

DATE: January 8, 2024

TO: Representative Emily O'Brien, Chairman
Legislative Audit and Finance Review Committee

FROM: Jessica Thomasson, Executive Director, Human Services Division
Cory Pedersen, Director, Children and Family Services
Kristen Hasbargen, Director, Human Service Zone Operations

RE: HHS State Audit Report for the Two-Year Period Ended June 30, 2023
Finding 2023-03: Children in Suspected Abuse Situations Not Being Contacted Timely

The State Auditor's Office (SAO) has examined adherence to child welfare policy for several consecutive audits. While an important tool, SAO reviews as conducted for the purpose of the state audit are not consistent with the practices HHS uses when conducting compliance reviews as per federal guidelines. There are variations in sampling methodology as well as other methodological differences, including as an example, decisions about how to account for allowable exceptions to policy when determining compliance.

North Dakota child welfare policy, as is typical in all states, denotes exceptions to expectations of timely visits for a variety of reasons, including when:

- Law enforcement assistance is necessary because the information indicates a crime may have been committed or worker safety is in question and no law enforcement assistance is immediately available.
- Law enforcement requests a delay.
- Due to the child's location, access within the timeline is not possible (e.g., roads are closed due to extreme weather or the child currently out-of-jurisdiction).
- Additional time is needed for appropriate planning / logistics of the intervention (e.g., child needs to be interviewed separately from the parents and already has left school, etc.).

SAO Recommendation re Finding 2023-03 (2022-23 state audit):

We recommend the Department of Health and Human Services ensures face-to-face contact dates are entered into the Department's tracking system (FRAME) and to make sure those dates are accurate and monitored. We recommend the Department of Health and Human Services ensure timely face-to-face contact with suspected victims of child abuse or neglect.

NOTE: 4th consecutive audit with this finding (2016-2017, 2018-2019, 2020-2021, 2022-2023)

HHS Management Response to Finding 2023-03:

HHS agrees with the finding that data related to face-to-face visits is not entered timely or consistently. While improvements have been made, North Dakota has not yet achieved compliance with child protective services policies.

HHS has adopted measures to define Standards of Administration for Human Service Zones, including a goal for 90% of face-to-face contacts within the specified time frames (A = 24 hours, B = 72 hours, C = 14 days), per NDCC 50-01.1-08. HHS provides Human Service Zones with real-time data and quarterly compliance snapshots, along with ongoing coaching and training to improve timeliness and data entry.

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- When a child is reported as being in a safe place (e.g., school or hospital), the judgment about the time of the response must take into account the location of the safe place, how long the child will be there, access others have to the child’s location, and a plan to keep the child safe until CPS can respond.

In cases where exceptions are warranted, the child protective services worker’s timeline is secondary to the lead agency’s timeline (ex. law enforcement). These situations are not considered non-compliant; rather they are examples of cross-agency collaboration in situations that are particularly sensitive.

When HHS monitors for compliance with policy related to timeliness of face to face visits, the Quality Assurance (QA) team reviews not only date field indicators in the mainframe system that is currently used to support child welfare services in North Dakota, but also in case notes which is where exceptions to policy are noted today.

Updated data outlining trends in compliance with Timeliness of Face to Face Visits

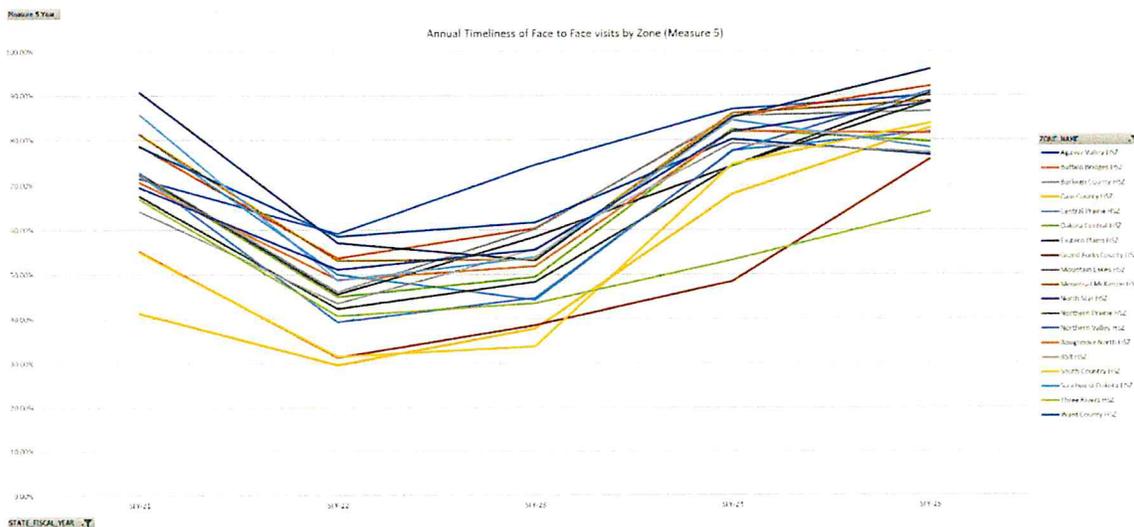
While HHS would agree that SFY2022 was a particularly challenging time for Human Service Zones regarding completion of timely face to face visits, the 17% reported in the SAO is not consistent with HHS’ regularly completed compliance reviews. It is also significantly different than the July 2022 State Audit measure, which was reported at 68%.

Both because the audit time frame is more than 2 years old, and because HHS’ ongoing reviews have indicated continued improvement in compliance with this measure, the HHS Children and Family Services QA unit conducted an ad hoc review in September 2024 (in addition to their regular 6-month reviews). In September, HHS’ CFS Field Support Specialists reviewed each of 73 randomly selected cases to determine if the case’s face to face visits were timely, timely with exception, or untimely.

Of the 73 cases, the overall timeliness rate was 89%.

- 78% (57) - Timely, no exception to policy requested or required
- 11% (8) - Timely, exception to policy due to circumstances of case
- 11% -(8) – Untimely

The chart provides a visual representation of improvements in this measure over time, at a Zone level. The chart is based on 100% of active cases; the lines represent visits completed timely, as recorded in FRAME.



North Dakota is in the midst of its quadrennial federal review, known as CFSR R4. In addition to extensive stakeholder feedback and data gathering, this process will involve a review of North Dakota's compliance with policy that closely replicates the quarterly reviews already being completed by the HHS QS team. As of December 20, 2024, the process is approximately 50% complete. Of the 38 cases that have been reviewed so far, 9 cases were applicable to the Item 1 timeliness measure; 8 of those 9 cases (89%) were found to be in compliance, which means this will be deemed a Strength for ND's child welfare system, according to federal QA guidance.

As reference, when the QA team started its work in 2020, overall performance met expectations in 77% of the 26 cases deemed "applicable" for review (i.e., a face-to-face visit was required because the child remained in the home). Statewide performance declined in 2021 to only 40% of 32 applicable cases. However, statewide performance has since improved. The most recent reviews completed for January – September 2024 reflect compliance with state policy for 68% of the applicable 22 cases. Note: the benchmark established in North Dakota's PIP is 82%; the benchmark established in the Human Service Zone Standards of Administration is more reflective of state goals at 90%.

These numbers represent statewide performance; individual Zones either excel or struggle based on a variety of factors. HHS is committed to working collaboratively with Zones to help optimize performance across the entire state as consistency of service delivery is a hallmark of a quality child welfare delivery system.

Summary of efforts to improve performance related to core child welfare measures

HHS together with Human Service Zones, have been actively engaged in a series of efforts designed to help improve the overall quality of child welfare services in North Dakota, which includes compliance with state and federal policies and standards.

- January 2019 - North Dakota began implementation of its CPS **Social Service Redesign**, which transitioned delivery of human services from an individual county-based system to a network of 19 Human Service Zones. **Redesign of Child Protective Services** started simultaneous with overall Social Service Redesign.
- April 2019 - In response to the Sept 2016 federal review of ND's child welfare services, which include safety, permanency and wellbeing, the State was required to develop a **Program Improvement Plan (PIP)** to increase performance across the federal outcome and key system measures. The PIP was approved by the Children's Bureau in April 2019.
- January 2020 - Created a statewide **Quality Assurance team** to enable ongoing assessment of compliance, identifying in real time opportunities for training and technical assistance to further improve performance. The QA team provides information to field-based staff on 7 outcomes and 7 system measures every 6 months.
- September 2020 - Establishment of **Field Support Specialists** to help problem solve with Human Service Zone teams. FSSs are also able to support Zones who are experiencing temporary staff shortages and/or surges in volume in an effort to help maintain quality of service delivery.
- December 2020 - Began the working of implementing a new child welfare practice model with an updated safety framework to help drive improvements in child and family outcomes.

- January 2021 - Re-implemented **child welfare supervisor training** by UND CFS training center to better support the high number of staff who are new to the field or to their role.
- January 2021 – Implemented a centralized **Child Abuse and Neglect Intake** to improve consistency of response and routing of cases. A team of Zone team members from across the state work together to staff the intake line, coordinated by the Northern Valley Human Service Zone Director.
- August 2022 – Launched the statewide **Children in Need of Services (CHINS) team** to serve children who have not committed crimes out of the Juvenile Court system. A team of Zone team members from across the state work together to staff the CHINS team, coordinated by the RSR Human Service Zone Director.
- November 2022 - Launched the statewide **Continuous Quality Improvement (CQI) program**, including creation of cross-zonal teams to collectively analyze performance
- 2023–2028 – Initiate **major IT project** to implement a modern technology platform that can better support the work of the State, Human Service Zones, and community partners in advancing child safety, permanency and wellbeing in ND. The replacement of FRAME/CCWIPS with OCEANS is a 5 year initiative, projected to be complete in 2028.
- July 2023 – Internal **dashboards** for state and Human Service Zone staff to increase ability to access timely data for a base set of core metrics. The dashboards rely on data as it is reported in the state’s current child welfare technology system. While there are some data limitations, the dashboards offer – for the first time - data that is refreshed daily at a Zone level.
- July 2024 – Second set of internal **dashboards** HHS rolled out to each Zone with real-time access to summarized data related to the five child welfare measures included in the HSZ **Standards of Administration** monitoring tool.
- January 2025 – Human Service Zones Standards of Administration **Quarterly Snapshot** available to each Human Service Zone for the first time. The Quarterly Snapshot summarizes Zone-specific data that is also consistent across all Zones. Note: Measure 5 in the snapshot shows performance related to timeliness of face-to-face visits, which is the subject of SAO Finding 2023-03.
- Ongoing – HHS has continued to work with Human Service Zones to shift **staff from foster care to child protective services** wherever appropriate and possible. As of September 2024, there are approximately 115 authorized FTEs who serve as front line CPS workers and supervisors in NDs 19 HSZs.
 - Vacancy rates in CPS worker positions have historically averaged between 10-20% of all authorized positions at any given time. As of December 2024, 5% of authorized front line CPS positions are vacant.
 - Human Services Zones have worked diligently to recruit and retain child welfare team members, particularly CPS workers; consistent and creative recruiting practices are returning results as turnover has begun to decrease over the last couple of years.