

CHILDREN'S CABINET REPORT

Human Services Interim Committee

August 9, 2022

Senator Joan Heckaman

Madam Chair Lee and Members of the Interim Human Services Committee:

I am Senator Joan Heckaman, Chairman of the Children's Cabinet and am here today to provide a brief update on the work of the Cabinet and the recommendations from the Cabinet for your information.

The Cabinet is made up of 12 members from various disciplines as directed by SB 2313 from the 2019 session. Small adjustments were made in the 2021 session with the Chairman of Legislative Management selecting a legislator to chair the Cabinet rather than the Chairman of Legislative Management chairing the committee. I was that appointee and began in that position in the summer of 2021.

The Cabinet previously had been meeting quarterly and were receiving reports from a variety of departments and providers on their work across the state for the benefit of children. Beginning in October of 2021, the Cabinet members choose to begin meeting monthly and dig deeper into some programs for services to children across the state.

Since that time, we have held 1 hour monthly virtual meetings except for taking December off, and then holding face to face full day meeting July 15, 2022.

Today I will provide information about the work we have done. After receiving additional reports in October and November, the Cabinet began a deep dive into Foster Care services. We learned that while services across the state to the estimated 1500 children in the Foster Care system are moving along very well, about 1 to 3% of those 1500 are children with additional needs that bring concerns for the providers. We learned that some additional supports and recommendations would be beneficial to the child in service and their families, the families who provide Foster Care services, and the providers.

In April in response to concerns over needs for assessing high needs children in care, the Cabinet voted to recommend the development of the Lighthouse Project as presented by a workgroup. This project was highly recommended by the Department of Public Instruction along with the State Information Technology Department. It consists of the development of a database that will connect all state department information on children and will provide important information to better assess and utilize programs and services for children.

The following recommendations were also adopted by the Cabinet to assist in the efficient and effective delivery of services to children in Foster Care. These recommendations came from a workgroup of Zone Directors.

North Dakota Child Placement and Service Needs

Immediate and Mid-Range Needs

Listed below are some suggestions to help address the immediate and mid-range needs of North Dakota's child welfare system:

Immediate Needs:

- Develop a certification/licensing option for individuals to become authorized **emergency placements and licensing flexibility for community members and childcare providers to serve emergency, foster children.**
- Develop a short-term provisional or emergency licensing process for emergency placements.
 1. Funding is needed for paid, placement ability
 2. Process should be streamlined, nimble, and be available in all North Dakota communities.
 3. Emergency placements are short-term, community placements to meet immediate needs and to allow time for proper assessment, service planning, relative search, etc.
 4. Goal is to have emergency homes throughout North Dakota to keep existing supports such as childcare, school, etc. in place while longer term planning is performed.
- In addition, childcare is key to serving foster youth in both emergency and regular placements.
 1. Create flexibilities/variances in childcare licensing rules to meet foster child needs.
 2. Develop creative funding solutions to compensate childcare providers when they serve foster children. Funding solutions should consider best interest of foster child such as need for respite care and socialization.

- Create **incentives** for existing systems **to retain trained and quality workforce** ○ Support to certified youth shelters in providing services to at-risk youth by funding compensation incentives for their work force. Funding is needed to ensure operational stability, availability, and quality of operations.
- Fund incentives to increase salary and compensation levels for professional child welfare workers and paraprofessionals in the child welfare system providing direct supervision and service to children and families.
- Provide funding to develop and implement a student loan repayment program for child welfare workers. Collaborate with colleges to provide year-long paid internships for credit. Increased funding for paid training opportunities for residential and shelter related staff, recognizing that in workforce shortage situation it often requires overtime pay.
- Develop a **network of specialty foster homes** across the state that provide specialized services – such as working with high needs teenage females or males.
- Adjust funding and licensing structure to develop these homes into mini centers of specialization.
- This would encourage community setting, supportive services, specialization, and consistency of service.
- **Funding flexibility** to meet behavioral management/supervision needs of youth with high level needs and to support individualized care planning.
- There is great need for nimble, creative, and person-centered fiduciary tools to meet the needs of children in the child welfare system.
- **Assessment shelter facilities** to screen, identify the needs (physical, behavioral, educational), and stabilize. Assessment services would determine the most appropriate placement setting, as well as what community resources/services are necessary prior to discharge from the assessment center to another level of care or return home.
- An assessment facility needs to be staffed by professional level staff, with specialty knowledge/experience in those domains.
- Potential opportunity to be connected/supported by existing state systems such as the state hospital, human service centers, developmental center, YCC, etc.
- Comprehensive and intensive discharge planning to ensure services are in place prior to discharge.
- A strict criterion for admission, which includes exhausting all other placement options and a comprehensive list of reasons for denial.
- **Recommendations for North Dakota Service Provider Contracts.** Service providers who are contracted with or licensed by the Department of Human Services should be required to adhere to the following:
 - **No sudden/unplanned discharges.** A child should not be discharged until an appropriate discharge plan and services/placement is secured.

- The requirement to provide services throughout an entire region or service area. Too often service providers are not willing to travel provide similar service beyond a 20-mile radius of a major city. This is not realistic in a state such as North Dakota. Contracts should include **incentives for providing rural service** such as rural differential mileage and service provision rates.
- Contracts should require admission criteria focusing on child’s needs vs. the needs of the provider agency. **Individualized care planning** should be the norm vs. the exception.
- **Increased wages and training for direct care staff that serve at-risk and foster care populations.**
- Nearly every field & industry is experiencing a labor shortage currently. When an employee can make more money stocking shelves or work in a service industry, it is not realistic to expect them to earn less money for potentially more challenging work providing critical safety net services.
- Recommended similar approach conducted by the 2009 Legislative Session (SB 2012) that provided Qualified Service Provider (QSP) personnel serving elderly/disabled populations a supported salary increase. In the current situation, a **legislatively appropriated and directed wage increase** for specific providers providing core services to at-risk youth such as shelter personnel, which helped to stabilize the workforce and invest in targeted services.
- **Educational incentives** be provided to build workforce capacity and training competency for working with at-risk populations.
- FTEs and funding support for **Parent Aides and Transportation Aides** in human service zones to assist families and youth in the child welfare system. Parent Aides provide peer to peer coaching focusing on identified service plans and goals. Transportation Aides help ensure safe and reliable transportation and escort to critical appointments (behavioral and physical health) along with parent/child visitations.
- Make children and families the “infrastructure” of North Dakota
- Fully fund Behavior Health and Prevention services statewide for children and families.
- Promote and Invest in Family Advocacy outreach – to provide daily advocacy to families in the “system”
- Fully Fund Court Improvement Program (CIP) with additional funding from partnering agencies to expand and increase staff capacity to address statewide “child welfare” reform within all corners of ND.
 1. Quality Legal Rep statewide with IV-E funding
 2. DSY – one staff for ongoing support and training and policies to support compliance
 3. Annual training for stakeholders in Child Welfare cases - ICWA/CHIPS/CHINS/DSY/TPR
- Encourage, invest, and support private agencies applying for grants to be trained and provide 1915i services and Family First evidence-based services.
- Schulte report
 1. https://ndlegis.gov/files/committees/67-2021/23_2154_02000_09052presentation.pdf
- Use services currently available-

1. FCE – Family Center Engagement
2. ND Kinship Program - <https://kinshipnd.com/>
3. 211 and mobile Crisis Teams
4. Use Shelter Care/Respite Care as a prevention/assessment housing (grants)

Mid-Range Needs:

- Developing and funding a **system of treatment and care**, in North Dakota, that targets the common characteristics **of the youth most difficult to secure placement/service**. Including: cognitive impairment (below 70 IQ); a history of sexual acting out; physically aggressive; often males.
- **Legislative Study**. Considerable state and federal funds are invested in foster care. A study is recommended to analyze foster care trends, reasons for lack of placement options, identify system barriers and service gaps, and include a thorough analysis of why children are denied services. Furthermore, the recommended study would explore how can North Dakota develop prevention strategies and funding options to strengthen North Dakota families.
- **Specialty Services**. To help navigate and link North Dakota systems, several specialty services are recommended. This includes:
 - **Crisis team** of specialty child welfare workers that can work with placements/relatives to stabilize youth and their placement to avoid disruption
 - **Placement Recruiter**: Designated team to help strategize, locate, and recruit placement options for challenging to place youth in North Dakota.
 - **Licensing Gatekeeper**: There are many silos and gates to navigate when trying to access a licensed bed (foster home and/or facility) in North Dakota. There is need for a “gatekeeper” to help systems communicate clearly, to identify capacities and needs.
 - Incentives to grow **1915i providers** throughout North Dakota and reduce barriers for providers to enroll.
 - Provide funding to develop and implement a **student loan repayment program** for child welfare workers.
 - Provide incentives and reduce barriers for providers to engage in providing evidence-based services related to FFPSA funding streams.

July 15th METING:

3 topics were discussed with the following recommendations:

Mental/Behavioral Health Services

Immediate Solutions

- Attract workforce to ND. Break down barriers, fast stream reciprocity licensure.

- Integrate Behavioral health services in schools, keep kids out of courts, and mental health services for kids.
- Strengthen the family unit and add more systems to help support the family.
- Gating system, how to get kids to access to services they need. Example: Sanford Clinician has been visiting schools twice a week to provide mental health services to children.
- Support beneficial early childhood experiences
- Peer support for families/parents
- Working, incentivizing, and providing technical services to help schools provide mental/behavioral health services to their students.

Over-Representation of Native American Children in the Welfare System

Immediate Solutions

- Create a Native American Children's Cabinet
- Indian Child Welfare Act (ICWA Court)
- ICWA specific legal representation for child welfare cases, pre and post removal

More Solutions

- CFSTC/NATI Collaboration specific to child welfare training

Lack of Providers

Immediate Solutions

- Shared Experience Families
- Workforce – Loan forgiveness, transportation services, paid internships
- High Need Services – Emergency assessment shelters

More solutions

- Code/Policy

ACCOUNTABILITY:

The Cabinet also supported an accountability factor in each of the areas presented. If an agency is impacted by the recommendations, a quarterly report is expected to determine which and to what extent the recommendations are being implemented. This may need further clarification as to notification process to specific agencies and the Cabinet will work this out.

WORKGROUPS

In June, the Cabinet received the final report from the CHINS (Children in Need of Services) workgroup. On August 1, 2022, cases of children previously referred to courts for services have been moved to the Human Services Zones for processing.

The workgroup identified two main areas of need. One subgroup worked on the referral process to the Zones and the second subgroup worked on Intake and Case Management Policies and procedures. That link is attached here. [North Dakota Association of Counties - House Bill 1427 Planning Committees \(ndaco.org\)](https://www.ndaco.org/committees/house-bill-1427-planning-committees)



CHINS Intake and
Case Management Po



CHINS Eligibility and
Referral Policy v.2.doc

NEXT STEPS:

At our upcoming August meeting, the Cabinet will receive reports from the other two Juvenile Justice workgroups which are the Committee for Alternative to Juvenile Detention and the Juvenile Justice Planning Committee.

REPORTING:

I also want to mention that I am getting a bill draft ready to have someone introduce it to the 2023 session that clarifies membership and reporting responsibilities for the Cabinet. Currently, the language in Century Code removes all 3 legislators on December 1st with new ones stepping in after appointments are made by Legislative Management. There is also no representation from DHS and that agency is responsible for most of the recommendations the Cabinet has made. The third issue is there are no reporting requirements for the Cabinet. In a conversation, Sen. Lee and I agreed it would be good to update this committee on the work of the Cabinet. I also have an appointment with the Governor this afternoon to present this report to his office. Cory Pedersen from Children and Family Services has been attending the meetings as the Foster Care recommendations are in his portfolio.

Thank you, Chairman Lee and Committee members for your time today. As you can see, the Cabinet has been busy, and we are also looking forward to continuing the work as assigned in SB 2313.