

MINUTES
Braam Oversight Panel
SeaTac Red Lion, Rainier Room
SeaTac, WA
June 23, 2008

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

Panel staff: Carrie Whitaker

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

Attorney General's Office: Steve Hassett

DSHS Staff: Cheryl Stephani, Deborah Purce, Jody Carpenter, Randy Hart, Debbie Willis, Bernice Morehead, Robin McIlvaine, David Marshall, Stephanie Sarber.

Others: Laurie Lippold, Dave Wood, Alison Krutsinger, Jennifer Strus, Sydney Forrester, Terry Price, Elena Selisie, Mark Supanich, Representative Mary Helen Roberts, Jeff Petty

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

The meeting was called to order at 10:55 am.

Introduction

John Landsverk noted that the 4th anniversary of the signing of the Braam Settlement Agreement will be on July 31, 2008, meaning that more than half of the seven-year duration of the settlement period has passed. John noted that the Panel views this meeting as a somewhat transitional meeting. Over the past several months, the Panel has worked intensively with the parties on a revision of the Implementation Plan to clarify and incorporate changes since the original plan was issued in February 2006. That process will be complete within the next few weeks, at which point the Panel will turn its focus back to monitoring progress toward the outcomes set forth in the plan.

Children's Administration (CA) Update

Cheryl Stephani provided an update on recent Children's Administration activities.

Cheryl noted that the 2008 supplemental budget provided funds to accelerate hiring of staff, and therefore enable the Department to implement monthly visits to all children in care as of September 1. She noted that these positions had been filled, but that vacancies remain due to ongoing turnover. In addition, Cheryl noted that the supplemental budget provided funding for additional CHET screeners and expanded sibling visitation programs. The Department is meeting with parent and sibling visit providers to assess capacity for expansion, and intends to have new contracts in place by the end of September. The supplemental budget also provided funding for seven new licensing staff to address backlogs in that area.

Cheryl noted that Children's Administration has launched a new foster parent recruitment campaign. The campaign was developed with technical assistance from Adopt US Kids, and involved a review of data on foster parents' interests and demographic information in order to develop more targeted marketing materials. In addition, CA is stepping up recruitment efforts in

neighborhoods from which large numbers of children are removed from their homes, in order to expand placement resources in children's home areas.

Cheryl noted that on Wednesday June 25, the advisory committee on racial disproportionality created under House Bill 1472 of 2007 would present its report to Secretary Robin Arnold-Williams. This report examines data on disproportionality in child welfare. By December, the law requires the committee to submit remediation plans to the legislature to address the concerns identified in the report.

Cheryl noted that CA has been working with union partners in response to issues identified in the workload study. In particular, discussion has focused on prioritization of tasks, and whether there are certain tasks that could be done by other job codes. Reports to the legislature on these discussions are due on July 1 and November 15. Jeanine Long asked whether these discussions are addressing expanded contracting out. Cheryl indicated that the focus is on prioritization and assigning tasks to other job codes, but that the role of contracted providers is could also be part of the discussion.

Cheryl noted that the June budget forecast was not as grim as in many other jurisdictions around the country, but that a shortfall is expected. The June forecast showed a shortfall for the biennium of \$160 million more than the previous forecast, for a total projected shortfall of somewhere between \$1 billion- \$2 billion.

Cheryl introduced Randy Hart, who is serving as the interim director of field operations.

Plaintiffs' comments

Casey Trupin noted that the plaintiffs felt that the supplemental budget was a very good budget for children in foster care. In addition to the items highlighted by Cheryl, Casey noted that the budget had included funding for tiered licensing for foster parents. Casey noted that plaintiffs' counsel had been disappointed by the Governor's veto of funding for educational advocates and multidimensional treatment foster care.

Casey noted that the plaintiffs' enforcement motion is going before the Court on Monday, June 30, and that plaintiffs' counsel are still waiting for further detail from the Department on how the funding related to CHET and sibling visits will result in improved outcomes in these areas.

Casey noted that plaintiffs' counsel have expressed their concerns to the Panel regarding monthly visits and the Department's proposed compliance plan and public statements in this area. In particular, he noted that plaintiffs feel that the way in which monthly visit data were presented through the Government Management Accountability and Performance (GMAP) process is misleading and overstates compliance with this policy. In addition, he noted that, although the Department has indicated that the policy requiring monthly visits becomes effective on September 1, 2008 for all children in care, the GMAP presentation indicated a goal of 70% compliance by September 2009. In addition, Secretary Arnold-Williams has publicly stated that the ultimate goal is to achieve the federal expectation of 90% by 2011. Casey pointed out that this falls far short of the Braam expectation of 95% by FY09.

With respect to caseload size, Casey noted that the Department has recently produced data showing average caseloads of close to 18 in some areas, but that confusion remains in this area. CA has not provided data showing how many children are served by caseworkers with

caseloads at or below COA standards. Plaintiffs' counsel feels that clarification in this area is needed. Casey noted that plaintiffs were disappointed with the Department's decision to stop seeking accreditation through the Council on Accreditation, and he noted that several issues that were sticking points in that process have also been concerns under Braam.

John Landsverk noted that Representative Mary Helen Roberts was in attendance. He noted that the Panel had learned that she would be taking an increased leadership role in the area of child welfare, and he welcomed her involvement.

Cheryl Stephani provided additional information on the tiered foster parent licensing initiative mentioned by Casey. Under House Bill 3145, the Department is developing an intensive resource home model to serve children with special needs, such as medically fragile children or those with behavioral health needs. She noted that work is underway with the University of Washington to identify an evidence-based model, and CA is also working to identify sites for this pilot. Implementation is planned for fall 2008.

Revision of Implementation Plan

John Landsverk noted that the original Braam Implementation Plan, issued in February 2006, was developed with significant input from the parties and stakeholders. Since that plan was developed, the Panel and parties have had many discussions related to data and measurement, which has resulted in the need to revise many of the outcomes set forth in the Implementation Plan. In addition, the Panel has heard concerns regarding the large number of outcomes in the plan, and has sought to respond to this concern through the revision process.

John noted that the Panel had drafted a revised version of the plan and provided it to the parties and stakeholders for comment in December 2007. The Panel then revised this draft based on significant input from the parties, and issued another draft in early May. The Panel is now reviewing that feedback, and expects to issue a final revision within the next couple of weeks. Once this is complete, the Panel will turn its attention to issuing a monitoring report. By the time of the October public meeting, the Panel expects to issue two additional monitoring reports.

Monthly visit compliance plans

John Landsverk noted that the implementation of monthly visits to children in placement has been a pivotal issue in the Braam process. He noted that the Panel is cognizant that this issue will be part of the Court hearing on June 30, but he indicated that CA had recently submitted a proposed compliance plan on this issue and several questions have been raised.

John noted that CA's proposed compliance plan indicated that the monthly visit policy would apply to all children as of September 1, 2008. He noted that the Panel had received some clarifications on the policy from the Department via email, and would like to see the policy explicitly state that monthly visits will take place no more than 40 days apart and that the visits apply to children in in-home dependencies, as well as those in out-of-home placement.

John noted that another issue that requires discussion relates to the language of the monthly visit action step in the settlement agreement and in Kids Come First II, which includes references to visits between social workers and children, as well as "parents," "family" and "caregivers." It was noted that, up to this point, the Panel and the parties have focused on social worker visits with children in discussing this action step. However, given the language of

the action step from the agreement, the Panel was interested in clarification from the parties as to the intent of this language.

Steve Hassett indicated that visitation requirements with parents are different depending on whether the child is in out-of-home care (in which case this is governed by the specifics of the case and reviewed by the court on an ongoing basis) or in an in-home dependency (in which case this is analogous to visitation requirements with caregivers). He argued that visitation with parents when a child is in out-of-home care is not within the Panel's purview and is not addressed by the Braam agreement's goals.

Casey Trupin indicated that plaintiffs would want to look back at earlier discussions on this, but that he agreed with Steve's assessment related to visitation requirements for parents and the important distinction between the child being placed in an in-home dependency as opposed to in out-of-home placement. He agreed that the action step's reference to parents relates to situations in which children are in in-home dependencies.

John Landsverk noted that it appeared that there is general agreement by the parties on this issue, but that the Panel would still like to receive written comments from the parties on the interpretation of the original action step language.

Casey Trupin raised concerns related to the GMAP data, and asked why these data had examined whether a child had been visited in the last 40 days. He noted that this measurement is inconsistent with the monthly visit policy. Steve Hassett stated that this question is not relevant because the GMAP data had not been and will not in the future be submitted for Braam purposes.

Jess McDonald asked for clarification as to whether, as of September 1, 2008, 100% of children would be visited by social workers. Cheryl Stephani confirmed that the policy would be effective in September and the expectation would be that all children would receive monthly visits. Jan McCarthy expressed concern about the fact that the Department's GMAP presentation indicated a goal of 70% compliance by September 2009 and an eventual goal of only 90%, noting that this falls short of Braam expectations and timelines. Cheryl noted that the reference to 90% relates to the federal requirement. She stated that, given that the current policy is visitation every 90 days, there will be operational challenges as the Department gears up for monthly visits.

Jan asked whether the Department understands and intends to meet the Braam requirement. Cheryl stated that they do, and that if they are not reaching the target they will change their strategies. She referenced the work with the union on prioritization of tasks and a planned permanency push as strategies to reduce workload to enable a focus on monthly visits. Steve Hassett stated that the goal is the highest possible level of performance, and that actual performance would be an ongoing monitoring issue for the Panel.

Jeanine Long referred to the language of the proposed compliance plan, and expressed concern with statements that appeared to be caveats indicating that the Department may not achieve the goal of monthly visits for all children. Cheryl stated that this language is meant to reflect that they are aware that there will be challenges to achieving this goal, such as the learning curve related to FamLink that could take workers' time, and the possibility that there could be a spike in the placement population.

Dorothy Roberts stated that the Panel feels uncomfortable with the language of the compliance plan because it is as if the Department is already anticipating the reasons it might fail to meet the monthly visit expectation. She noted that a compliance plan is intended to tell the Panel how compliance will be achieved, not to outline reasons it may not. Jeanine Long agreed with the concerns, and she noted that the inconsistent GMAP data and goals send the wrong message.

Steve Hassett stated that the Department understands these concerns, but he pointed out that the action step and outcome are separate issues. The question the Panel should address related to the compliance plan is whether the policy is, on its face, sufficient to address the action step. Then, monitoring of the outcome is a separate and ongoing process.

Jess stated his feeling that the Department is not telling the Panel how it will achieve compliance, and indicated that he has trouble simply trusting that compliance will be achieved without specific information. Cheryl noted that the Department has been working on the issue of exactly how the policy will be implemented. She noted that regional plans have been developed, which could be provided to the Panel. Jan McCarthy stated that she believes that specific strategies like this should be part of a compliance plan.

John Landsverk noted that there is a tension within the Panel on the expectations for a compliance plan, particularly as it relates to outcomes. He noted that the Panel had requested a compliance plan addressing both the action step and the outcome, but that these issues would need to be untangled.

Casey stated that there is a difference between developing and implementing a policy, and that the latter should be interpreted as all children consistently being visited on a monthly basis. Bill Grimm agreed, noting that the action step language wouldn't have included the word "implement" unless it meant to require that visits were actually being conducted, not just that a policy has been placed on the books. John Landsverk noted that the Panel had struggled with exactly how to define the word "implement," and how the action step and outcome should be related. Panel members suggested that more frequent submission of data on monthly visits may be required by the Panel.

Foster Parent and Adolescent Surveys

John Tarnai from Washington State University (WSU) provided an updated on the foster parent and adolescent surveys.

For the foster parent survey, calling began in May, and over 1200 interviews have been conducted. Within the next week, John expects that the interview process will be complete, with a total of 1300 interviews. Interviews are slightly shorter than last year, with an average duration of about 30 minutes, rather than 36 minutes. The refusal rate remains low, with about 250 refusals.

Interviewing is also ongoing for the adolescent survey, which includes youth age 15-18 who were in care during 2007. Reaching the goal of 800 completed interviews has presented a challenge, as it has proven difficult to contact youth who are age 18 and have exited care. Many of these youth have not left forwarding contact information. Nearly 700 interviews have been completed, with an average time of 26 minutes and a low refusal rate.

Jan McCarthy asked how WSU is contacting youth who have aged out. John explained that they are contacting the last foster parent, and if there is no forwarding information, WSU is following up with CA. Representative Roberts asked whether the inability to contact some youth would skew the outcomes. For example, homeless or incarcerated youth might be more difficult to contact, and therefore could be left out of the survey. John Tarnai agreed that this would be an area to try to explore to see whether there are certain populations that are underrepresented.

Jeanine Long stated that youth who do not leave contact information with their foster parents may be those who had a more negative relationship or foster care experience. John Landsverk cautioned against reading too much into these situations, noting that there could be many reasons a young adult might not remain in touch with his/her foster parents. Cheryl Stephani pointed out that the 16 and 17 year old youth participating in the survey would be a more representative sample.

John Tarnai mentioned that he would be conducting qualitative sessions with youth around the state. He indicated that he could try to explore this issue during those sessions.

Break for Lunch

Priority Performance Measures *(see separate power point presentation)*

David Marshall of Children's Administration provided a presentation related to the Department's priority performance measure (PPM) initiative. He noted that this is an effort by CA to sharpen the focus on key outcomes. Workers and offices are frustrated by so many external measures, and the identification of priority performance measures is an attempt to focus on those measures that are most solidly linked to improved outcomes. The process is based on a logic model, with ongoing testing of hypotheses regarding what strategies will be most effective. He noted that this is a fluid process, designed to allow for changes in strategies based on whether progress is being made.

David shared a list of priority performance measures. Casey Trupin observed that the measure related to social worker visits with children referred to visits within 40 days; David replied that this was an outdated slide and should be updated. Jeanine Long asked how the CHET measure defines a completed CHET; David stated that it captures CA's date of completed assessment, and he wasn't sure whether this met the Panel's needs.

John Landsverk asked whether this is a list of measures that can be added to, and how the Braam outcomes fit into this process. Cheryl replied that the purposes is to make sure that the Department is working toward ultimate outcomes, and that there is reason to believe that improvement on these particular measures will lead to those outcomes. The process of testing those links is ongoing.

Jess asked whether CA had considered Braam requirements when developing its list of priority measures. David indicated that the goal was to come up with a set of measures that are distinct from each other, not duplicative, and linked to outcomes. Jan asked for clarification regarding how the data had been examined to see whether, for example, a completed CHET leads to improvement in ultimate outcomes. David replied that he has used a variety of multivariate statistical models to control for the influences of other factors to try to isolate the impact of a

particular strategy. Jess pointed out that if the indicator is flawed going in, such as using an inadequate definition of a complete CHET, the results will be flawed as well.

John Landsverk stated that this is a broad approach that was not designed for Braam. He indicated that he liked the plan under this model to look at data more frequently, on a quarterly basis rather than annually.

Jeanine Long said she was trying to figure out how this relates to Braam. She noted that many Braam measures are not included in the list of priority measures, and asked whether this means that the Department is trying to do less of Braam. Cheryl replied that the goal is to figure out the interim measures that link to ultimate outcomes. Carrie Whitaker asked for clarification as to whether the particular measures selected here are on this list because some testing process has been conducted and found these links. David replied that not all of these measures have been tested. Jeanine asked whether, by not including Braam measures on this list, the message to social workers will be that those items are not important. Steve Hassett indicated that the testing process might reveal that there are measures in Braam that do not show evidence of a link to ultimate outcomes. Jan McCarthy asked how the Department will determine whether there is evidence that the Braam outcomes link to ultimate outcomes if those measures are not on the list to be tested. David Marshall noted that this is not a closed system, and that the next year will be a time of revision and analysis.

Dorothy asked how this process relates to Braam. Cheryl indicated that this type of analysis could be helpful in developing compliance plans to improve outcomes. Jan observed that there are no long-term measures of well-being, which is a key focus of Braam. David replied that well-being measures are notoriously difficult to define, and that all that has been included for the time being are measures related to older youths' transition to independence.

Jeanine reiterated the concern that not including Braam items on this list would send a message that Braam compliance is not important. Cheryl stated that this process in no way conflicts with Braam, it is simply a different tool. Dorothy wondered whether this tool was being used to evaluate the linkages between measures and outcomes, or to propose measures for elimination.

John Landsverk summarized that the Panel did not seem to view this as a tool that has much promise for Braam, and that he is hearing concern that sharpening the focus on some measures will reduce the attention paid to others. Jeanine agreed, noting that the word "priority" in "priority performance measures" indicates that the other measures are not important. It was suggested that Panel staff work with the Department to better understand this process and possibly suggest measures that should be tested and analyzed for links to ultimate outcomes.

Casey Trupin reiterated his frustration with the reference to 40 day visits in the presentation, and asked how that could possibly have been allowed to appear in print. Cheryl indicated that this was the way the measure had been constructed, but that Braam data would not be reported in this way. Casey reiterated that this sends a mixed message.

FamLink *(see separate power point presentation)*

Jeff Petty, a consultant working with Children's Administration, provided an update on FamLink implementation. He referred to the Panel's overarching question of whether Braam measures had been addressed in FamLink, and stated that they have been, and that a related document was provided to the Panel to detail how these measures were being addressed. Jeff noted that

release 1 of FamLink, which includes all case management functions, is scheduled for December 2008.

Jeff's presentation discussed the many user and interest groups involved in the development of FamLink and the intensive planning efforts leading up to the design. Jess complimented the Department on having involved case managers and other users in the design process, noting that this is a critical step that has not always taken place in other jurisdictions. Jeff noted that this change would be massive in scope, but would provide great enhancements from a case management perspective.

Jeff provided an explanation of the document provided to the Panel showing each Braam measure, and the fields and screens in which FamLink would capture these data. He reviewed several examples. Carrie Whitaker asked why the document stated that certain measures were "partially supported" and others were "supported." Jeff replied that this document is a draft, and this process is evolving on an ongoing basis.

Jeff provided examples of health and mental health data, noting that this information would be captured in one place. Based on the example of EPSDT data, Carrie Whitaker asked whether Braam data for this type of item would continue to come from the Health and Recovery Services Administration data source (HRSA) or from FamLink. It was stated that these issues are still being considered.

Jeanine asked about the ability to make changes in the type of data captured in FamLink. Cheryl noted that it is too late for changes in release 1, but that changes can be incorporated for release 2, or through an ongoing process after that. Jeanine referred to recent comments from CA regarding action steps in the implementation plan related to data on adolescents' suspensions, expulsions, JRA placements, etc., and asked whether FamLink could be changed to accommodate collection of data that hadn't been incorporated in the design.

Jan McCarthy asked whether there is some sort of deadline to review the revised Implementation Plan in the context of FamLink to see whether all needs are addressed. Jeff indicated that the FamLink team is already setting up a process for changes. Steve Hassett noted that a number of outcomes have been changed in the revised Implementation Plan, but that most of these changes didn't require new data, but rather different ways of looking at data that would be captured. As an example, he referred to the change in measurement of foster parent resources from looking at the number of beds to the ratio of beds to children.

Jeff noted that the FamLink group is developing reporting capabilities for many stakeholders. He noted that they do not yet have an answer to the Panel's question of exactly when data will be available for each individual outcome and which information will be carried over from FamLink, but he stated that they would be able to address this question in the fall. Jeff confirmed that information from CAMIS will be incorporated into FamLink, and that some information will be manually entered, some information will automatically be transferred, and some will be archived separately.

Jess asked about the presentation's reference to "new practice." Jeff replied that FamLink would support, for example, the ability to conduct a family assessment rather than a child assessment. Jess asked for more information on the practice changes, and Cheryl noted that

the Department would provide written information to the Panel on the practice model, and that the director of the practice model could attend a future meeting if desired.

Jeanine reiterated concerns about data transition, and noted that if data are not available, the Panel will consider this out of compliance. Jeff noted that these measures have been planned for, and planning is ongoing for the transition process.

John reiterated the concern about changes as a result of the new Implementation Plan, and suggested that Carrie connect with the FamLink group to ensure the new requirements are understood.

Public Input

Laurie Lippold asked for clarification as to whether, as of September 1, 2008, it will be the Department's policy, practice and expectation that all children will be visited every calendar month. Steve Hassett and Cheryl Stephani confirmed that it would be. Laurie asked whether this meant that any failure to provide visits would then be a supervision issue, and Cheryl agreed.

Dave Wood, Washington Families United, stated that he attended the meeting with the hope of hearing about progress at the system change level, because he believes the system is dysfunctional and cannot be changed one case at a time.

Additional Comments on Revised Implementation Plan

John Landversk raised two issues in the revised Implementation Plan on which the parties had provided comments.

With respect to the outcomes related to the CHET, he indicated that both parties had disagreed with the Panel's approach of creating separate outcomes for the individual domains involved in CHET screening (e.g. medical, developmental, educational, etc). John stated that the Panel had agreed that the approach using individual domains should be retained, but Jeanine Long stated that she didn't recall that agreement. Panel members noted that there had been a miscommunication and this issue would be revisited by the Panel. Casey Trupin noted that plaintiffs feel that it is important to have a single outcome assessing the completeness of the CHET, rather than separate outcomes looking at individual domains.

With respect to the caseload size outcome, John Landsverk noted that the Department had indicated that it was not feasible to provide data on this measure as currently constructed by the Panel (which looks at the percentage of children served by caseworkers whose caseloads are at or below COA standards). However, based on their familiarity with the Department's data in this area, Panel members believe that these data should be available. Therefore, the Panel plans to retain this approach in the final revised Implementation Plan.

The meeting was adjourned at 4:55pm.