>	2. Never Offered any Pre-Service Training
<u>3</u>	3. Training Given was Not Applicable to Field Work
<u>3</u>	4. Received On-The-Job Training
<u>4</u>	5. Training Provided by Immediate Supervisor
<u>3</u>	6. Quality Varied
<u>3</u>	7. Training has Improved Over Past Few Years
<u>11</u>	99. Other
<u>59</u>	No comment

4. Have you received in-service training while employed by the DCYS?

<u>83</u>	1. Yes
<u>0</u>	2. No
<u>0</u>	Missing

5. If yes, how would you rate the quality of this training?

<u>10</u>	1.	Excellent
<u>29</u>	2.	Good
<u>25</u>	3.	Satisfactory
<u>8</u>	4.	Marginal
<u>0</u>	5.	Unsatisfactory
<u>11</u>		Missing

Comment

<u>7</u>	1.	Need More Practical/Specific Training
<u>2</u>	2.	Trainers Not Qualified
<u>16</u>	3.	Some Training Good/Some Training Bad
<u>4</u>	4.	Not Enough Time for Training Due to Caseload
<u>6</u>	5.	Need Advanced Training for Experienced Workers
<u>2</u>	6.	Qualified Trainers
<u>3</u>	7.	Quality of Training has Improved over Time
<u>2</u>	8.	Wide Variety of Topics Offered
<u>4</u>	9.	Depends on the Trainer
<u>4</u>	10.	Repetitive
<u>2</u>	11.	Training Should Incorporate Field Experience
<u>2</u>	12.	Refresher Courses Needed
<u>2</u>	13.	Training Interferes with Court
<u>33</u>	99.	Other
<u>29</u>		No comment

The next set of questions concerns the quality of support you receive from your immediate supervisor, area office, and DCYS state office. For purposes of this survey, "support" is defined as providing input, feedback, leadership, and material resources needed for job performance.

6. Please rate the support you receive from your immediate supervisor.

<u>34</u>	1.	Excellent
<u>22</u>	2.	Good
<u>12</u>	3.	Satisfactory
<u>8</u>	4.	Marginal
<u>2</u>	5.	Unsatisfactory
<u>5</u>		Missing

7. In what areas is support from your supervisor marginal or unsatisfactory?

<u>2</u>	1.	Input
<u>6</u>	2.	Feedback
<u>2</u>	3.	Leadership
<u>3</u>	4.	Provision of Resources
<u>17</u>	5.	Not Enough Time for Employees/Unavailable
<u>6</u>	6.	Does Not Support/Backup/Fight for Employees
<u>2</u>	7.	Will Not Help Out With CPSW/JSO Case Overloads
<u>4</u>	8.	Not Enough Autonomy to Meet Employees Needs
<u>13</u>	9.	None
<u>2</u>	10.	Supervision Uneven
<u>6</u>	11.	Supervisor is Overwhelmed/Overloaded
<u>3</u>	12.	Not Knowledgeable
<u>10</u>	13.	Supervisor is Supportive/Knowledgeable/Good
<u>2</u>	14.	Unable to Manage Internal Conflict
<u>5</u>	15.	Unable to Communicate/Does Not Listen
<u>34</u>	99.	Other
<u>26</u>		Missing

8. In what areas is support from your supervisor satisfactory or higher?

<u>3</u>	1.	Input
<u>5</u>	2.	Feedback
<u>1</u>	3.	Leadership
<u>3</u>	4.	Provision of Resources
<u>9</u>	5.	Supportive
<u>12</u>	6.	Availability
<u>7</u>	7.	Problems/Crisis Situations
<u>17</u>	8.	Knowledge/Experience
<u>1</u>	9.	None
<u>3</u>	10.	Legal Process
<u>5</u>	11.	Open Door Policy
<u>2</u>	12.	Allows Use of Judgement
<u>2</u>	13.	Allows Workers to Use Their Own Style
<u>3</u>	14.	Buffer Between State Office and Field
<u>4</u>	15.	Support for Decisions Made
<u>4</u>	16.	Overall
<u>8</u>	17.	Helps Out
<u>4</u>	18.	Communication/Listening
<u>2</u>	19.	Case Planning
<u>4</u>	20.	Shows Confidence in Employees Work
<u>6</u>	21.	Review and Discussion of Cases
<u>4</u>	22.	Understanding
<u>2</u>	23.	Will Find Answers to Questions He/She Can't Answer
<u>2</u>	24.	Encouraging
<u>2</u>	25.	Delegating
<u>45</u>	99.	Other
<u>4</u>		Missing

9. What could your supervisor do to better support you?

- 3 1. Don't Overreact
- 5 2. Provide Feedback
- 2 3. Improve Communication Skills
- 5 4. Provide Material Resources
- 3 5. Carry Their Own Caseload
- 11 6. Be More Available
- 5 7. Provide Support
- 2 8. Address Employee Needs/Issues
- 5 9. Be More Knowledgeable/Experienced
- 4 10. Add Staff
- 2 11. Increase Pay
- 4 12. Help Out with Cases
- 2 13. Provide a Better Library
- 5 14. Follow Through
- 2 15. Provide Weekly Supervision
- 6 16. Listen
- 3 17. Stop Assigning Cases/Reduce Caseload
- 3 18. Stand up to Their Supervisor
- 9 19. Nothing/Excellent As Is
- 36 99. Other
- 17 Missing

10. Please rate the support you receive from your area office.

- 17 1. Excellent
- 21 2. Good
- 14 3. Satisfactory
- 13 4. Marginal
- 6 5. Unsatisfactory
- 12 Missing

11. In what areas is support from your area office marginal or unsatisfactory?

- 1 1. Input
- 2 2. Follow Through
- 3 3. Area Administrator Not Needed
- 4 4. Area Administrator Only Meets with Supervisors
/No Contact with CPSWs/JSOs
- 7 5. Communications
- 4 6. Staffing
- 4 7. Knowledge/Understanding
- 3 8. Support
- 7 9. Accessibility/Availability
- 8 10. Addressing Employee Needs/Issues
- 3 11. Getting Answers to Legal Questions
- 6 12. None
- 32 99. Other
- 32 Missing

12. In what areas is support from your area office satisfactory or higher?

<u>1</u>	1.	Input
<u>1</u>	2.	Feedback
<u>1</u>	3.	Leadership
<u>4</u>	4.	Provision of Resources
<u>4</u>	5.	Accessibility
<u>2</u>	6.	Fair
<u>2</u>	7.	Team Spirit
<u>5</u>	8.	Assistance with Difficult Cases
<u>5</u>	9.	None
<u>3</u>	10.	Good Relationship
<u>4</u>	11.	Clerical Support
<u>10</u>	12.	Emotional Support
<u>7</u>	13.	Knowledge/Understanding
<u>2</u>	14.	Review Requests for Supplemental Foster Care
<u>2</u>	15.	All
<u>7</u>	16.	Helpful
<u>2</u>	17.	Personable/Friendly
<u>3</u>	18.	Follow Up
<u>40</u>	99.	Other
<u>25</u>		Missing

13. What could your area office do to better support you?

<u>2</u>	1.	Improve Listening Skills
<u>4</u>	2.	Provide Feedback
<u>2</u>	3.	Improve Intake System
<u>11</u>	4.	Provide Material Resources
<u>3</u>	5.	Provide Emotional Support
<u>6</u>	6.	Provide More Staff
<u>4</u>	7.	Improve Communications
<u>2</u>	8.	Close Down Permanently
<u>4</u>	9.	Address Employee Needs/Issues
<u>2</u>	10.	Improve Policy
<u>5</u>	11.	Provide More/Better Training
<u>5</u>	12.	Nothing
<u>2</u>	13.	Have Direct Access to Area Administrator
<u>3</u>	14.	Meet With CPSWs/JSOs on a Regular Basis
<u>4</u>	15.	Be More Available
<u>3</u>	16.	Provide Adequate Ventilation
<u>4</u>	17.	Standby/Support Workers
<u>4</u>	18.	Help Recruit More Foster Homes/Providers
<u>22</u>	99.	Other
<u>30</u>		Missing

14. Please rate the support you receive from the DCYS state office.

<u>2</u>	1. Excellent
<u>9</u>	2. Good
<u>23</u>	3. Satisfactory
<u>20</u>	4. Marginal
<u>11</u>	5. Unsatisfactory
<u>18</u>	Missing

15. In what areas is support from the DCYS state office marginal or unsatisfactory?

<u>4</u>	1. Input
<u>3</u>	2. Feedback
<u>1</u>	3. Leadership
<u>6</u>	4. Provision of Resources
<u>6</u>	5. Communication
<u>3</u>	6. Training
<u>4</u>	7. Acknowledge Juvenile Justice Perspective of JSOs/ Understand Differences Between JSOs and CPSWs
<u>2</u>	8. Public Relations
<u>7</u>	9. Addressing Employees Needs/Issues
<u>13</u>	10. Availability
<u>3</u>	11. Increase Their Visibility
<u>5</u>	12. Access to Legal Advice
<u>4</u>	13. Placement Team
<u>6</u>	14. Makes Policy Without Asking for Input From Field Workers
<u>9</u>	15. State Office is Out of Touch
<u>7</u>	16. State Office Only Has Contact With Field Workers When There is a Problem or Complaint/Do Not Have Much Contact With State Office
<u>2</u>	17. Fair Hearings
<u>12</u>	18. State Office/Program Specialists Does Not Provide Much Help/Support
<u>4</u>	19. Top Down Decision Making
<u>3</u>	20. Supporting Decisions Made When State Office Policies Are Followed
<u>2</u>	21. State Office Does Not Care About/Ignores North Country
<u>2</u>	22. Not Enough Field Staff
<u>10</u>	23. Policies and Procedures Are Inadequate/Policy Memos Are Vague
<u>32</u>	99. Other
<u>12</u>	Missing

16. In what areas is support from the DCYS state office satisfactory or higher?

<u>9</u>	1.	None
<u>3</u>	2.	Interstate Compact
<u>9</u>	3.	CIS Staff
<u>3</u>	4.	Special/Out-Of-State Placements
<u>9</u>	5.	Program Specialists are Helpful, But Do Not Have Any Authority/People are Helpful/Available
<u>2</u>	6.	Commissioner's Visits
<u>2</u>	7.	Supervisors Get Answers to Questions or Requests for Information, but Not in a Timely Manner
<u>6</u>	8.	Training/Education
<u>5</u>	9.	Administrative Support
<u>26</u>	99.	Other
<u>33</u>		Missing

17. What could the DCYS state office do to better support you?

<u>5</u>	1.	Provide for Input
<u>2</u>	2.	Provide Feedback
<u>1</u>	3.	Provide Leadership
<u>12</u>	4.	Provide Material Resources
<u>5</u>	5.	Improve Training
<u>5</u>	6.	Support/Backup/Fight for Field Staff
<u>12</u>	7.	Provide More Staff
<u>7</u>	8.	Spend More Time in the Field
<u>6</u>	9.	Be More Available
<u>2</u>	10.	Develop/Define Agency Role, Goals, Focus
<u>11</u>	11.	Consider Field Input in Decision Making
<u>3</u>	12.	Reduce/Simplify Paperwork
<u>3</u>	13.	Listen and Respond to Concerns of Field Staff
<u>10</u>	14.	Hire a Public Relations Person/Improve Public Relations
<u>5</u>	15.	Increase Level of Pay
<u>7</u>	16.	Have a Better Sense of Life in the Field
<u>3</u>	17.	Respond to Questions/Provide Information in a Timely Manner
<u>2</u>	18.	Fair Hearings are Slanted
<u>2</u>	19.	Keep Field Staff Informed
<u>2</u>	20.	Give JSOs Their Own Bureau
<u>5</u>	21.	Improve Policy
<u>5</u>	22.	Provide More Placements and Services
<u>2</u>	23.	Monitor Services More Closely and Respond When Necessary
<u>2</u>	24.	Issue Policy in a Timely Manner
<u>3</u>	25.	Make Legal Staff Available to Field Staff
<u>3</u>	26.	Make Services Available Without Court Order
<u>2</u>	27.	Improve Foster Care System
<u>44</u>	99.	Other
<u>10</u>		Missing

The next set of questions concerns DCYS policies and procedures.

18. Have you been informed of DCYS policy concerning supervision of field personnel?

<u>47</u>	1.	Yes
<u>27</u>	2.	No
<u>9</u>		Missing

19. Have you been informed of DCYS policy concerning caseloads for field personnel?

<u>58</u>	1.	Yes
<u>23</u>	2.	No
<u>2</u>		Missing

20. Have you been informed of DCYS policy concerning "least restrictive placement?"

<u>80</u>	1.	Yes
<u>3</u>	2.	No
<u>0</u>		Missing

21. Do DCYS guidelines exist to help determine the "least restrictive placement?"

<u>61</u>	1.	Yes
<u>8</u>	2.	No
<u>14</u>		Missing

22. If guidelines exist, please rate them.

<u>5</u>	1.	Excellent
<u>21</u>	2.	Good
<u>24</u>	3.	Satisfactory
<u>4</u>	4.	Marginal
<u>3</u>	5.	Unsatisfactory
<u>26</u>		Missing

Comment (What could be done to improve the guidelines?)

<u>2</u>	1.	Juvenile Offenders Fall Through Cracks With Least Restrictive Placement Guidelines
<u>4</u>	2.	Guidelines/Laws Need to be More Specific/Open to Interpretation
<u>6</u>	3.	Difficult to Adhere to Guidelines Due to a Lack of Placements/Appropriate Placements
<u>2</u>	4.	Improve Policies/Manual Regarding JSOs
<u>22</u>	99.	Other
<u>58</u>		No comment

23. After an investigation of a child's home conditions has been conducted, who decides which services to recommend to the court?

<u>13</u>	1.	The CPSW/JSO alone
<u>45</u>	2.	The CPSW/JSO and the supervisor
<u>0</u>	3.	The supervisor alone
<u>1</u>	4.	A team of CPSWs/JSOs
<u>2</u>	5.	A team of CPSWs/JSOs and a supervisor
<u>7</u>	6.	Other
<u>6</u>	7.	CPSW/JSO Alone or CPSW/JSO and Supervisor
<u>4</u>	8.	CPSW/JSO and Supervisor and a Team of CPSWs/JSOs and a Supervisor
<u>3</u>	9.	Depends on the Case
<u>2</u>		Missing

24. Has DCYS issued guidelines to help in this decision?

<u>23</u>	1.	Yes
<u>41</u>	2.	No
<u>4</u>	3.	Unsure
<u>15</u>		Missing

25. If guidelines exist, please rate them.

<u>1</u>	1. Excellent
<u>9</u>	2. Good
<u>7</u>	3. Satisfactory
<u>5</u>	4. Marginal
<u>3</u>	5. Unsatisfactory
<u>58</u>	Missing

Comment (What could be done to improve the guidelines?)

<u>3</u>	1. CPSW/JSO Experience Needed to Make Service Recommendations
<u>2</u>	2. Guidelines Not Much Help
<u>6</u>	3. Services Not Available/Appropriate
<u>2</u>	4. Need To Improve Laws
<u>4</u>	5. Guidelines are Too Vague
<u>2</u>	6. Supervisor is Not Flexible When Situation Warrants Variation From Guidelines
<u>4</u>	7. Make Guidelines Known/Available
<u>17</u>	99. Other
<u>61</u>	No comment

26. *RSA 169-C:3* defines "imminent danger" as circumstances or surroundings causing immediate peril or risk to a child's health or life. Do DCYS guidelines exist to help determine if a child is in imminent danger?

<u>54</u>	1. Yes
<u>13</u>	2. No
<u>2</u>	3. Unsure
<u>14</u>	Missing

27. If guidelines exist, please rate them.

<u>3</u>	1.	Excellent
<u>23</u>	2.	Good
<u>15</u>	3.	Satisfactory
<u>6</u>	4.	Marginal
<u>2</u>	5.	Unsatisfactory
<u>34</u>		Missing

Comment (What could be done to improve the guidelines?)

<u>3</u>	1.	Clearer Definitions
<u>3</u>	2.	Rely on Instinct/Common Sense/Judgement
<u>3</u>	3.	Confusion Due to Recent Supreme Court Decisions
<u>2</u>	4.	Make the Guidelines Known
<u>2</u>	5.	Guidelines Not Much Help
<u>3</u>	6.	Decisions Must be Made on Individual Basis
<u>5</u>	7.	Guidelines/Law Should be More Specific
<u>14</u>	99.	Other
<u>61</u>		No comment

28. Do DCYS guidelines exist to help determine when an out-of-home placement is most appropriate?

<u>47</u>	1.	Yes
<u>20</u>	2.	No
<u>16</u>		Missing

29. If guidelines exist, please rate them.

<u>2</u>	1.	Excellent
<u>15</u>	2.	Good
<u>20</u>	3.	Satisfactory
<u>4</u>	4.	Marginal
<u>4</u>	5.	Unsatisfactory
<u>38</u>		Missing

Comment (What could be done to improve the guidelines?)

<u>2</u>	1.	Properly Train Workers
<u>2</u>	2.	Make Guidelines Known
<u>2</u>	3.	Recent Supreme Court Decisions Have Effectuated DCYS Practices
<u>5</u>	4.	Guidelines Are Too Vague
<u>19</u>	99.	Other
<u>62</u>		No comment

30. Public Law 96-272, the Adoption Assistance and Child Welfare Act of 1980, requires state child welfare plans to provide that

"...reasonable efforts will be made A) prior to placement of a child in foster care to prevent or eliminate the need for removal of the child from his home and B) to make it possible for the child to return to his home."

How would you rate New Hampshire DCYS efforts to comply with this "reasonable efforts" provision?

<u>24</u>	1.	Excellent
<u>32</u>	2.	Good
<u>12</u>	3.	Satisfactory
<u>4</u>	4.	Marginal
<u>3</u>	5.	Unsatisfactory
<u>8</u>		Missing

Comment (What could DCYS do to ensure reasonable placement prevention efforts are made before a child is removed from the home?)

<u>7</u>	1.	Reduce Caseload
<u>14</u>	2.	Allow Services Without Court Order
<u>16</u>	3.	Offer More Preventive Services
<u>11</u>	4.	Provide Home Based Services
<u>7</u>	5.	Use Parent/Family Service Aides
<u>2</u>	6.	Support/Respite Services Needed
<u>2</u>	7.	Use Familystrength
<u>3</u>	8.	Use Community Services
<u>5</u>	9.	Hire More CPSWs to Provide Direct Services
<u>2</u>	10.	Use Relative Homes When Possible
<u>3</u>	11.	Need Better Prevention Services
<u>2</u>	12.	Educate Court in Complying With Statutory Requirements for Removal
<u>2</u>	13.	Make Parents Accountable
<u>6</u>	14.	DCYS Makes Reasonable Efforts
<u>25</u>	99.	Other
<u>23</u>		No comment

31. What is your assessment of the administrative review process in New Hampshire?

<u>11</u>	1.	Excellent
<u>25</u>	2.	Good
<u>19</u>	3.	Satisfactory
<u>8</u>	4.	Marginal
<u>9</u>	5.	Unsatisfactory
<u>11</u>		Missing

Comment (What could be done to improve it?)

<u>15</u>	1.	Reduce Frequency/Repetitive
<u>6</u>	2.	Improve Forms
<u>2</u>	3.	Do Not Include Parents
<u>8</u>	4.	Unnecessary
<u>4</u>	5.	Combine with Court Review
<u>2</u>	6.	Parents Don't Come to Reviews
<u>3</u>	7.	No Changes Necessary
<u>2</u>	8.	Supervisors Should Participate
<u>2</u>	9.	Let DCYS Staff Do It
<u>2</u>	10.	Contracting Process Has Improved It
<u>28</u>	99.	Other
<u>37</u>		No comment

32. Some child advocacy groups have suggested that DCYS case workers tend to favor out-of-home placement because high caseloads deny case workers the time they need to thoroughly investigate each case and recommend the most appropriate course of action. What is your opinion of this statement?

- 46 1. Strongly disagree
- 22 2. Disagree
- 5 3. Agree
- 4 4. Strongly agree
- 6 Missing

Comment

- 6 1. Only in Danger
- 8 2. Out-of-Home Placements are More Time Consuming
- 5 3. Placement Made When Service Needs of Child Warrant It
- 2 4. More Likely to Be Removed Due to Inadequate Services in the Community
- 14 5. Every Effort Made to Keep in Home/Placement Made Only as a Last Resort
- 4 6. Ludicrous/Unthinkable/Nonsense/Not True
- 3 7. High Caseloads Make JSOs Unable to Supervise Properly, Which Sometimes Leads to Placement
- 3 8. Need More Services Available to Prevent Placement
- 2 9. Removal Decision is Made by the Court
- 7 10. Workers Do Not Favor/Prefer Out-of-Home Placements/Prefer to Keep Children At Home When Possible
- 5 11. Want to Keep Families Intact
- 4 12. Easier to Keep Children at Home
- 8 13. Inadequate Investigation Conducted Due to High Caseload/ Not Enough Time for Thorough Investigation
- 12 14. High Caseloads Do Not Impact Placement Decision
- 45 99. Other
- 13 No comment

33. Some child advocacy groups have suggested that DCYS case workers tend to favor out-of-home placement because they fear repercussions if a child is left in the home and subsequently injured. What is your opinion of this statement?

- 27 1. Strongly disagree
- 26 2. Disagree
- 16 3. Agree
- 4 4. Strongly agree
- 10 Missing

Comment

- 3 1. Prefer/Easier to Keep Child in Home When Possible
- 2 2. CPSWs Tend to Err on Side of Child
- 4 3. Not Afraid of Repercussions
- 4 4. Fear of Repercussions
- 8 5. Decision Based on Judgement of the Situation
- 3 6. Placement Made Only After Thorough Investigation/
Assessment
- 5 7. Workers Do Not Favor/Prefer Out-of-Home Placements
- 10 8. Decisions to Remove a Child is Based on Worker's
Assessment of the Likelihood the Child Will Suffer
Further Abuse or Injury
- 5 9. Workers Conduct Themselves According to the Laws
- 7 10. Primary Goal is to Keep Child Safe From Injury
- 4 11. Fear is a Minor Factor
- 3 12. Child Removed Only if in Imminent Danger
- 5 13. No one Removes Children on the Basis of Possible
Repercussions to Themselves
- 5 14. There Are More Repercussions for the Child Who is Removed
From His/Her Home
- 3 15. There are No Guarantees That a Child Will be Safe at Home
- 2 16. Removal Decision is Made by the Court/Judge
- 7 17. Only Place When No Other Options Left/Offer Services First
- 2 18. Not Relevant to JSOs
- 3 19. Parents Need to Be Accountable
- 3 20. Better to Be Safe
- 37 99. Other
- 19 No comment

The next set of questions pertains to family preservation and placement prevention programs.

34. What family preservation and/or placement prevention programs are available in your district?

<u>2</u>	1.	Family Support
<u>7</u>	2.	Parent Aide Program
<u>44</u>	3.	Familystrength
<u>19</u>	4.	Family Stabilization
<u>7</u>	5.	Families First
<u>3</u>	6.	Nashua Children's Association
<u>2</u>	7.	Homemaker's - Extension
<u>5</u>	8.	Antioch Prevention
<u>2</u>	9.	Family Service Aides
<u>6</u>	10.	Bridge Project
<u>13</u>	11.	Mediation
<u>10</u>	12.	Mental Health Centers
<u>6</u>	13.	Protective Daycare
<u>2</u>	14.	Office of Youth Services
<u>5</u>	15.	Family Focus
<u>7</u>	16.	Child and Family Services
<u>2</u>	17.	North American Family Institute
<u>8</u>	18.	Tracking/Key Program
<u>8</u>	19.	Home Based Services
<u>10</u>	20.	Parenting Plus/Parenting Classes
<u>6</u>	21.	Visiting Nurses Association
<u>3</u>	22.	Diversion Programs
<u>12</u>	23.	Individual/Family Counseling
<u>2</u>	24.	Turnabout
<u>35</u>	99.	Other
<u>5</u>		Missing

35. Please rate the support for the use of family preservation programs demonstrated by your immediate supervisor, area office, and DCYS state office.

	Supervisor	Area Office	State Office
1. Strongly Supports	<u>52</u>	<u>40</u>	<u>23</u>
2. Supports	<u>22</u>	<u>23</u>	<u>24</u>
3. Discourages	<u>0</u>	<u>1</u>	<u>3</u>
4. Strongly Discourages	<u>1</u>	<u>0</u>	<u>1</u>
Missing	<u>8</u>	<u>19</u>	<u>32</u>

36. How effective are family preservation programs in your district?

<u>13</u>	1.	Very Effective
<u>44</u>	2.	Somewhat Effective
<u>11</u>	3.	Don't Know
<u>5</u>	4.	Somewhat Ineffective
<u>1</u>	5.	Very Ineffective
<u>9</u>		Missing

Comment

<u>8</u>	1.	Very Few Family Services Available/Need More
<u>6</u>	2.	Families/Children Are More Severely Dysfunctional
<u>4</u>	3.	Could Be More Effective if Client Contact Hours Increased
<u>2</u>	4.	Depends on the Willingness of Family
<u>2</u>	5.	Services Not Available Prior to Court Involvement
<u>9</u>	6.	Time of Service Should be Lengthened
<u>5</u>	7.	Depends on Individual Workers
<u>4</u>	8.	Some Families Can be Difficult
<u>2</u>	9.	After Services End, Family Regresses
<u>3</u>	10.	Intervention/Mediation Effective/Excellent
<u>5</u>	11.	Effective Within Limits
<u>5</u>	12.	Not Effective/Questionable
<u>5</u>	13.	Too New/No Data
<u>15</u>	99.	Other
<u>41</u>		No comment

37. Do you personally believe that family preservation and placement prevention programs should be used more often?

<u>74</u>	1.	Yes
<u>5</u>	2.	No
<u>4</u>		Missing

Comment

<u>17</u>	1.	Need More Programs
<u>7</u>	2.	Program Being Used Adequately
<u>2</u>	3.	Support Group For Parents
<u>6</u>	4.	Better to Help Family Than Tear It Apart
<u>4</u>	5.	Lower Caseloads so CPSWs Can Provide Services Rather than Contracting Them Out
<u>4</u>	6.	Spend More Time With Families
<u>7</u>	7.	Need to Provide Services Without Court Order
<u>3</u>	8.	Many Programs Have Waiting Lists
<u>6</u>	9.	Workers Have Responsibility to Avoid Placement if Possible/Preservation is Top Priority/Placement is the Last Resort
<u>2</u>	10.	Need to be Utilized Prior to Crisis
<u>7</u>	11.	Can Make A Difference
<u>35</u>	99.	Other
<u>18</u>		No comment

The next set of questions concerns judicial departures from DCYS service recommendations.

38. How often do judges implement DCYS recommendations for services?

<u>4</u>	1.	Always
<u>71</u>	2.	Usually
<u>2</u>	3.	Sometimes
<u>0</u>	4.	Rarely
<u>0</u>	5.	Never
<u>6</u>		Missing

39. Under what conditions might a judge not implement DCYS recommendations?

<u>3</u>	1.	Cost of Services Recommended
<u>2</u>	2.	When Child's Attorney Disagrees
<u>3</u>	3.	Recommendation of GAL
<u>6</u>	4.	Judge's Personal Opinion/Familiarity With CPSW/JSO
<u>7</u>	5.	Judge's Bias
<u>3</u>	6.	Caseworker Did Not Do Adequate Job
<u>2</u>	7.	Judge Decides to Give Family/Child One More Chance
<u>7</u>	8.	When There is Not Enough Evidence Presented
<u>8</u>	9.	Depends on the Judge
<u>6</u>	10.	When Professionals/Other Parties Don't Agree
<u>17</u>	11.	When the Judge Doesn't Agree With Recommendations/ Feels Other Recommendations Are More Appropriate
<u>11</u>	12.	Arguments or Recommendations of Opposing Attorneys
<u>3</u>	13.	When the Judge Disagrees with DCYS Policy
<u>3</u>	14.	Judge's Own Ideas/Recommendations/Experience With Family
<u>6</u>	15.	Judge's Lack of Understanding/Knowledge
<u>4</u>	16.	Judges Usually Comply With DCYS Recommendations
<u>2</u>	17.	Judges Do Not Order Services For Client's Boyfriends
<u>3</u>	18.	Judge Does Not Return Child Home
<u>4</u>	19.	Lack of Results From Services to Family
<u>38</u>	99.	Other
<u>6</u>		Missing

40. When judges depart from DCYS recommendations, whose advice do they most often follow?

<u>11</u>	1.	Attorney for the child
<u>21</u>	2.	Guardian Ad Litem
<u>8</u>	3.	Attorney for the Parents
<u>1</u>	4.	Service provider
<u>29</u>	5.	Other
<u>13</u>		Missing

Comment

<u>3</u>	1.	Attorney for the Child and the Guardian Ad Litem
<u>6</u>	2.	Their Own
<u>6</u>	3.	Depends on the Judge/Court
<u>3</u>	4.	GAL and Therapist/Service Provider
<u>4</u>	5.	Either GAL or Attorney For Child and Attorney For Parents
<u>2</u>	6.	GAL, Attorney for Parents, Attorney for Child
<u>6</u>	7.	All of the Above/Varies
<u>40</u>	99.	Other
<u>38</u>		No comment

41. When judges depart from DCYS recommendations, do the services ordered tend to be more restrictive or less restrictive than DCYS recommendations?

<u>22</u>	1.	More restrictive
<u>35</u>	2.	Less restrictive
<u>26</u>		Missing

Comment

<u>4</u>	1.	Depends on the Judge
<u>1</u>	2.	Recommend Reunification When Not Appropriate
<u>3</u>	3.	Recommendations Usually Followed
<u>3</u>	4.	Judges Lack Knowledge
<u>3</u>	5.	Goes Either Way
<u>9</u>	6.	Depends on the Case
<u>2</u>	7.	Children are Kept Longer than Recommended by DCYS
<u>4</u>	8.	Less Restrictive
<u>4</u>	9.	More Restrictive
<u>12</u>	99.	Other
<u>46</u>		No comment

The last set of questions concerns program costs related to child settlement.

42. One of the reasons for this performance audit is the rise in costs of the child settlement program. Since 1986, when the State and counties assumed responsibility for child settlement, program costs have risen from \$3.5 million to over \$26 million. To what factors would you attribute this rise in costs?

- | | | |
|-----------|-----|--|
| <u>18</u> | 1. | Rise In Service Costs/Inflation |
| <u>1</u> | 2. | Lack of Staff |
| <u>4</u> | 3. | DMH Uses DCYS to Pay For Services to DMH Children |
| <u>2</u> | 4. | Lack of Services |
| <u>4</u> | 5. | Unneeded/Inappropriate Psychiatric Services |
| <u>3</u> | 6. | Increase in Drug/Alcohol Abuse |
| <u>13</u> | 7. | Unemployment/Recession/Family Financial Problems |
| <u>9</u> | 8. | Increase in Number of Cases |
| <u>16</u> | 9. | Increased Severity of Dysfunction in Families/Children |
| <u>3</u> | 10. | Failure to Provide Non-Court Ordered Services |
| <u>2</u> | 11. | High Cost of Placement |
| <u>2</u> | 12. | Too Many Out-Of-Home Placements |
| <u>3</u> | 13. | Shift From Local Control to State Responsibility |
| <u>2</u> | 14. | Staff Turnover |
| <u>2</u> | 15. | Bigger Government/Bureaucracy |
| <u>8</u> | 16. | Increase in Number of Services |
| <u>6</u> | 17. | Lack of Preventative Services |
| <u>8</u> | 18. | Contracting Out When CPSWs Could Provide Direct Services |
| <u>2</u> | 19. | Fragmentation of Services |
| <u>10</u> | 20. | Lack of In-State Placements/Too Many Out-of-State Placements |
| <u>16</u> | 21. | Increased Knowledge/Awareness of the Public/Increased Reporting |
| <u>4</u> | 22. | Attorney Fees/Legal Services |
| <u>11</u> | 23. | Increased Caseloads |
| <u>2</u> | 24. | Broader Intake Guidelines |
| <u>2</u> | 25. | Increased Length of Services |
| <u>9</u> | 26. | Specialized Services |
| <u>3</u> | 27. | Liability Issues |
| <u>3</u> | 28. | Poor Management/Supervision |
| <u>3</u> | 29. | Increased Placements |
| <u>3</u> | 30. | Courts Do Not Hold Parents Financially Responsible |
| <u>2</u> | 31. | School Districts Use DCYS to Pay for Services to Disabled Children |
| <u>2</u> | 32. | Counseling Without Specific Goals/Time Frames |
| <u>3</u> | 33. | Costs of Services Too High |
| <u>33</u> | 99. | Other |
| <u>8</u> | | Missing |

43. Do you have any suggestions for ways to reduce program costs associated with child settlement?

- 26 1. Increase Preventative Services
- 2 2. Use Specialized Foster Care
- 3 3. Access to Day Care
- 13 4. Have CPSWs Provide Social Services/Contract Out Less
- 2 5. Use Appropriate Psychiatric Services
- 2 6. Improve Family Service Aide Program
- 3 7. Make Medical/Dental Care Available to Children
- 3 8. Increase Number of Workers to Increase Hours of Client Contact
- 8 9. Require Parents to Fill Out Financial Affidavits/Pursue Parental Reimbursement/Hold Parents Responsible for Placement Costs
- 10 10. More Specialized Services
- 5 11. Allow Services Without Court Involvement
- 12 12. Hire More Workers
- 4 13. Reduce Paperwork
- 6 14. Reduce Caseloads
- 4 15. Increase Home Based Programs
- 2 16. Improve Foster Care/Placement System
- 8 17. Education
- 8 18. Develop/Use Community Based Services
- 2 19. More Resources
- 7 20. Hold Parents Accountable/Responsible
- 2 21. Hold DCYS Accountable
- 5 22. Increase the Number of In-State Residential Facilities
- 5 23. Limit Length of Time for Counseling Services/Set Specific Goals
- 2 24. Diversion Programs
- 3 25. Reduce Staff Turnover
- 3 26. Make DMH Serve MH Kids/Work With DMH and Schools
- 2 27. Eliminate/Change CHINS Category
- 2 28. Improve Automated Systems
- 2 29. Hold Providers Accountable
- 3 30. Change/Improve DCYS State Office Role/Procedures
- 39 99. Other
- 12 No comment

Please use the space below for any additional comments you would like to make.

- 9 1. Caseloads Are Too High/Could Work More With Families if Caseloads Were Lower
- 2 2. We Do the Best We Can
- 3 3. Morale is Poor
- 2 4. Support Groups Are Needed
- 2 5. DCYS Workers are Dedicated/Competent
- 4 6. DCYS Image is Negative/Receive A Lot of Criticism/Need Public Relations Person
- 6 7. Employees/Supervisors Need More Training
- 2 8. Placement Occurs When Parents Are Uncooperative or Parents Demand Removal of Child
- 2 9. Juvenile Justice Needs to be Improved
- 2 10. Not Enough Time to Make Decisions/Make Placements Because We Can't Supervise Cases Adequately
- 2 11. Need Better Definition of Abuse/Neglect
- 2 12. Too Much Paperwork
- 4 13. Need More/Better Services/Placements
- 2 14. Division Needs Improvement
- 2 15. Need to Offer Services Without Court Involvement
- 2 16. More Emphasis on Prevention Needed
- 3 17. Need More Support
- 2 18. Listen to Employees
- 2 19. Foster Home Program Needs Improvements
- 3 20. Emotional/Mental Health Problems Need Better Services
- 2 21. Need Better Material Supports
- 2 22. Field Workers Need Better Recognition/Incentives
- 2 23. Need to Better Address Family Problems/Dysfunctions
- 27 99. Other
- 49 No comment

Thank you for completing the survey. Please return the survey, using the enclosed self-addressed and stamped envelope, by August 31, 1992 to: New Hampshire Office of Legislative Budget Assistant, Audit Division, State House Room 102, Concord, New Hampshire 03301.

APPENDIX G

APPENDIX G

RESIDENTIAL AND ANCILLARY SERVICES EXPENDITURES FY 1987 - FY 1992

SERVICE DESCRIPTION	1992 EXPENDITURES	1991 EXPENDITURES	1990 EXPENDITURES	1989 EXPENDITURES	1988 EXPENDITURES	1987 EXPENDITURES	TOTAL EXPENDITURES
ANCILLARY SERVICES							
Suppl. Foster Care	\$214,055	\$220,338	\$211,574	\$122,428	\$30,543		\$798,938
Case Management	\$4,725	\$28,430	\$85,187				\$118,342
Com FC Agency				\$136,343	\$160,833	\$90,064	\$387,240
Clothing	\$197,665	\$148,591	\$120,824	\$62,770	\$113,458	\$106,860	\$750,168
Child Placement	\$76,200	\$2,250		\$3,630	\$6,585	\$28,553	\$117,218
Day Care	\$1,207,303	\$873,456	\$778,439	\$183,699	\$533,116	\$2,547	\$3,578,560
Diagnostic Evaluations	\$416,713	\$400,071	\$282,263	\$223,205	\$260,310	\$186,322	\$1,768,884
Parent	\$136,854	\$96,057	\$19,107	\$39,355	\$58,936	\$17,938	\$368,247
Home Service	\$1,647,774	\$1,704,189	\$1,710,931	\$2,020,361	\$2,242,316	\$1,683,320	\$11,008,891
In-Patient Counseling				\$1,155	\$83,083	\$30,768	\$115,006
Jr/Sr Friends			\$3,100	\$5,250	\$7,300	\$9,350	\$25,000
Legal Representation	\$2,142,970	\$877,985	\$656,871	\$621,205	\$539,704	\$297,489	\$5,136,224
Medical Services	\$146,294	\$132,790	\$129,769	\$128,881	\$303,036	\$315,531	\$1,156,301
Intensive Tracking	\$572,076	\$574,599	\$450,831				\$1,597,506
Mediation				\$75,345	\$221	\$46	\$75,612
Outpatient Counseling	\$1,991,767	\$1,710,130	\$1,387,661	\$1,236,721	\$1,202,437	\$889,322	\$8,418,038
Outpatient Group	\$107,322	\$91,684	\$68,797	\$27,658	\$28,028	\$6,882	\$330,371
District Office	\$23,079	\$48,643	\$92,514	\$12,629	\$45,286		\$222,151
Camp	\$41,440	\$31,846	\$18,727	\$23,006	\$8,826	\$5,553	\$129,398
Respite Care	\$97,880	\$354,457	\$325,496	\$303,551	\$304,258	\$143,834	\$1,529,476
On Track	\$12,836	\$53,580					\$66,416
Special Education			\$100,578	\$219,518	\$244,084	\$291,453	\$855,633
Family Service Aid	\$619,008	\$370,262	\$210,669	\$127,855	\$3,079		\$1,330,873
Transportation	\$443,151	\$307,198	\$157,553	\$129,852	\$85,805	\$45,489	\$1,169,048
Independent Living	\$33,989	\$24,689					\$58,678
Other	\$42,480	\$74,965	\$54,991	\$368,954	\$46,144	\$25,184	\$612,718
Sub Total Ancillary	\$10,175,581	\$8,126,210	\$6,865,882	\$6,073,371	\$6,307,388	\$4,176,505	\$41,724,937
RESIDENTIAL SERVICES							
Adoptive Home Subsidy	\$938,260	\$763,499	\$657,618	\$450,298	\$289,628	\$144,475	\$3,243,778
Crisis Home	\$44,400	\$34,500	\$31,384	\$33,450	\$31,690	\$27,300	\$202,724
Intensive Group Home	\$11,300,418	\$9,626,497	\$9,005,764	\$7,281,702	\$1,401,404	\$875,493	\$39,491,278
Emergency Homes	\$17,323	\$192,930	\$75,382	\$19,000	\$1,977		\$306,612
Therapeutic Foster Care	\$131,906	\$7,300					\$139,206
Foster Group			\$15,645	\$33,612	\$563,498	\$854,121	\$1,466,876
Foster Homes	\$3,181,576	\$3,090,974	\$2,859,640	\$3,278,080	\$3,399,610	\$2,469,838	\$18,279,718
General Group Home	\$2,512,211	\$2,795,702	\$3,252,648	\$2,574,788	\$2,066,038	\$1,530,344	\$14,731,731
Intermediate Group Home	\$4,354,670	\$4,573,134	\$3,602,494	\$3,347,723	\$4,904,391	\$4,549,962	\$25,332,374
Boarding Home	\$82,450	\$8,166	\$568	\$8,095	\$10,568	\$3,625	\$113,472
In-Patient Psychiatric	\$559,150	\$575,622	\$1,910,561	\$1,917,901	\$1,758,016	\$2,294,995	\$9,016,245
Wilderness Facility	\$1,278,376	\$997,630	\$1,130,958	\$1,289,360	\$1,791,473	\$445,605	\$6,933,402
Mental Health	\$30,311	\$4,881	\$3,306		\$307,726	\$344,330	\$690,554
Rehabilitation Center	\$299,417	\$189,406	\$50,864	\$70,859	\$133,833	\$35,857	\$780,236
Relative Home	\$40,428	\$21,779	\$28,398	\$32,948	\$9,743	\$15,290	\$148,586
Treatment Facilities	\$330,807	\$415,984	\$720,826	\$520,125	\$635,992	\$922,609	\$3,546,343
Shelter Care	\$1,492,670	\$882,831	\$745,025				\$3,120,526
B&C Tuition				\$90,757	\$2,480,018	\$2,348,319	\$4,919,094
Secure Treatment	\$5,305,576	\$6,169,402	\$5,943,474	\$5,445,289	\$5,603,289	\$4,312,635	\$32,779,665
Secure Detention	\$1,453,727	\$1,569,014	\$1,406,749	\$1,417,911	\$1,021,008	\$1,094,005	\$7,962,414
Other	\$9,677	\$11,305	(\$15,421)	\$14,323	\$24,090	\$5,050	\$49,024
Sub Total Residential	\$33,363,353	\$31,930,556	\$31,425,883	\$27,826,221	\$26,433,992	\$22,273,853	\$173,253,858
Grand Total	\$43,538,934	\$40,056,766	\$38,291,765	\$33,899,592	\$32,741,380	\$26,450,358	\$214,978,795

Source: LBA analysis of CIS data.

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APPENDIX H

APPENDIX H

FOSTER PARENT SURVEY

Name: _____ **Telephone** _____

(NOTE: N = 47)

The first set of questions asks for some background information.

1. How long have you been a foster parent?

<u>12</u>	A.	0-1 year
<u>10</u>	B.	1-3 years
<u>6</u>	C.	3-5 years
<u>19</u>	D.	More than 5 years
<u>0</u>		Missing

2. How did you become interested in being a foster parent?

<u>7</u>	A.	Wanted to adopt/trained to adopt
<u>8</u>	B.	Friend/relative
<u>2</u>	C.	Church/religious belief
<u>11</u>	D.	Like children/have good home
<u>14</u>	E.	Wanted to do something helpful/make difference
<u>6</u>	F.	Knew child who needed home
<u>5</u>	G.	Through job/school/professional
<u>5</u>	H.	Had child from another state
<u>1</u>	I.	Television show
<u>1</u>		Missing

The next set of questions asks you to evaluate DCYS foster parent recruitment, licensing, training, and retention programs.

3. Please rate the effectiveness of DCYS foster parent recruitment efforts. Please explain your rating.

<u>0</u>	A.	Excellent
<u>12</u>	B.	Good
<u>13</u>	C.	Satisfactory
<u>10</u>	D.	Marginal
<u>8</u>	E.	Unsatisfactory
<u>4</u>		Missing

3. Comment

- 14 A. Never/seldom see/hear anything
- 6 B. DCYS responds slowly/never responds
- 8 C. Contacted agency ourselves
- 4 D. Foster parent image is poor
- 3 E. DCYS responded promptly to our inquiry
- 1 F. Retention is bigger problem than recruitment
- 1 G. Higher foster parent standards would aid recruitment
- 5 H. Could be more aggressive/active/visible/advertise more
- 1 I. I&L workers do the best they can with resources available
- 15 No comment

4. How could DCYS improve its foster parent recruitment efforts?

- 21 A. Advertise more
- 6 B. Be honest about realities of foster parenting
- 2 C. Use foster parents to recruit
- 2 D. Raise standards to weed out unqualified foster parents
- 1 E. Help NHFPA with recruiting efforts
- 3 F. Increase support to foster parents
- 3 G. Recruit from interested professional groups
- 3 H. Improve foster parent image
- 3 I. Improve agency response
- 1 J. Form a recruiting team
- 1 K. Reduce training requirements for experienced foster parents
- 1 L. Financial assistance to help an otherwise good home meet building code/safety requirements
- 13 Missing

5. Did you receive any training from DCYS prior to becoming a licensed foster parent?

A. Yes 32 B. No 15 Missing 0

If Yes, Please describe the training you received.

- 25 A. Course through district office
- 2 B. Seemed designed to weed out people
- 3 C. Good, helpful, useful
- 1 D. Better if trained after first child placed
- 2 E. Not good, not relevant, not useful
- 1 F. Training in another state
- 2 G. Pre-adoption training
- 15 Missing

6. How would you rate the quality of the training you received?
Please explain your rating.

12 A. Excellent
17 B. Good
6 C. Satisfactory
8 D. Marginal
2 E. Unsatisfactory
2 Missing

6. Comment

1 A. Should stress foster parent/DCYS teamwork
1 B. Need more on child development
14 C. Good, excellent, helpful, thorough/Good instructors
14 D. Not representative of real world/need more honesty
about realities of foster parenting/problems
encountered
3 E. Poorly organized, too many tangential discussions,
trainer poor
3 F. Better if held after foster family has a child in home
2 G. Teamwork between DCYS and foster family trained but
not practiced
1 H. More emphasis on resources that are available
1 I. Teachers should know all aspects of DCYS services/
foster parenting before teaching others
12 No comment

7. How could DCYS improve the training program?

- 6 A. Use foster parent trainers more
- 3 B. Make training more accessible/convenient/flexible schedule
- 8 C. More specialized training on behavior management, discipline, emotions, acting out
- 16 D. Make training more representative of problems/situations/behaviors encountered
- 6 E. Have refresher training/follow up courses after a family's first placement
- 1 F. Raise foster parent standards
- 2 G. Need more training on dealing with DCYS
- 2 H. Include foster child's perspective of system
- 4 I. Need help with day care/respice so can attend training
- 4 J. Provide more resources: books/literature/computer programs/videos/lists of people to contact for problems/services
- 2 K. Set up foster parent "buddy" system
- 2 L. Involve participants more
- 1 M. Increase DCYS sensitivity to realities of foster care/foster parent problems
- 3 N. Use more outside speakers
- 3 O. Improve quality of instructors
- 12 Missing

8. What requirements did you have to meet to become a licensed foster parent?

Yes	No	Missing	
33	10	4	Health inspection
39	4	4	Fire inspection
39	4	4	Income check/verification
24	19	4	Criminal records/perp file check
35	8	4	Home study visits
39	4	4	Training at DCYS district office
24	19	4	References

9. Please rate the DCYS foster parent licensing process. Please explain your rating.

- 7 A. Very simple
- 30 B. Fairly simple
- 8 C. Fairly complicated
- 2 D. Very complicated
- 0 Missing

9. Comment

- 4 A. Too easy/too simple
- 1 B. Problems with fire inspectors
- 1 C. Investigate people more thoroughly
- 12 D. Clear/straight forward process/thorough
- 5 E. Too many out of pocket expenses
- 1 F. Laws/procedures are too complex
- 1 G. Payment system is a problem
- 2 H. Need more thorough training
- 5 I. Accelerate the process
- 3 J. Resented proving income/application asks for very personal data
- 18 No comment

10. How could DCYS improve the licensing process?

- 2 A. State should pay for fire inspections
- 2 B. Raise standards for foster parents
- 2 C. Have more/better quality assurance of foster homes
- 6 D. Conduct more training
- 1 E. Do more comprehensive (national) criminal record and perpetrator file checks
- 2 F. Institute a foster parent "buddy"/helper system for new foster parents
- 2 G. Improve DCYS response/capabilities/structure
- 5 H. Speed up the process
- 7 I. DCYS does a good job/process is OK
- 1 J. Monitor progress/growth during training
- 2 K. Standardize the process across the state
- 1 L. Have a pre-service meeting to explain licensing paperwork
- 19 Missing

11. Have you received any supplemental or in-service training since becoming a licensed foster parent?

A. Yes 31

B. No 15

1 Missing

If Yes, Please describe the supplemental training schedule and content.

<u>10</u>	A.	Behavior issues/discipline
<u>3</u>	B.	Legal issues
<u>7</u>	C.	Abused children/signs, behaviors
<u>2</u>	D.	Family interactions
<u>4</u>	E.	Family reunification/relations with natural/legal families
<u>11</u>	F.	Special medical conditions/special behaviors/unique situations
<u>4</u>	G.	Make training more convenient/accessible/flexible
<u>3</u>	H.	Training offered but I did not attend
<u>9</u>	I.	Received training on many different subjects
<u>3</u>	J.	Need 16 hours per year for specialized care license
<u>3</u>	K.	Need more training
<u>1</u>	L.	Need training on getting help from other foster parents
<u>4</u>	M.	Get training on my own
<u>12</u>		Missing

12. How would you rate the quality of the supplemental training you received? Please explain your rating.

<u>6</u>	A.	Excellent
<u>13</u>	B.	Good
<u>7</u>	C.	Satisfactory
<u>2</u>	D.	Marginal
<u>0</u>	E.	Unsatisfactory
<u>19</u>		Missing

12. Comment

<u>15</u>	A.	Good, useful, informative, helpful
<u>8</u>	B.	Material was too general/vague/unspecific/not meaningful or useful
<u>3</u>	C.	Not enough offered
<u>28</u>		No comment

13. How could DCYS improve the supplemental training program? Please indicate any specific training areas that are needed.

- 7 A. Make more accessible to working people
- 10 B. Make more relevant, practical, "hands on"
- 4 C. Make more available locally
- 14 D. More on aggressive behaviors/acting out/discipline/ disorders/abused children characteristics
- 2 E. More on foster child's impact on foster family, including natural children
- 3 F. Provide more resources: books/videos/computer programs
- 1 G. Pay foster parents mileage/allowance to attend training
- 1 H. Reduce training requirements
- 1 I. Let foster parents attend DCYS training for social workers
- 1 J. Help finance/support NHFPA training efforts
- 1 K. Include foster child perspective
- 20 Missing

14. What could DCYS do to improve retention of foster families?

- 22 A. Provide better support/response/communication with foster families/consider foster parent/family needs
- 3 B. Give complete information on foster children
- 12 C. Increase payments
- 15 D. Treat foster parents as team members/treat with more respect/listen to foster parent input/ideas/suggestions/keep informed of case developments
- 2 E. Provide counseling for foster family members
- 5 F. Pay on time
- 3 G. Establish a foster parent support network/buddy system
- 3 H. Hire more DCYS staff/reduce DCYS caseloads
- 1 I. Reduce paperwork/administrative requirements
- 2 J. Provide foster parents with respite/day care
- 6 K. Provide better/more realistic/more relevant training/preparation/raise standards
- 1 L. Upgrade DCYS staff
- 1 M. Improve case plans and follow up on them
- 1 N. Raise payments for level of training achieved
- 1 O. Keep natural parents away
- 6 Missing

The last set of questions asks you to evaluate DCYS case worker contact with you regarding children in your care.

15. How often do DCYS case workers consult with you regarding the children in your care?

- 6 A. Frequently
- 18 B. Sometimes
- 14 C. Rarely
- 3 D. Never
- 1 E. Varies
- 5 Missing

15. Comment

- 2 A. Varies with worker
- 1 B. DCYS is understaffed
- 2 C. I initiate it when needed/desired
- 42 No comment

16. How does the amount of contact you have with DCYS staff affect you as a foster parent?

- 20 A. Burnout/aggravation/frustration/felt used/no help with problems or crises/feel angry/feel isolated/feel excluded/feel conflict with DCYS
- 10 B. Need regular contact/more interaction/more support/more information/more participation in case
- 7 C. More contact promotes more positive feelings/better relationship with DCYS/more of a team spirit
- 4 D. Rarely see/hear from case worker
- 4 E. I initiate contact when needed
- 2 F. Contact is useful in crisis
- 10 Missing

17. What could DCYS do to improve communication with you?

- 10 A. Respond to calls/requests promptly
- 8 B. Increase DCYS staff
- 15 C. Call/visit regularly/keep informed of developments
- 5 D. Listen to foster children concerns/ideas/input
- 1 E. Publish/help with publication of newsletter
- 5 F. Have mechanism for response to routine calls
- 1 G. Use surveys/questionnaires to stay aware of problems, concerns, ideas, needs
- 2 H. Communication was fine
- 1 I. Develop better case plans
- 1 J. More respite
- 14 Missing

18. How often do DCYS case workers involve you in efforts to reunite children with their families of origin?

- 10 A. Frequently
- 12 B. Sometimes
- 5 C. Rarely
- 8 D. Never
- 12 Missing

18. Comment

- 1 A. Varies with case worker
- 46 No comment

19. Do you believe DCYS should involve you in efforts to reunite children with their families of origin? Please explain your answer.

- A. Yes 35 B. No 5 Missing 7

19. Comment

- 13 A. When appropriate/should not be forced/if done carefully/if families can work together/if foster family is comfortable
- 8 B. Can help smooth transition back to legal family/can help reduce trauma/stress of reunification
- 15 C. Foster parents know child's behavior/habits/concerns better than anyone else
- 2 D. Reunification is the point of foster care
- 1 E. This is covered in training but not practiced
- 4 F. Foster parents can help legal parents in many ways: visits, child's routines and habits, parenting
- 1 G. Current training does not prepare foster parents for reunification work
- 1 H. Burden/responsibility should be on natural/legal parents
- 2 I. All involved should be working toward the same goal
- 11 No comment

20. What are the major problems you experience as a foster parent? Please state what you believe is necessary to solve each problem.

- 7 A. Lack of information about child's behavior, abuse, medical history, special needs, relatives
- 5 B. Difficulty reaching DCYS
- 10 C. Late/insufficient payments
- 12 D. Lack of support/respect/consideration by DCYS of foster family needs, problems, concerns
- 11 F. Lack of foster parent participation in case planning/ court hearings/administrative reviews/therapy/not enough contact from DCYS regarding case developments
- 7 G. Placements last too long/case resolution too long
- 8 H. Need practical help with such matters as Medicaid cards, support services
- 3 I. Poor quality assurance by DCYS/low standards for foster parents/foster homes
- 5 J. Burnout/Stress of dealing with behavior problems over a prolonged period of time
- 2 L. Low capabilities of DCYS staff
- 1 M. Lack of treatment for foster children
- 1 N. Children raised without love, discipline, role models, religion
- 1 O. Need more concerned attorneys
- 7 Missing

20. Solutions to problems identified.

- 2 A. Respite/day care
- 3 B. Backup in district offices to take foster parent calls/respond to calls promptly
- 10 C. Social worker sensitivity to foster parent/family needs and problems
- 1 D. Pay on time/raise payments to realistic levels/improve administrative processing at state/district offices
- 3 E. Provide therapy for foster family members/foster children
- 4 F. Help with Medicaid cards/other practical needs/resources
- 2 G. Give complete information on foster child
- 3 H. Establish support network/buddy system
- 8 I. Hire more staff/reduce caseloads/raise quality of DCYS staff and training
- 1 J. Involve foster parents in case planning and decisions
- 1 K. Improve consistency of policies among district offices
- 3 L. Hold parents more accountable/responsible to solve problems/enable reunification
- 1 M. Alternate severity of children placed with a family
- 1 N. Return to God
- 1 O. Reduce number of therapists in system
- 20 Missing

APPENDIX I



STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION FOR CHILDREN AND YOUTH SERVICES

6 Hazen Drive

Concord, NH 03301-6522

Harry H. Bird, M.D., Commissioner

Lorrie L. Lutz, Director

603-271-4451

TDD Access: Relay NH 1-800-735-2964

June 24, 1993

The Honorable Channing Brown
Chairman
Appropriations Room #100
State House
Concord, N.H. 03301

Dear Mr. Brown:

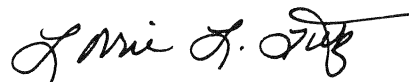
As the new Division Director of the Division for Children and Youth Services (now called the Division for Children, Youth and Families), I welcome this audit of our settlement dollars by the Legislative Budget Auditors. My sense of the process is that it was extremely thorough and the observations were fair and well developed.

I am extremely pleased that without exception we had initiated programs, dialogue, or corrective activities in the areas that the LBA had concerns prior to the completion of their audit.

Furthermore, the recommendation and observations are very much in line with the direction in which the Division has been moving.

I am grateful for this comprehensive document, and intend to utilize it in the future as we continue to attempt to improve our community programs, practice policies and as we strive to be fiscally responsible.

Sincerely,


Lorrie L. Lutz
Director

LLL/mmc



PERFORMANCE AUDITS
ISSUED BY
OFFICE OF LEGISLATIVE BUDGET ASSISTANT

<u>NAME OF REPORT</u>	<u>DATE</u>
<u>Review of the Management and Use of State Owned Passenger Vehicles and Privately Owned Vehicles Used at State Expense</u>	August 1984
<u>Management Review of the Policies and Procedures of the Division of Plant and Property Management</u>	June 1984
<u>Review of the Public Employees Deferred Compensation Plan</u>	December 1987
<u>Review of the Allocation of Highway Fund Resources to Support Agencies and Programs</u>	March 1988
<u>Review of the Indigent Defense Program</u>	January 1989
<u>Hazardous Waste Management Program</u>	June 1989
<u>Mental Health Services System</u>	January 1990
<u>Department of Administrative Services, Division of Plant and Property Management State Procurement and Property Management Services</u>	June 1990
<u>Developmental Services System</u>	April 1991
<u>Prison Expansion</u>	April 1992
<u>Workers' Compensation Program for State Employees</u>	January 1993

Copies of the above reports may be received by request from:

Office of Legislative Budget Assistant
Room 102 State House
Concord, New Hampshire 03301
(603) 271-2785

