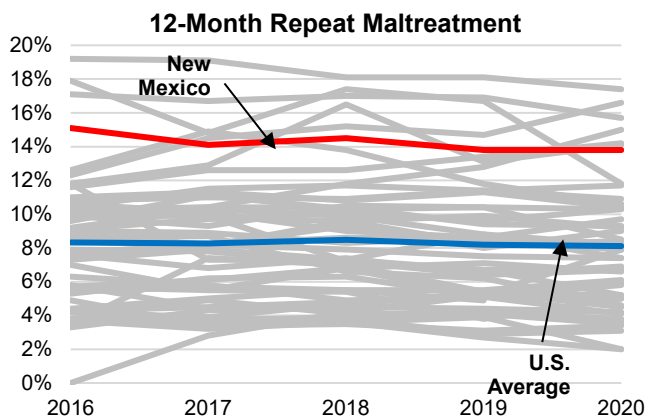


Topic Area: Repeat Child Maltreatment

Over the long-term, repeat child maltreatment causes physical, psychological, and behavioral consequences leading to negative outcomes for individuals and society. New Mexico consistently ranks among the top six states for repeat maltreatment occurring within 12 months of an initial allegation. Several evidence-based options and programs may reduce and prevent repeat maltreatment and better leverage the child welfare workforce. These include improving the use of screening and assessment tools, intervening early with the level of intervention, matching the level of risk, and following through with the appropriate supports and services backed in research. In recent years, the state enacted legislation and significantly increased appropriations in support of these objectives. Yet, the rate of repeat maltreatment in New Mexico remains almost double the national rate.

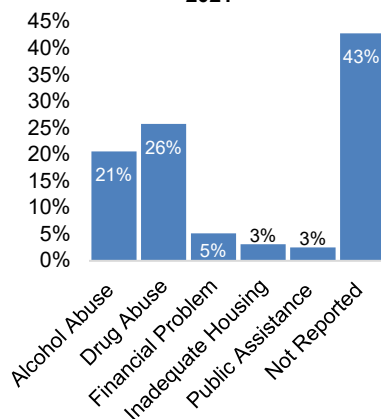
Key Data



Source: ACF Children's Bureau

- If New Mexico had the same rate of repeat maltreatment as the national rate, roughly 360 fewer cases would occur annually.
- Leading drivers of child maltreatment include parental substance abuse, poverty, domestic violence, parental history of trauma, and other behavioral health issues.
- The state, through Medicaid and other means, is investing to address these root causes by increasing funding for behavioral health, substance use treatment, and other services significantly over the last several years.

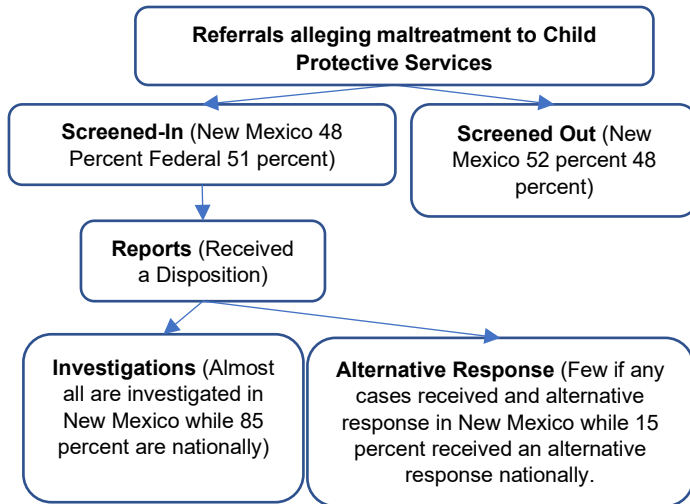
New Mexico Child Victims With Caregiver Risk Factors 2021



Source: ACF Child Maltreatment 2021

- By far the two leading risk factors for child maltreatment in New Mexico are caregiver alcohol and drug use.
- In 2019, New Mexico enacted legislation to coincide with the federal Comprehensive Addiction and Recovery Act (CARA) plans of safe care, requiring healthcare providers that observe newborn drug exposure or fetal alcohol spectrum disorder to develop a plan of safe care before discharge.
- Reducing the likelihood families will end up in the child welfare system by targeting prevention services at families with alcohol and drug use prenatally or immediately upon birth is likely to have the greatest impact.
- A 2023 LFC CARA evaluation found substantive gaps in implementation and recommended moving responsibility for the program to the Health Care Authority, which oversees MCOs and care coordinators, who are responsible for developing and implementing plans of safe care.

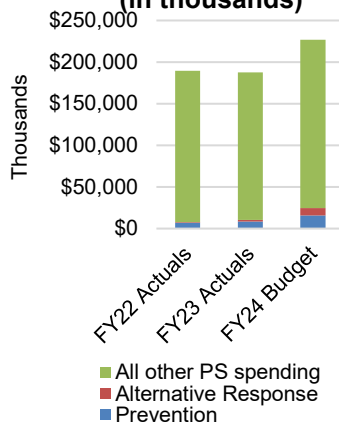
Use of Alternative Response Can Reduce Protective Services Worker Caseloads



LFC Files and ACF Child Maltreatment 2021

- In 2019, New Mexico enacted legislation establishing a multilevel response system, also known as alternative response or differential response, in cases of reports of abuse and neglect. New Mexico did not start its alternative response (like) pilot, previously known as Family Outreach and Community Engagement (FORCE), until 2021. The program is now called Family Outreach.
- In traditional alternative response (AR) models, the process is split into two tracks: investigation and assessment. When a report of suspected child abuse or neglect is received, an initial assessment determines whether the concerns are serious and whether the case should be assigned to the traditional child protective services (CPS) track or whether an alternative response track is appropriate.
- If AR is appropriate, CPS should connect the family to resources that reduce the likelihood of additional reports and continue monitoring the family.
- AR can help reduce the number of cases that are formally investigated and open for ongoing CPS involvement, which can help to reduce caseloads for CPS workers and preserve families.

Protective Services Spending FY22-FY24 (in thousands)



Source: CYFD

- FY24 Protective Services appropriations were 14 percent higher than FY23 and included a \$15.9 million TANF transfer from the Human Services Department (now the Health Care Authority).
- Appropriations address workforce salary competitiveness, prevention programming, support for youth aging out of foster care, and several other areas.
- Spending on prevention within the Protective Services Program has grown significantly since FY18, when CYFD spent less than \$2 million on prevention services.
- Revised estimates of CYFD actual spending on prevention and alternative response in FY23 are roughly 5 percent of all Protective Services spending. The agency reports budgeting \$24.8 million for prevention programs and alternative response in FY24, roughly 10.7 percent of the Protective Services budget.

Protective Services Caseload Estimates August 2023

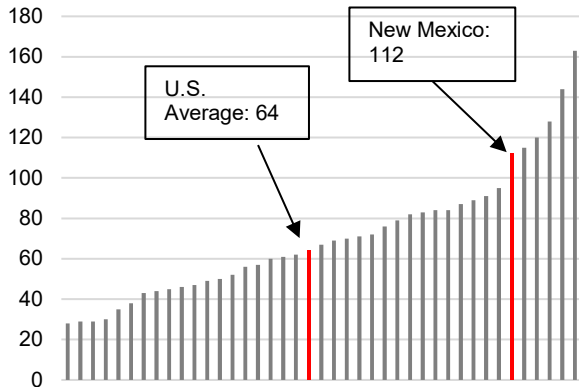
	Benchmark	Average Caseload as of August 2023
Investigations	12 Active Cases	10
Permanency Planning	15 Children	20
Placement	25 Licensed Families	20
In-Home Services	8 Active Families	No Estimate

Source: CYFD August 2023 Desktop Report

- As of August 2023, child protective services caseloads in investigations and placement met agency targets, while caseloads in permanency planning exceeded the targets. The agency would need to fill an estimated 25 additional permanency planning worker positions to meet the caseload targets.
- As of fall 2023, CYFD had roughly 50 vacant permanency planning workers and more than 580 vacancies in the Protective Services.

- In the first quarter of FY24, the turnover rate among protective services workers was 32 percent. The agency’s target is 20 percent.
- Workforce shortages are a constant issue in New Mexico’s child welfare system, with shortages of social workers, caseworkers, investigators, and other workers in the service provider network.
- For example, the state’s caseloads for alternative response workers are roughly twice the national average.
- A recent CYFD workforce development plan and survey noted Protective Services staff ranked workload, self-care, and compensation as the most pressing challenges facing staff.
- To address these shortages, in FY23 the Legislature appropriated \$20 million to develop more behavioral health provider capacity for children and \$50 million to higher education institutions to increase social worker teaching faculty endowments to expand programs and graduates. Multiple LFC reports have noted the \$20 million appropriation for behavioral health provider capacity remains unspent.
- FY24 legislative appropriations included a \$3 million special appropriation to implement the department’s workforce development plan, \$5 million to implement an appropriate placement salary adjustment among Protective Services workers, and nearly \$3 million for additional staff. While CYFD held several recruiting events in FY24, less than \$100 thousand of the special appropriation has been spent, leaving a balance of \$2.9 million unspent as of November 2023. CYFD did not request a reauthorization of the \$3 million special appropriation for workforce in their FY25 budget request.

National Caseloads of Investigations and Alternative Response Workers 2021*



*Completed Reports per Investigation and Alternative Response Worker, some states do not report

Source: ACF Child Maltreatment

Performance Challenge: Preventing Repeat Child Maltreatment by Expanding Evidence-Based Prevention and Intervention

LegisStat Recap

At the May 2023 LegisStat hearing focused on child maltreatment, and committee members asked about goals for reducing child maltreatment as well as the department’s plans for implementing and improving the CARA program and plans of self-care.

Progress

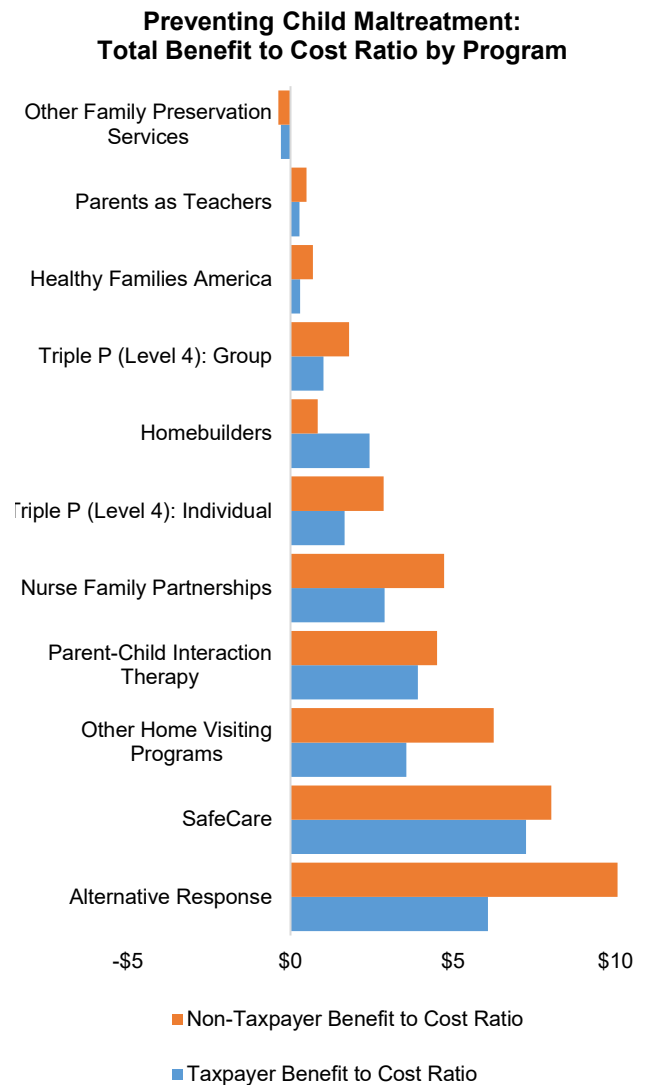
During the 2023 Legislative session, both the executive and the legislature proposed Protective Services reforms, including amending the state’s statute governing Comprehensive Addiction and Recover Act plans of safe care, establishing a child welfare system oversight entity within the Attorney General’s Office, shifting responsibility for removing children from law enforcement to the department, and an executive order that created an Advisory Council and restructured parts of the department.

Since the executive order, the department convened a policy advisory committee to recommend reforms and created a new website that includes a dashboard that reports on several measures such as the number of children in state custody and their status, foster placement, office stays for children in custody, and several other metrics.

Prevention and Early Intervention

Additionally, in FY24 the Legislature sought to equip the department to improve child outcomes by aligning the department’s budget with national child welfare best practices and trends and prioritizing evidence-based strategies for maximizing family unity and preventing the use of foster care, when appropriate, consistent with needed improvements in response to the *Kevin S.* lawsuit settlement. With a 14.1 percent increase in all funds to Protective Services to improve performance, CYFD has the opportunity to adopt or expand evidence-based prevention programming and to make workforce recruitment, retention, and development improvements. A total of \$15.9 million in federal TANF revenue was appropriated in FY24 to fund various evidence-based prevention and intervention services. Another \$7.6 million in general fund revenue is available to match federal Title IV-E revenue if spent on programming with a strong evidence-base, as identified by the federal government. In addition, the legislature made appropriations from opioid settlement revenue, including \$1 million to implement plans of safe care (the CARA program) and \$1 million to stand-up Safe Care Home Visiting.

In September 2022, CYFD submitted a federal Title IV-E Families First Preventions Services Act (FFPSA) plan. The purpose of the plan is to begin using federal support to stand up prevention and intervention programs that are identified in the federal Title IV-E clearinghouse such as Healthy Families America, Child First, Safe Care. To date, the state’s plan has not been approved, and thus New Mexico is unable to receive federal Title IV-E funds for



prevention services. If the state’s plan is not accepted by the federal government, CYFD should seek to revise and resubmit.

In FY23, Protective Services spent an estimated \$10.2 million on prevention and early intervention services. Of this spending, only an estimated 38 percent was spent on programs that are research or evidence-based. Many of department’s community-based prevention and intervention programs are delivered by community providers, and CYFD did not collect data about specific program participation or expenditures. Beginning in FY24, CYFD is contracting with providers to deliver curricula categorized as promising or higher in the Results First Clearinghouse database and will require providers collect and report participation, expenditure, and outcome information. Requiring providers use programs with a research basis is a positive step, and CYFD should also ensure that the programs delivered have been shown through rigorous research to reduce child abuse and neglect specifically and are eligible for federal reimbursement either through Medicaid or Title IV-E to provide a path to funding sustainability with expansion.

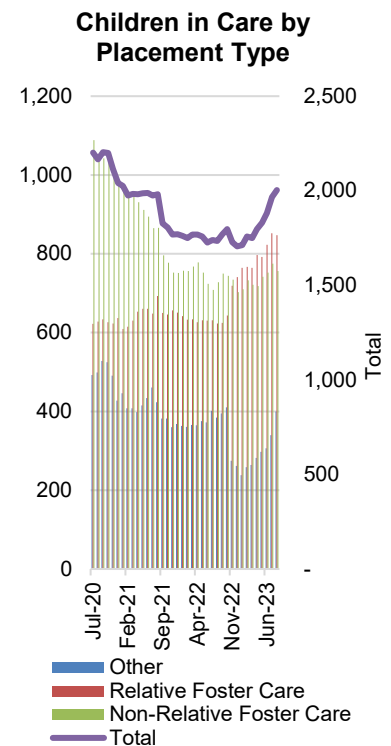
CYFD’s FY25 budget request includes a reorganization of the department and creation of a new program, Family Services, to focus on prevention and intervention. The CYFD budget request reallocates \$45.6 million from other CYFD programs and includes an expansion request of \$6.6 million to fund the new program.

Alternative Response

In a traditional alternative or differential response model, reports of maltreatment are split into two tracks: investigation and assessment. When a report of suspected child abuse or neglect is received, the child welfare agency determines whether the case should be assigned to the traditional child protective services investigation track, which may involve removal, or whether the case may be assigned to an alternative response. In an alternative response, protective services workers connect the family to resources and continue to monitor the family directly. New Mexico is implementing a model that is somewhat different but does refer some families for external services. Several LFC reports have flagged concerns about implementation of alternative response. During the fall of FY24, CYFD shared plans to expand the state’s approach to differential or alternative response. The program, previously known as Family Outreach and Community Engagement (FORCE) and now called Family Outreach, is meant to be an evidence-based approach to prevent child maltreatment and avoid costly and more traumatic interactions with the child welfare system by diverting families into services rather than putting the families and children through traumatic removals, when appropriate.

Foster Care

Between 2017 and 2022, the number of children in foster care in New Mexico had been steadily declining. However, this trend reversed in FY23. In August 2023, 2,003 youth were in foster care, an increase of 15 percent over August 2022. Of these youth, 42 percent were placed in relative care, 38 percent were placed in non-relative foster care, and 20 percent were placed in other settings. Previous LFC reports highlighted that CYFD may potentially be over-removing children. A 2020 LFC report found New Mexico’s rate of short-term placement in foster care was 40.9 percent, compared to a national average rate of 8.7 percent. Short-term placements are instances in which children stay in foster care for less than 30 days, and previous LFC reports have noted most short stays in New Mexico are less than 8 days. During federal fiscal year 2023 (FFY23), CYFD reported a total of 1,331 removals, up from 1,033 removals in FFY22. In FFY23, 394 (29.6 percent) of these removals were short-stays, an improvement since 2020 but still higher than the national average. Short stays are an important measure to monitor because they may lead children to experience a traumatic removal that could have been avoided and are costly to the state.



Finally, performance measures from the first quarter of FY24 indicate several concerning trends, including a reduction in the percent of foster youth who have visited with a case worker in the last month and lengthier time to permanency among youth in foster care.

Performance Challenge: Meeting Child Welfare System Workforce Needs

LegisStat Recap

Previous LegisStat hearings included many questions related to CYFD workforce development such as whether the department has workforce plan to address compensation, training, and loan forgiveness. The committee also wanted to know more about whether the CYFD workforce is licensed and credentialed at a sufficient level and what might be done to improve the professionalization of the workforce. At that hearing, the then Secretary Barbara Vigil committed to reducing the Protective Services turnover rate to 20 percent and promised to provide data related to the education, licenses, and credentials of the workforce, so the Legislature could better assess workforce needs.

Committee members also asked about other options for improving the effectiveness and efficiency of the existing workforce. Some members wanted to know whether alternative response programs could be used to improve the efficiency of the workforce. Lastly, members wanted to know about strategies to attract more social workers from out of state and whether the department had considered these strategies.

Progress

Workforce shortages continue to hamper the state's efforts at addressing childhood maltreatment. New Mexico faces high demand for social workers, caseworkers, and investigators causing high caseloads and, in some cases, missed opportunities to prevent abuse. Much of the shortage is due to poor recruitment and retention because working in the child welfare system is stressful, exposure to trauma is common, and the job is emotionally taxing. Additionally, many people recruited by the department have a skills, education, and licensure mismatch and leave due to a lack of training. CYFD has not focused Protective Services Program recruitment on licensed social workers and has reduced education requirements for Protective Services workers over time, citing social worker shortages.

During the 2023 legislative session, appropriators worked to equip the department to address some of its workforce challenges by including funding for appropriate placement salary adjustments, ensuring the salary structure is internally aligned, and adding funding to fill at least 60 full-time positions in the Protective Services and Behavioral Health Services programs for FY24. Also addressing workforce, the Legislature included a \$3 million nonrecurring special appropriation to support the department's workforce development plan, to improve supports for front-line workers who experience secondary trauma, expand training and professional development, increase in and out of state recruitment campaigns, provide recruitment incentives for licensed social work graduates, and improve mentorship and leadership development within the department.

In 2023, the department took several actions to address workforce shortages, such as increasing salaries for certain hard-to-fill front-line positions. In addition, the department held rapid-hire events to recruit staff and fill vacant positions. However, turnover remains a challenge. After ticking up slightly in October to 1,633 following a rapid hire event, CYFD staffing levels dropped by 2 percent in November to 1,619 FTE. Of the 35 employees who exited the agency in October, 16 (46 percent) worked for CYFD for less than one year. In the first quarter of FY24, the turnover rate of Protective Services workers was 32 percent. As of December 1, CYFD headcount increased to 1,646 FTE, and the department's vacancy rate was 26 percent.

As of November 2023, CYFD had spent less than \$100 thousand of the \$3 million special appropriation to implement the workforce plan and did not request a reauthorization of the appropriation for FY25. CYFD reports using the appropriation to support rapid hire events, and SHARE data suggests the department has also used a portion of the appropriation for a program to help social workers prepare for the American Board of Social Workers examination. To date, \$2.9 million of the special appropriation remains unspent.

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