

MINUTES
Braam Oversight Panel
SeaTac DoubleTree, Cascade Rooms 7-8
SeaTac, WA
June 5-6, 2007

Note: The minutes are a general summary of discussion and do not attempt to document every comment.

June 5, 2007

Panel Members: John Landsverk (Chair), Jeanine Long, Jan McCarthy, Jess McDonald, Dorothy Roberts

Panel staff: Carrie Whitaker

Plaintiffs' Attorneys: Bill Grimm, Casey Trupin, Bryn Martyna, Tim Farris

Attorney General's Office: Steve Hassett

DSHS Staff: Cheryl Stephani, Ross Dawson, Deborah Purce, Jody Carpenter, Lee Doran, Marjorie Fitzgerald, Robin McIlvaine, Steve Wickmark

Others: Traci Russell, Janet St. Clair Lazar, John Morse, Alan Willoughby, Martin Cross, Wanda Flesher, Daryl Daugs, Mary Meinig, Laurie Lippold, Leonard and Cheri Covert, Jim Theofelis, John Tarnai.

The meeting was called to order at 9:15 am.

Introduction and Updates

John Landsverk noted that the 3-year anniversary of the signing of the agreement is approaching (July 2007). The settlement's 7-year duration is 43% completed.

He noted several developments since the Panel's February meetings:

- The legislative session, including passage of the biennial budget, was completed in Olympia. The budget included significant new investments in child welfare and foster care, although the Panel's understanding is that a number of DSHS requests related to Braam were not funded.
- The Panel published professional standards as required under the settlement. The standards would be used in the event of enforcement proceedings.
- The Panel published its third Monitoring Report, assessing compliance through December 31, 2006. With respect to performance on the 81 Braam action steps, the Panel found an additional 14 action steps complete or complete through the performance period, for a total of 38 action steps in these categories. An additional 6 action steps were found to be incomplete. 16 action steps are already operating under compliance plans, and 4 action steps remain without approved compliance plans.

With respect to performance on the 52 benchmarks, the Panel found 14 areas in which data were not yet due, 10 areas in which the measurement of the benchmark may be revised, and 28 outcomes for which the Department had failed to reach the annual benchmark. Of those 28 outcomes, the data were provided for 11 of them showed the annual benchmarks had not been met. Data were not provided for 17 outcomes. Where

data were not provided, the Panel concluded that, in the absence of data demonstrating that the benchmarks have been reached, the Department had not met annual benchmarks in these areas.

John noted that the Panel's meetings would include discussion of action steps found to be out of compliance in Panel monitoring reports, as well as issues related to measurement and data, including discussion of administrative data issues, the foster parent survey, and a proposal for a chart review.

John stated that the meeting would be a working session for discussion among the Panel and the parties. He indicated that public comment periods would be held at the end of Tuesday morning, Tuesday afternoon and Wednesday morning.

Children's Administration (CA) Initiatives—Cheryl Stephani

Cheryl Stephani introduced Robin McIlvaine, children's mental health lead at the Mental Health Division (MHD). Robin will represent MHD at Braam meetings, due to the recent departure of Steve Norsen.

Cheryl updated the Panel on a number of CA activities related to the settlement agreement:

- CA has recently released a CHET practice guide. Cheryl also mentioned a new form designed to facilitate the sharing of information with caregivers.
- Children's health- the budget created a large pilot program related to medical homes, which will serve up to 2000 children in foster care.
- CA now has interagency agreements with 115 of the state's 296 school districts, covering a majority of children
- The educational advocates program has been in place for one year and has served 2000 children in foster care. A guide for social workers on education was recently produced, and 1400 social workers have been trained on educational advocacy. Education summits have now been completed in each region, with over 650 people trained across the state.
- Mentoring, foster care to college and foster care to age 21 programs have been implemented. A centralized system for information and enrollment related to education and training vouchers has been developed.
- A guide for guardians has been developed and is being distributed.
- In conjunction with Washington State University, a survey of unlicensed caregivers related to training needs has been conducted. Results are expected this month.
- CA has developed several DVD trainings, which have been distributed to offices, providers, and a large list of stakeholders. As a sample, Cheryl shared a DVD on GLBT Questioning Youth that is used in training caregivers.
- Youth alumni groups have been started in every region.

- CA continues to expand the use of EBPs. Parent-Child Interaction Therapy (PCIT) is available in 14 counties. Functional Family Therapy (FFT) is being provided in every region. Multidimensional Treatment Foster Care (MTFC) is being provided in 3 pilot sites. One of those sites will soon launch a latency-age program. Two sites began providing Incredible Years in January 2007. Promoting First Relationships is being developed as part of the alternative response system.

Jeanine Long asked about timeframes for implementation of these programs. Cheryl noted that CA has done significant work to build infrastructure so that programs can be rolled out successfully. John suggested that Cheryl provide this type of update to the Panel in writing, including information on how these activities relate to the Braam goals. Dorothy Roberts noted that it would also be helpful to understand the steps being taken to bring pilot programs to scale across the state.

Cheryl summarized the recent legislative session, noting that the legislature passed 13 bills for which CA will lead implementation, and CA will be involved in the implementation of numerous additional bills. With respect to the budget, funding was provided for additional support for relatives and improved and expanded services for tribes. CA is still analyzing final budget figures, but it appears that the funding provided for monthly visits was less than that requested by the Governor and will slow the timetable for implementation. Cheryl said that they should have the first portion of budget analysis done within a week.

Cheryl noted that funding for children's mental health was provided through HB 1088. This new funding is in lieu of funding requested by the Department specifically targeted toward mental health services for children in foster care who do not meet access to care standards. Jess McDonald expressed concern about this approach, which appears to be less targeted toward children in foster care. Robin McIlvaine stated that the legislation and accompanying funding are quite broad, addressing changes in the access to care standards, an expanded mental health benefit package, increased benefits under the Medicaid Healthy Options plan for children who do not meet access to care standards, and 4 pilot sites for wraparound services (not targeted solely to dependent kids). Jan McCarthy commented that, based on her experience with mental health system reform in other jurisdictions, it is critically important for the child welfare system to be involved in planning for implementation of these types of changes. Otherwise, the specialized needs of children in foster care can easily be overlooked. Cheryl and Robin agreed that the approach to implementation will be very collaborative.

Cheryl noted that CA's workload study is being completed and data will be available in July. She also indicated that CA is working to develop "priority performance measures" to help track system improvement.

Casey Trupin noted that, from the plaintiffs' perspective, the final budget was extremely disappointing. Though the Department's had requested funding in a number of areas related to the Braam agreement through its decision package, many of these requests were not funded. Sufficient funding was not provided for 30 day visits, caseload reduction, education, recruitment and retention, foster parent training, etc. Casey stated that plaintiffs have heard that Braam was simply not a priority for the Governor's office or legislators involved in writing the budget. Jeanine asked what Casey attributes this to. Casey replied that they had been unable to meet with the Governor and did not understand why Braam does not appear to be a priority, and he wondered whether Braam is not well-understood by legislators. Casey referenced a legislative

hearing during which a representative of the Governor's office indicated that the Governor had felt that some of the Department's funding requests related to Braam were not well-thought out. Steve Hassett responded that this was an off-the-cuff remark by one individual and should not be interpreted as the official administration view toward Braam.

Bill Grimm thanked Cheryl for her summary of CA initiatives. He echoed the Panel's interest in receiving these updates in writing, and suggested that the update be linked to progress on Braam action steps and/ or benchmarks.

Compliance Plans

John noted that 34 compliance plans related to the Panel's third Monitoring Report are due, and that CA had requested a 2 month extension on these plans because they were awaiting specific budget numbers and wanted to discuss related issues at the Panel's June meetings. The Panel declined the request for this long extension. On May 31, CA proposed new timelines: compliance plans related to action steps will be submitted on June 8, and plans for the benchmarks will be submitted on June 20. Casey noted that the plaintiffs are agreeable to that timeline, with the agreement that the subsequent response and revision period for both the plaintiffs and CA should be shortened from two weeks to one week in order to reduce overall delays. Steve Hassett indicated the Department's agreement. The Panel approved these timelines.

Unresolved Action Steps

John noted that 4 action steps declared incomplete by the Panel in earlier monitoring reports remain unresolved. These steps have gone through the two rounds of compliance plans provided for under the settlement agreement, but the Panel has not yet approved the Department's proposed compliance plans. These action steps relate to *respite care, a plan to reduce caseload size, monthly visits to children in out-of-home care, and visits to children within the first week of placement.*

Respite Care- John asked for clarification on whether children in in-home dependencies are members of the class. Steve Hassett responded that most of these children would be considered part of the class, particularly in light of recent case law and legislation. The exception would be children in an in-home dependency who have never been in out-of-home placement. Casey Trupin agreed that children in in-home dependencies would be members of the class, although the plaintiffs may disagree on the exception noted by Steve. Dorothy indicated that, if children in in-home dependencies are members of the class, these parents should have the same access to respite care as foster parents do.

Steve indicated that this concern had not been previously raised by the Panel, and it was his understanding that the Panel's concerns instead related to the language requested by the Panel to indicate that respite for prevention of disruption or in an emergency is an entitlement. Jan indicated that the Panel felt that the Department had used acceptable language in the policy to address those concerns in Section 4510 (Respite for Licensed Foster Parents and Unlicensed Relative Caregivers) by removing reference to "availability of funding" in the eligibility section (45102). The Panel was concerned, however, that Section 4509 (Respite for Parents as an Alternative to Out-of-home Care) would lead social workers to believe that respite care for children in in-home dependencies is dependent on "availability of funding" because the eligibility section (45092) includes this criteria. The Panel asked CA to clarify in the policy that children in the class who are in in-home dependencies have the same eligibility for respite care, in

emergent situations and when placement is at risk of disruption, as children living with licensed caregivers and unlicensed relative caregivers. The Panel expressed that the policy should be understandable, so that any given family can understand if they can get respite. Steve asked whether the policy will be deemed acceptable once the Department inserts additional language in the policy to address the in-home dependency issue. John stated that it would be. CA stated that the policy would be revised and resubmitted.

Caseload size- John noted that the Panel had written to the parties to propose the addition of an outcome related to caseload size. He indicated that the Panel intends to examine data at the office level, but that compliance would be assessed on a statewide basis. He noted that the Panel would like to look at data quarterly and assess compliance on an annual basis by using the average of the four quarterly figures. He said the Panel intends to create this benchmark without reference to the planned phase-in of social workers by CA.

Steve asked for clarification on the proposal to look at these data based on the percentage of children on caseloads at or below COA levels, rather than the more frequently-used approach of average caseload size. He indicated that CA would need to consult with staff involved in data to determine the feasibility of this method of measurement. John noted that this approach was an effort to address this issue in a child-focused way, rather than using averages, which can be misleading. John agreed that CA should discuss the relative advantages of the two approaches with data staff.

Steve asked whether the Panel intends to measure this outcome beginning in FY08, such that the first report would be based on the quarter ending on September 30, 2007. John confirmed this timeline.

Jess commented that it is critical to understand private agency resources when looking at caseload size and monthly visits. He also mentioned guardianship, and noted that the Panel had raised questions regarding whether these children are being counted on caseloads.

Jan asked for clarification as to whether a public agency social worker is also assigned when a child is served by a child-placing agency (CPA), and how this is accounted for as it relates to caseload sizes and monthly visits. Cheryl suggested that CA needs to look at the issue of children who are served by a CPA and CA and make a proposal regarding how to measure caseload size that is consistent with roles defined through ongoing contract negotiations with CPAs.

Jess indicated that, when factors such as private agencies and guardianship are taken into consideration, the Department may be closer to achieving the caseload standards than is currently thought.

Steve asked how the addition of an outcome and benchmark related to caseload size affects the finding that the related action step (to develop a plan to reduce caseloads to COA standards) is out of compliance. John noted that the action step and the benchmark would be independent, and the addition of the benchmark is intended to reflect the importance of this issue. It was agreed that CA would submit a proposal with further detail on how to measure this outcome by July 1. The proposal should address: 1) measuring caseload size by the number of children who have a caseworker with a caseload that does not exceed COA standards (18 to 1) vs. by

average caseload size, 2) how caseload size will be calculated for children who are served by both a CPA and a CA caseworker.

Private agency data

Related to private agencies, Casey noted that the plaintiffs have suggested that data for all Braam indicators be shown with separate reports for children served by DCFS and children served by CPAs and repeated the request that this breakdown of data be provided. Cheryl noted that contract discussions with private agencies are ongoing, and that comparisons among agencies, and between agencies and the public sector, are difficult because contracts are not currently standardized. Jan stated that she felt that looking at private agency data separately would be helpful in efforts to improve and manage the system. John registered a concern with this proposal, indicating that it would verge on micromanaging for the Panel to require data at that level of detail. Jeanine disagreed, stating that she didn't see any harm in obtaining available data that could help to understand differences in performance. Steve noted that the issue before the Panel is outcomes for the children in the class as a whole, and that looking at subsets such as children served through CPAs is not necessary to resolve the issues that came before the court. Bill Grimm disagreed, stating that differences in services to children served by DCFS and those served through CPAs would be a matter of equity, particularly if difference in performance and/ or differences in the profile of children assigned to CPAs are observed.

Traci Russell, Executive Director of Youth Advocates, read a letter in which she urged the Panel to disaggregate data for children served by CPAs for all Braam indicators. She stated that up to 40% of children are served by CPAs and that the data being tracked through Braam create an unprecedented opportunity to better understand differences. Dorothy Roberts stated that there are many different data subsets the Panel could examine, noting that the Panel has decided that regional data would be helpful. She indicated that she is convinced that private agency data would be similarly useful.

Jan stated that, while she felt the idea of looking at data for private agencies had value, the recommendation should come from a body of private agencies rather than a single voice. Jess agreed. Lee Doran questioned the accuracy of the statement that nearly half of children are served by CPAs.¹ Jeanine asked for data on this point, and indicated that if it is indeed such large a proportion, then this is a critical issue. John stated that the Panel has heard the parties' and stakeholders' comments on this issue and will consider them.

Stakeholder comments

John invited public comment. Daryl Daug, Foster Parent Association of Washington State, expressed a concern that the Department might be found in compliance with the respite action step, but that availability could still be a problem. Martin Cross, YMCA Family Services, noted that it is often more difficult to recruit homes for respite than for regular foster care. John noted that the foster parent survey has questions related to availability of respite, which will provide additional insight in this area.

MEETING RESUMES (after break)

¹ CA noted that child-placing agencies serve only children in licensed placements, not those in unlicensed relative care. Thus, the percentage of the total population of children in out-of-home care served by CPAs is smaller than the proportion in the licensed foster care population.

Unresolved Action Steps (continued)

John proposed that the Department provide another round of compliance plans for the monthly visit, visits in the first week of placement, and caseload size action steps. Although this is not called for under the settlement agreement, the Panel does not feel comfortable letting these issues disappear. Steve asked whether these would be based on the new budget information, and John confirmed. It was agreed that CA would submit updated compliance plans on August 1, along with the update materials related to activities through June 30, 2007.

Visits within the first week- Jan asked about current policy for visiting children when they are first placed and when they change placements. Ross indicated that the policy in this area is confusing and it encourages, but does not require, a visit soon after placement. Ross will provide a copy of this policy to the Panel.

Monthly visits- Jeanine asked for clarification of CA's May 31 letter, which indicated that funding would be phased in by the end of 2009. Cheryl noted that budget analysis is not yet complete, but that it appears that all FTEs are not allocated until the end of calendar year 2009.

Jess again raised issues related to private agencies and the ability to use private agency staff to achieve the monthly visit requirement. He also noted that offices undergoing COA accreditation are expected to be doing monthly visits.

John stated that the Panel would like to receive data on monthly visits for all children, not just children in the categories to which the policy is being phased in. Cheryl noted that data from the existing case review process are available, but that complete administrative data will not be available until the policy has been phased in. Jess stated that the Panel learned in a previous meeting that it is possible to gather administrative data on visits, and that all that is missing is a policy directive to field staff to track these visits. Cheryl stated that tracking is part of training for the policy, so that tracking and implementation are phased in at the same time. Jess stated that this is not a logical approach, particularly given that workers serve mixed caseloads of children who will be affected by the policy at different times. John noted that the foster parent survey could provide proxy data on monthly visits, but that the Panel wants to move to the more accurate administrative data as quickly as possible. He asked Cheryl to determine how the monthly visit tracking field could be made operational more quickly. Cheryl stated that she would discuss this with regional administrators and get back to the Panel by 6/15.

Administrative Data

B 3.1.1- Mental Health Assessments within 45 days of placement

Based on the Panel's request, Steve Hassett clarified how this measure is calculated and why the number of children included is a relatively small subset of all children in care. He noted that the measure looks only at children who were new entries to care, met a certain CBCL score, did not receive RSN services in the past year, and did receive an RSN intake. Steve noted that the Department could also look at payment data to determine whether children had received psych evaluations through CA-paid services, but that this has not been done and these data do not include timeframes.

It was decided that measurement of this benchmark should include all children who enter care (not just first time entries) and the measure should be revised so that children without a RSN intake are included in the base calculation. The measure would then look at what proportion of children entering care with a certain CBCL score who did not have RSN services in the past 12

months received an assessment within 50 days of entering care (the change from 45 days, as the benchmark is written, to 50 days, had been previously agreed to by the Panel).

B 3.1.2- Mental health assessments within 30 days of a request

The Panel expressed interest in ensuring that the group of children examined under this measure was not limited. It was agreed that the benchmark should read "children in the class" rather than "children already in placement."

B 3.2.1 Receipt of recommended services within 30 days of an assessment

Steve noted that any examination of what services were recommended through an assessment could not be accomplished through administrative data, and Robin added that this would require a case review of mental health files. Jan indicated that this type of information should be in the CA case file as well, since social workers should be involved in this process and health information should be in the ISSP.

It was agreed that the administrative data measure would not address the issue of recommended services, and that this issue should be revisited as part of the chart review discussion.

B 3.2.4- Clinical staffings for children denied services or assessments

CA requested that the benchmark be changed so that RSNs are not required to attend these staffings, and that 'clinical staffings' be changed to 'shared planning meetings.' Steve noted that the Department would make efforts to have RSNs attend these meetings, but that since services have been denied, this would be an unfunded requirement for the RSNs. Jess disagreed, noting that RSNs need to accept that responsibility. Robin noted that MHD is working with CA to strengthen and clarify the appeal process when services are denied. Jan noted that DSHS, not just CA, signed the Braam agreement and needs to be accountable for improved services. As such, she recommended that the requirement related to RSNs be retained.

It was agreed that the benchmark would be changed to state that shared planning meetings would be held for children who had been denied services and that RSNs would be *invited*. A separate report would be generated to show how often RSNs actually attend the meetings.

B 4.1.1 Same individual provider of mental health services

Steve expressed concerns with this benchmark, stating that the Department does not have control over provider actions in this area, and that there are situations in which a change in provider or even a change in agency may be in the child's best interest. Cheryl added that the indicator is not consistent with many of the EBP models. Steve also reiterated that administrative data in this area would be limited to examining changes in provider agency, not the individual clinician. Robin noted that MHD has developed contract language to reflect the spirit of this requirement.

Jan proposed that this benchmark be placed on hold until data from the foster parent survey are available. That data will provide information on the magnitude of this problem, and the Panel can consider how to approach the benchmark. John agreed, and pointed out that this goal was in the original settlement agreement so that the Panel feels that there must be an outcome in this area. If the parties would like to confer to remove this element, the Panel might consider eliminating the outcome. In the time being, it was agreed to place the outcome on hold.

Foster Parent Survey

John Tarnai provided an update on the foster parent survey. The survey has been in the field since late March, and over half of the 1200 interviews have been completed. Additional staff will be added this month, and John expects to finish interviews by the end of June. He stated that the average length of an interview is 42 minutes, which is longer than expected, but that respondents seem interested and willing to share their experiences.

The group discussed a document using hypothetical data to illustrate a proposal regarding how foster parent survey data could be used to assess compliance matters.

John Landsverk indicated that the Panel had some questions about how “not sure” responses would be counted for compliance purposes. John Tarnai indicated that the “not sure” response is not read to respondents, and is only used when the respondent is unable to decide on a response. He indicated that, for most questions, there are a small number of these responses. He also pointed out that for some questions, when there is more than one caregiver in the home, it is possible that the foster parent responding to the survey will have some areas of uncertainty. John Landsverk commented that, from a research perspective, it is best not to interpret answers such as “not sure”. He agreed with the recommendation that “not sure” responses be excluded and not counted as either in compliance or out of compliance. Jan clarified that the “not sure” responses are still important and should inform practice, even if they are not factored into the compliance measure. John Tarnai confirmed that these frequencies could be included in the data report.

Jess commented that a “not sure” response could be very concerning in some areas, such as when the question relates to a safety plan for SAY/ PAY children. Casey Trupin agreed. Carrie Whitaker pointed out that the proposal for assessing compliance with this benchmark is such that a respondent must answer “yes” to questions related to training, a written safety plan, and a discussion about the safety plan. As a result, “not sure” answers will not end up showing as in compliance. Based on this, the group agreed with the overall proposal to count “not sure” responses as not applicable for the purposes of compliance, but to examine the frequencies of this type of response for informational purposes.

C 1.1.1- adequacy of training- There was discussion of how to count two somewhat ambiguous responses to this question: “already prepared” and “have not had training.” It was agreed that “already prepared” was difficult to interpret and should be counted as not applicable. With respect to “have not had training,” John Landsverk expressed concern about attempting to interpret this type of response and argued for treating this as not applicable. Other Panel members felt this response should be considered out of compliance. The issue was left unresolved.

C 1.2.1- adequacy of support- Ross noted that the components being factored into this benchmark are being given equal weight, and he proposed weighting the overall questions related to adequacy of agency support and social worker support more heavily than the specific questions related to notification or crisis support. Jess agreed with this concern. John Tarnai noted that there is an implicit weighting resulting from larger numbers of not applicable responses to the more specialized questions. Casey suggested that Q94 and Q96, related to social worker support and agency support, be factored into the benchmark as separate components, rather than average together. This would have the effect of increasing the weight of these questions. The group agreed to this proposal.

Ross pointed out Q78, which asks about notification of caregivers at least 5 days in advance of planning meetings, and noted that this policy was not in place until January 2007. It was agreed that this question would not be factored into the benchmark for 2006, but would be used in future years.

Confidence interval- John Landsverk noted that foster parent survey data will be based on a sample of 1200 foster parents, and will be subject to a "margin of error." He asked for the parties' comments on how to interpret this margin of error when examining baseline and performance data. Both parties and the Panel agreed that it would be less accurate and more complicated to factor in the margin of error. As a result, the margin of error will be disregarded when making compliance decisions. For example, if the benchmark expectation is 70%, the required level of performance will be 70%-- performance of 68% (+/- 3%) will not be accepted.

Report- Dorothy Roberts asked about the process for release of data from the foster parent survey and whether CA had a right to review or approve the data before release. It was agreed that the data reports would be released by Washington State University to the Department, the Panel and the plaintiffs simultaneously.

Stakeholder comments

Laurie Lippold expressed concern about areas of the agreement in which progress appears to be slow, including 30 day visits and CHET screens. She noted that the advocacy community has been working to ensure these issues are addressed, but she expressed frustration about the lack of progress. She indicated that it appears that the legislature believes that issues such as caseload size have been addressed. Since this is not the case, legislators then become frustrated when they receive requests for additional funding.

The meeting adjourned at 5:10 pm.

June 6, 2007

Panel Members: John Landsverk (Chair), Jeanine Long, Jan McCarthy, Jess McDonald,

Panel staff: Carrie Whitaker

Plaintiffs' Attorneys: Bill Grimm, Casey Trupin, Bryn Martyna, Tim Farris

Attorney General's Office: Steve Hassett

DSHS Staff: Cheryl Stephani, Ross Dawson, Deborah Purce, Jody Carpenter, Lee Doran, Vickie Stock, Lyn Craik

Others: Alan Willoughby, Martin Cross, Daryl Daus, Mary Meinig, Sydney Forrester, Hyeok Kim

The meeting was called to order at 9:10 am.

Logistics

John Landsverk noted that Dorothy Roberts had departed to attend a conference. He also proposed that the Panel's September 2007 meetings be changed to October 4-5. It was agreed that Carrie Whitaker would follow up with the parties to check availability and make a scheduling decision.

Jeanine Long also mentioned that Representative Ruth Kagi has asked the Panel to meet with her House Early Learning and Children's Services Committee about the difference between Braam and Child and Family Service Review (CFSR) measures, and Jeanine made the suggestion that CA should brief Representative Kagi on this issue.

Administrative Data

C 2.1.1- Foster Parent Training

Carrie Whitaker noted that CA was prepared to provide data for this benchmark in terms of the proportion of foster homes up for renewal who met the training requirement. Bill Grimm questioned the appropriateness of the benchmark, which assesses training over a 3 year licensing period. He indicated that other states conduct relicensing more frequently and require training on an annual basis. Jeanine agreed with the concern that a foster parent could meet the policy expectation, even if they went several years with no training and received all required training in the last year of the licensing cycle. She expressed support for an annual training requirement. Steve Hassett wondered what the penalty for foster parents would be if annual training were not received. Jeanine replied that it would be the same process currently in place if the 3-year requirement is not met, requiring some sort of corrective action process. Cheryl noted that there are many opportunities for foster parent training, but that foster parents have significant demands on their time. John Landsverk agreed that the 3-yr training policy is appropriate, noting that there are additional requirements for training in specialized areas such as SAY and PAY.

Bill reiterated his concern with the existing policy, stating that it is absurd that training requirements for foster parents entrusted with caring for children are lower than for CASAs. Jan noted that the points being raised were important, but that the decision at hand is how to measure the benchmark as currently written.

The Panel decided that CA's approach to measuring foster parent training based on renewal requirements is acceptable to measure the current benchmark. In addition, the Panel will research foster parent training requirements across the country to make a determination

regarding whether the benchmark should be changed to be based on an annual training expectation.

A 1.4.1- Placement stability

Carrie Whitaker noted that the Panel felt that moves to detention and juvenile rehabilitation administration (JRA) facilities should be included in placement counts for the purposes of this measure, and that this is consistent with the federal Child and Family Services Review (CFSR) definition. Steve Hassett objected, arguing that CA has little control over these placements. Jan disagreed, stating that the social worker is often involved in these decisions.

There was significant discussion of processes and statutes related to JRA and detention in Washington. Steve and Cheryl argued that Washington's system is different from other states, such that CA has less influence over these types of placements.

Bill Grimm noted that the settlement agreement refers to federal child welfare policy; therefore, since the CFSR counts these moves as placements, the Braam measure should as well.

John noted that the discussion was approaching this issue from an organizational perspective, but that CA is responsible for these children and, from the child's point of view, these moves are disruptions. Jeanine objected to the implication that these moves are fault of the Department.

It was agreed that moves to detention and JRA should be included as placements for Braam purposes. Steve Hassett reserved the right to provide additional information to convince the Panel otherwise.

Steve Hassett noted that CA has begun working on data with Chapin Hall, and asked whether the Panel would consider using the Chapin Hall approach to placement stability, rather than using an approach specific to Braam. This would assist the Department by allowing some streamlining of data efforts. John Landsverk expressed support for this idea based on Chapin Hall's expertise in this area, while Jess questioned whether the measure developed by Chapin Hall would actually be useful for management purposes. It was agreed that CA should submit a written description for the Panel's consideration of how Chapin Hall's measure is calculated. Unless or until a decision is made to change to that measure, the existing Braam measure will be used.

A 1.1.1 foster parent recruitment

John noted that there are many challenges related to measuring and setting targets for foster parent recruitment and retention. He noted that the Panel is moving toward the use of a ratio of available beds to number of children in licensed care. There appears to be little national research to draw on in setting a standard, but the Panel is proposing that the ratio be 2 beds per child. CA agreed that this approach makes sense.

There was discussion of how this ratio would operate with respect to subgroups by racial/ethnic identify of the primary caregiver. Lee noted that, because a license may list multiple caregivers, and each caregiver may list multiple races, data in this area double count the number of beds in some cases. However, Steve clarified that the overall ratio would not include duplicate counts.

There was discussion of whether compliance would be assessed only at the state level, or at the regional level as well. Plaintiffs referred to the language on this benchmark in the Implementation Plan, which indicates that improvement is expected by region and for the state as a whole, to argue that compliance should be assessed for each region. Carrie Whitaker pointed out that that language is included for most measures in the Implementation Plan, but that to date the Panel has been assessing compliance at the statewide level only. This is a general matter applicable not only to the foster parent recruitment benchmark, but to all benchmarks. Jeanine indicated that it was not her expectation that if a single region was out of compliance, the entire state would be as well. The purpose of regional data was to better assess and learn from variability. The other Panel members agreed with this position. Casey referred back to the Implementation Plan and reiterated that the benchmarks appear to require regional improvement. Cheryl noted that this is a significant issue, and the parties should be given the opportunity to submit written comments for the Panel to make a decision. It was agreed that Carrie would request that the parties submit these comments.

Returning to the discussion of foster parent recruitment, Bill Grimm expressed concern about a measure that does not look separately at adequacy of the foster parent pool for special needs populations, different age groups, etc. Jan agreed with the importance of looking at these populations, but argued that these subgroup data would be for informational purposes, not matters of compliance. Plaintiffs argued that compliance should be required for each subgroup.

It was decided that the benchmark would be assessed based on the overall ratio, and that subgroup reports would be provided for informational purposes. The Panel will further discuss which subgroup reports will be required, and will review the subgroup reports and discuss issues related to subgroup analysis, including the possibility of setting separate benchmarks for subgroups.

Chart Review

John Landsverk noted that the Department had submitted a proposal regarding several benchmarks for which the Panel's intention had been to obtain data through a chart review process. These benchmarks are: matching between children's needs and the capacity of the placement to meet those needs (at the time of initial placement and at the time of replacement); health and education plans in the ISSP (within 60 days of placement and updated every 6 months); appropriate protective measures for sexually aggressive youth (SAY) and physically assaultive youth (PAY); timeliness and thoroughness of investigations of referrals alleging abuse or neglect of children in out-of-home care; independent living skills for youth age 15 and older.

The Panel and parties have agreed that the benchmark related to SAY/ PAY, originally slated for the chart review, will be shifted to the foster parent survey, but the Panel reserved the right to request a chart review if more information is needed. In addition, through recent written correspondence, there is agreement that the benchmarks related to health and education plans will be measured through CA's existing case review process. The Division of Licensing Resources (DLR)/ Children Protective Services (CPS) benchmark, related to timeliness and thoroughness of investigations, will be measured through a new review to be conducted by the Department's case review team, with information on timeliness to be obtained through administrative data.

Sample Size

With respect to sample sizes, John Landsverk noted that CA's proposal appeared to be based on capacity of the existing case review process, rather than a statistical approach to obtain a certain confidence interval. John expressed concern regarding this approach. Ross Dawson noted that this approach was a result of concerns about the significant cost of the sample sizes originally proposed to obtain a 5% confidence interval. John agreed that concerns about cost are valid, and asked Ross to report back to show what confidence intervals would be achieved with the proposed sample sizes. John offered to assist in this effort.

Adolescent Survey

In its written case review proposal to the Panel, CA had proposed the development of an adolescent survey to obtain data related to independent living and transition services. Ross noted that CA would like to discuss the scope, timing, and role of an independent contractor in this process.

John stated that the Panel would like the advisory group proposed by CA to provide input regarding the method of administration of the survey—online, phone, or some other approach.

Bill Grimm stated that the plaintiffs have suggested a youth survey several times. He indicated that hearing directly from youth about experiences in care is critical, and suggested that the survey examine issues related to safety and quality of care. He noted that there is a lot to learn from other youth surveys that have been conducted around the country, and he suggested that questions could be borrowed from efforts such as the Casey Alumni Survey. He suggested that an external entity such as Casey Family Programs may be willing to fund this type of project. Ross noted that CA has approached Casey with this request.

John noted that the Panel had identified Braam issues for which useful information could be obtained directly from youth—these include monthly visits, contact with siblings, education, participation in planning and staffings, and quality of mental health services.

Casey Trupin noted that the National Center for Youth Law is working on an article about existing youth surveys, and those findings could inform this effort. He noted that a very limited survey, designed only to obtain information on the benchmarks under discussion, would be a missed opportunity and would send a very negative message to youth by implying that their views and input are of limited value. Ross stated that it was not CA's intention to be so limited and that the Department agreed with the value of this process and the importance of learning from youth. However, he reiterated that CA has cost concerns and needs to establish some parameters so that the survey scope is manageable. Steve Hassett expressed concerns not solely about cost, but about the purpose of the survey in the context of the settlement agreement.

John Landsverk suggested that CA convene an advisory group to plan the survey with the understanding that that group will be expected to consider costs right from the beginning. Ross agreed. It was stated that there should be representatives from both parties on the working committee, and Ross suggested that CA would invite Casey Family Programs to participate and would make sure there was youth representation in the group.

With respect to timing, John proposed the survey be administered in early 2008 to obtain data on calendar year 2007. Ross stated that this would be achievable, but asked whether the Panel

would be open to looking at information on a school year basis if youth felt this would be more relevant. John said the Panel would be open to this idea.

Matching

Ross noted that the benchmarks related to the match between a child and a foster home were the most difficult to measure.

Lyn Craik provided an update on CA's efforts to measure this benchmark, which included a reading of 1200 cases during the fall of 2006. She noted that there had been significant discussion of how to define a child's needs, and that the group had settled on developmental, medical, and behavioral needs. With respect to foster parent skills and abilities, reviewers found very limited information, and relied on licensure and training information. Even after reviewing such a large sample, reviewers felt that they had not learned much. Information specific to the children entering placement was limited. Even where there was a history of referrals, this information focused overwhelmingly on the needs of the parents, rather than the needs of the children entering care. Large numbers of children were placed as infants or in emergency situations through law enforcement, so that little information was available at the time of placement. When the review was conducted, CA's placement database was not well-used and did not provide sufficient information about foster homes.

Lyn summarized several new policies that will make it easier to obtain information in the future. In May 2007, CA began use of a new "Child Information and Placement Referral Form" which will standardize the information collected at the time of initial or subsequent placement. This form will be in the case record, and in SACWIS after 2008. In addition, enhancements were made to the placement database as of April 2007. This will include much more comprehensive information on foster parents, training, licensure details, etc. Once SACWIS is operational, this information will be available in one place.

Lyn stated that looking at initial placements had not been a good use of reviewers' time. She suggested that it may make sense to consider focusing this benchmark on a subpopulation of children for whom there might be more information at the time of placement. She indicated that CPS cases coded as voluntary services would now be receiving a family assessment, so that future records may include more complete information on this subpopulation.

John Landsverk commented that, even if information is available, it is still difficult to measure the appropriateness of a match. He reported on discussions with colleagues who have indicated that some leading foster care models do not attempt matching, instead focusing on providing foster parents with support, training, and information. Jeanine suggested that matching can be an extremely useful tool.

Jess suggested that some basic matching should and does occur, and that some of this should be more easily measurable. For example, matching occurs based on the age of the child, the location of the placement, ability to place with siblings, and avoiding inappropriate or prohibited placements. He suggested that, rather than attempting a more complicated measure, perhaps these benchmarks could look at much more basic and objective types of matching. Cheryl stated that, in light of these comments, CA will consider this type of approach to these indicators and return with a revised proposal.

Jeanine stated that she had concerns with such a limited approach to matching, noting that the settlement agreement included an action step requiring the Department to develop strategies in this area. She also noted that the rationale behind the current legislation related to the CHET and previous versions of it was to increase stability for children. Cheryl agreed and stated that the Department was working hard on the issue and would continue to do so. She noted that CA is implementing several initiatives that are relevant to this goal, including additional services to support foster parents and expansion of the Mockingbird model.

Stakeholder comments

Martin Cross, YMCA Family Services, expressed his appreciation for the conversation related to expanding foster home availability. He stated that creating a resource-rich environment is critically important, and that too often caseworkers are just looking for a bed.

Mary Meinig asked whether the Panel's benchmarks would capture "placement errors," such as placement of children in homes with a stop placement order. Casey Trupin stated that it would be useful to capture those types of placements under the prohibited placement benchmark.

The meeting was adjourned at 12:10pm.