



AGENCY: Children, Youth and Families Department

DATE: September 27, 2017

PURPOSE OF HEARING: Update Protective Services Program

WITNESS: Secretary Monique Jacobson

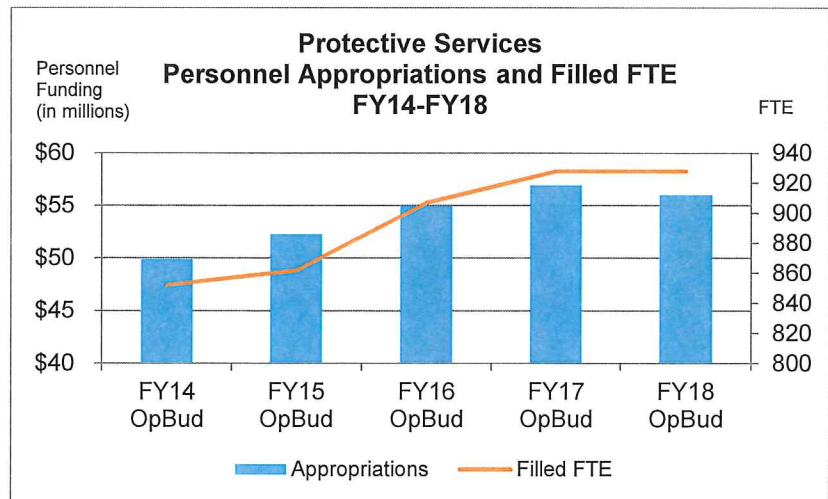
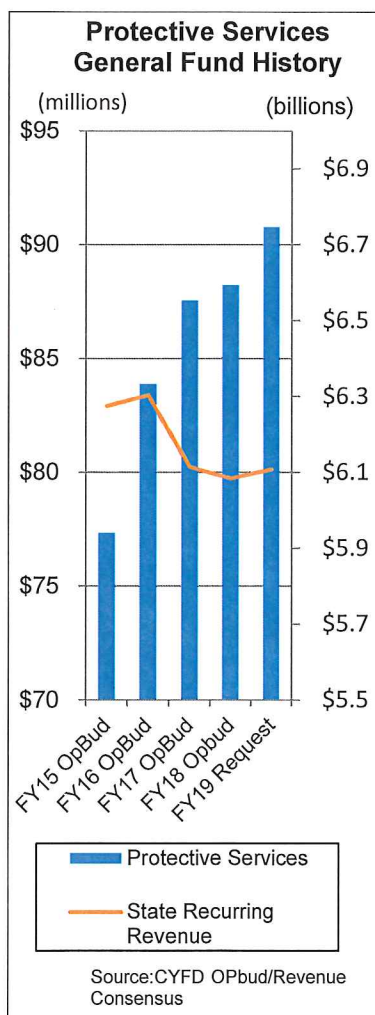
BACKGROUND INFORMATION

The Children, Youth and Families Department (CYFD), Protective Services Program, conducts child abuse and neglect investigations and provides in-home services, foster treatment, and foster and adoptive placements. High rates of repeat maltreatment, high caseloads, and staff turnover are concerning.

Protective Services Funding

While a majority of state agencies have seen reduced general fund support due to declining revenues, the Protective Services program has received increased appropriations. In recent years, general fund appropriations for Protective Services have been targeted to decrease caseloads and increase financial support for children in care of the agency. However, the number of children in care has continued to grow straining the system and out-pacing funding increases.

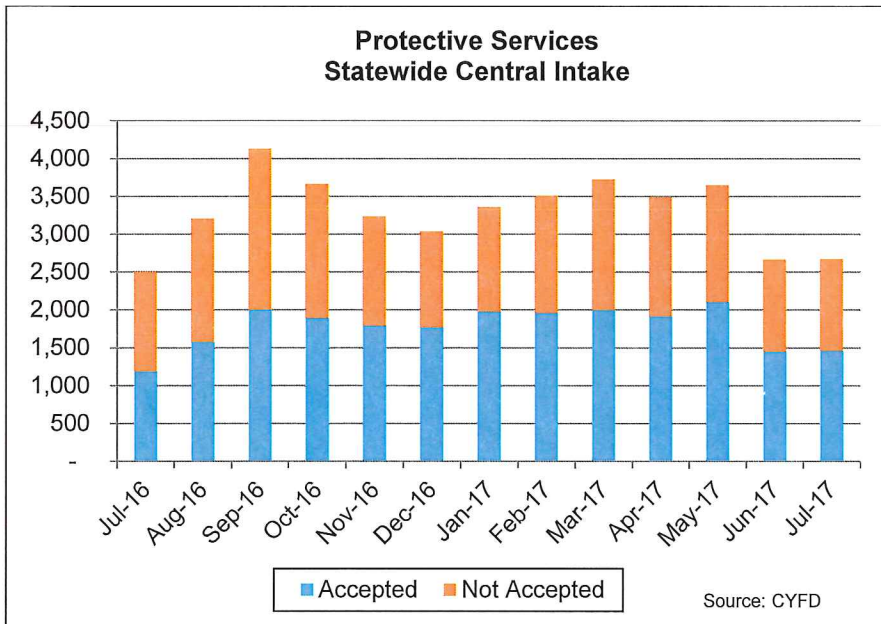
Funding for personnel has risen significantly in recent years. Between FY14 and FY18 personnel in the Protective Services have risen nearly \$6 million and an additional 76 FTE; a majority of those for direct services including investigators and permanency workers. However, high turnover rates have hindered some efforts to reduce caseloads through increased personnel funding. Turnover rates in the child welfare system are higher than most other public sector turnover rates nationally, due to high staff burnout and secondary trauma. CYFD reported turnover rates close to 30 percent in FY15 and FY16. The turnover rate declined slightly in FY17 to 25.5 percent. Several strategies including rapid hiring events and student loan repayment programs have targeted improvement of the agency turnover rate. Going forward, compensation may need to be considered for protective services workers to reduce the turnover rate. The continued reduction of turnover rates is important to provide families with experienced staff and a less fragmented system.



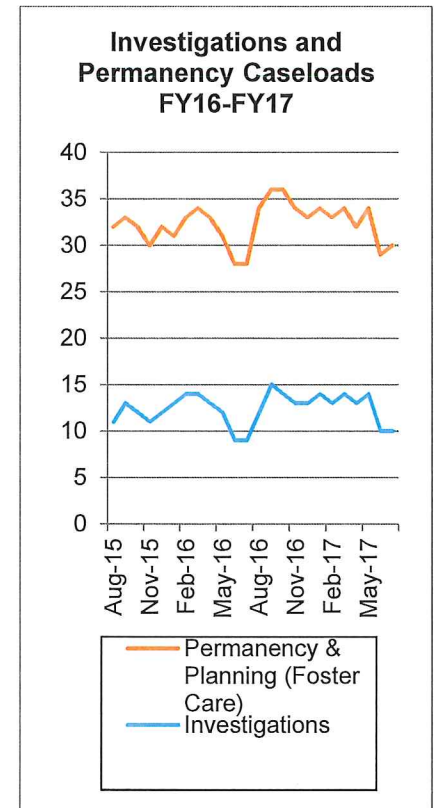
Caseloads

In FY17, the number of children in care of Protective Services increased by about 150 children, or 5 percent. Total reports of maltreatment were slightly higher, around 6 percent, an average of nearly 3.3 thousand reports every month; of those, an average of 1.7 thousand cases were accepted for investigation. In addition, more reports of child maltreatment were accepted for further investigation during FY17. The increase of children in care, volume of reports, and accepted reports all increase caseloads for the Protective Services program.

Between FY15 and FY17 Protective Services received an additional \$4.1 million and 77 FTE for the Protective Services program alone. A majority of these FTE were for permanency planner staff, who focus on the placement of children in custody of the agency, and investigation staff.



In FY17, the average monthly caseload was 20 for permanency planners and 13 for investigators. The Child Welfare League of America recommends permanency planning workers have an average caseload of 12 to 15 and 12 investigations per worker per month. In FY18, the agency received an additional \$1 million general fund to reduce vacancy rates in a continued trend to reduce caseloads.



Vacancy and Turnover Rate for High-Demand Positions FY17

Agency	FTE Affected	Annual Turnover Rate	Current Vacancy Rate
CYFD			
Youth Care Specialist	231	21%	14%
CPS Social Workers	509	25%	10%
Nurses	20	20%	15%

Compensation

In FY18, CYFD conducted an internal compensation analysis. Salary increases were provided to around 250 agency staff, or 10 percent, as follows:

For additional CYFD performance data and outcomes see FY17 4th Quarter Children, Youth and Families Report Card. (Attachment A)

Rigorous research has demonstrated that some programs and strategies can improve outcomes and keep children safely at home with their families. Strategic investments, along with careful attention to implementation and performance monitoring, could help the state achieve reductions in child maltreatment and improve outcomes for New Mexico families.

Casey Family Programs reported that some states are using one or more evidence-based approaches to prevent unnecessary out-of-home-placements including alternative or differential response systems, family-based services such as parent-child interaction therapy (PCIT) and Triple P Positive Parenting Program, Nurse-Family Partnerships, and SafeCare among others.

Currently, the Children, Youth and Families Department is updating the agency's risk assessment to an evidence-based assessment. This is expected to be rolled out system-wide early next year.

- Staff making below 85 percent compa-ratio and who have 5+ years of experience in their current position, received a 10 percent increase.
- Staff making below 85 percent compa-ratio and who have less than 5 years of experience in their current position, received a 7 percent increase.
- Staff making 85-90 percent compa-ratio and who have 5+ years of experience in their current position, received a 5 percent increase.
- Staff making 85-90 percent compa-ratio and who have less than 5 years of experience in their current position, received a 3 percent increase.

Given higher turnover rates and caseloads these personnel increases are warranted however, adjustments may have increases compaction issues for personnel making over 90 percent compa-ratio. Additional personnel funding analysis and adjustments may be necessary going forward.

Performance

Nationally, the Casey Foundation reports, an estimated 37.4 percent of all children experience a child protective services investigation by age 18. Costs of child maltreatment are substantial and result in general expenses to taxpayers and specific expenses to victims. An LFC report found that, in New Mexico, 36 percent of children who are the victim of a substantiated case of maltreatment will be abused or neglected again before they are 18. The Protective Services Program did not meet a majority of performance targets at the end of FY17. Key quarterly performance reporting includes repeat maltreatment rates, reunification rates, and length of care. Most concerning, the rate of repeat maltreatment remains nearly double the national benchmark, meaning children who experience substantiated maltreatment are experiencing another case of maltreatment in a relatively short time frame, six months.

In addition, Child Trends recently reported the rate of referral per 1 thousand children in New Mexico was 82.2, significantly above the national 53.2 national average. In addition to high reporting, the analysis also showed the victimization rate was 17.5, also significantly higher than the national rate of 9. These rates show the New Mexico child welfare system is overwhelmed and considerable additional resources may be needed to lower caseloads and provide services to an increasing number of children and families.

Improving Performance

While significant additional resources have been provided to the agency, increasingly low economic and social indicators are hindering efforts by the agency to reduce stress on the child welfare system. However, reducing child maltreatment and placement in foster care 10 percent could save tens of millions of dollars, and improve life-long outcomes for at-risk families.

In California, the state is using data to improve outcomes for children and families in the child welfare system. First, the state is replacing the intake function of the state's 20-year-old computer system, used by child welfare professionals who are investigating allegations of abuse, neglect and exploitation. The new system will allow staff to record and access key information to make timely, informed decisions about child safety. It will use open-source software to promote flexibility and continuous improvement in system design, specifications and use. Secondly, the state is piloting a Treatment Outcome Package system to assess and identify changes in children's social and emotional well-being. The tool incorporates the perspectives of children, caregivers and professionals and tracks the effectiveness of services provided by therapists, clinicians and others.

Locally, community and child-service organizations need to organize to provide private in-home services to assist families before they reach a point of crisis. Currently however, unless an at-risk family opts for preventative services, CYFD cannot require participation. The agency has proposed in several legislative sessions to acquire authority for this purpose.

In the 2015 session, the agency proposed House Bill 118, *Families in Need of Court-Ordered Services*. The bill responded to the specific needs of individual families by allowing for a level of intervention above voluntary services, but below a petition for custody, when a child is found by credible evidence to have been maltreated. Currently, there are two primary methods for a family to receive services. On one end of the spectrum are voluntary services without court intervention. On the other end of the spectrum is court-ordered services implemented while the child is in the legal and physical custody of CYFD. The bill introduced a third option for cases that require intervention, but where the need does not necessarily rise to the level of severity where the child must be removed. Currently, for families in need of court-ordered services the statute is narrowly tailored to provide services for families whose children might have run away, are truant, or do not want to return home.

Alternative Response

Additionally, during the 2017 session, House Bill 255, *Abuse and Neglect Family Support Program*, attempted to amend the Abuse and Neglect Act to establish a family support services program that would provide an alternative response pathway to provide services to a family upon completion of an evaluation where there is no immediate concern for the child's safety.

Alternative Response (also called Family Assessment Response or Differential Response) is a system of responding to referrals to Protective Services that is an alternative to a traditional investigation. If there are no imminent concerns about a child's safety, the Alternative Response method conducts a family assessment, with the goal of engaging a family to determine strengths and needs and plan for the future, without requiring a determination that maltreatment has occurred or that the child is at risk of maltreatment. It is perceived by some as less intrusive and less confrontational than a traditional investigation. Additionally, Alternative

LFC estimates alternative response to cost \$98 per family; current family support service program costs approximately \$2,000 per family. A 2011 LFC program evaluation acknowledged potential start-up costs but also found long term costs are reduced because fewer children are brought into the child welfare system. The evaluation also found caseworkers and families are more satisfied with differential response.

According to the U.S. Department of Health and Human Services Children's Bureau, "cost studies suggest that differential response may be cost effective over the long term." The Children's Bureau cost studies in Minnesota, Colorado, and Ohio showed costs for differential response were less than those of traditional investigation responses, and differential response was cost neutral in Illinois compared to investigative responses. Minnesota's analysis showed a decreased cost incurred over three to five years for differential response families of \$1,279 compared to the control group.

Alternative response was run as a pilot in Bernalillo County New Mexico by CYFD from 2005-2007 and outcome data showed families who accepted assessment services:

- Had a lowered rate of repeat maltreatment;
- fewer children removed and placed in foster care; and
- almost half as many repeat maltreatment reports compared with families who declined services.

Response provides an avenue to address needs and risks of children for whom one report or multiple reports of abuse do not rise to the level of substantiated abuse or neglect.

Currently, Protective Services reacts to all screened-in calls with an investigation that gathers evidence to determine whether child maltreatment has occurred. Screened-in calls are placed into one of three categories based on severity: emergency, priority one, and priority two. Emergency calls must have an investigation initiated within three hours and priority one and two investigations must be initiated within one and five days, respectively.

Under alternative response, rather than investigating or not responding to a low risk referral, the family is put in touch with a support worker to conduct an assessment and provide services. Assessment, which is usually applied to low and moderate-risk cases, involves assessing the family's strengths and needs and offering services such as positive parenting programs without compromising the safety of children. Alternatively, Differential Response, focuses intense resources on clients who need them, and is more successful in keeping children safe and families together.

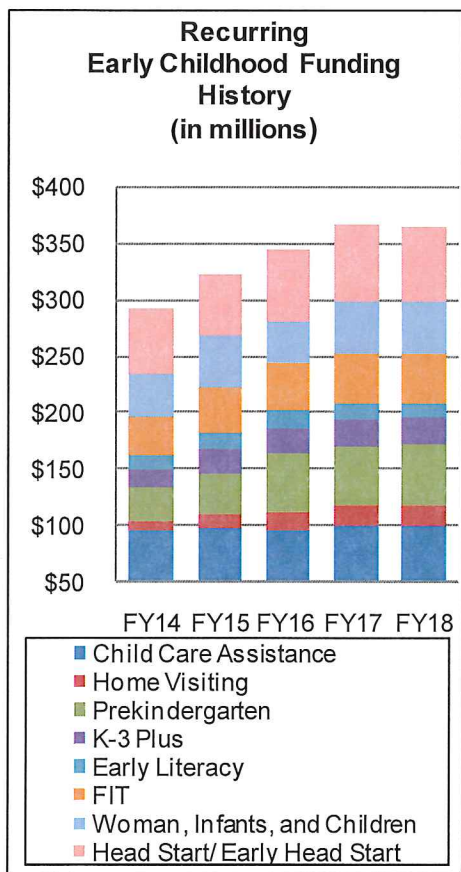
This bill required certain types of maltreatment reports be ineligible for an alternative response pathway, a comprehensive assessment tool be developed and used by the department for program participants, service providers be licensed social workers, reporting on program implementation and outcomes, development of performance measures specific to the program, and development of a plan to expand the program statewide. This bill also allowed the courts to require the family's participation in services.

Early Childhood Services

CYFD, Early Childhood Services program, is also a key preventative system to reduce child maltreatment. The early childhood system consists of several programs including childcare assistance, prekindergarten, and home-visiting. These programs should be targeted to the most-at-risk families to provide stabilization and reinforce addressing maternal and child health issues, supports positive parenting practices, and provides access to support services. The early childhood system in New Mexico also experienced significant funding increases in recent years. The primary legislative intent of these increases has been to increase access to high quality services and prevent families reaching a point of crisis.

A recent LFC accountability report of early childhood care and education found, participation in the system increased positive health and education outcomes. For example, home visiting reports by CYFD show a higher percentage of children in home visiting receive well-child visits compared to children on Medicaid who do not participate in this program. Also, LFC reports found lasting effects for students participating in prekindergarten including higher student achievement, lower special education identification, and reduced retention rates through the third grade. The LFC is currently undertaking a longitudinal study of student data including prekindergarten that will examine effects in later grades. Students who attended prekindergarten in 2010 had significantly higher rates of reading proficiency in 5th grade compared to non-participants.

New Mexico's early childhood care and education system begins prenatally and extends through age 8. Services for improving the health, safety, stability, and education of New Mexico's children span several state agencies, including the Children, Youth and Families Department (CYFD), the Department of Health (DOH), the Human Services Department (HSD), and the Public Education Department (PED).

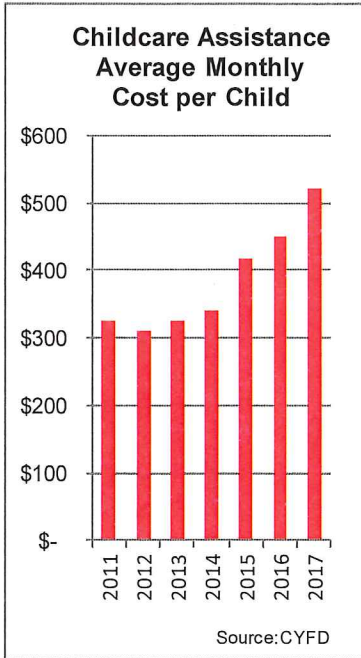


Connecting families early high-quality preventative services may be one of the state's strongest policy tools for improving the child welfare system. With this in mind, CYFD began a pilot in FY17 which provided child care assistance to families at-risk of becoming involved with the Protective Services program. This pilot allowed families to receive child care subsidies to stabilize families for six-months while also providing children with safe and developmentally supportive care. Going-forward, the state must continue to better target at-risk families and expand services as a strategy to reducing child maltreatment.



AGENCY IMPROVEMENT PLANS

Submitted by agency? Yes
Timeline assigned by agency? No
Responsibility assigned by agency? Yes



The National Institute of Early Education Research (NIEER) reported New Mexico ranked 16th in the nation for 4-year-olds enrolled in prekindergarten programs in 2016, an increase of 16 percent from the previous year, and the state ranked 20th in the nation for spending at \$5,233 per child.

The LFC has consistently found prekindergarten programs improve math and reading proficiencies for low income 4-year-olds and lower special education and retention rates. LFC has also found prekindergarten programs deliver a positive return on investment for New Mexico taxpayers based on improvement in test scores.

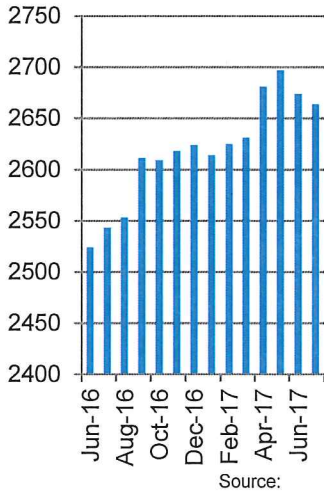
New Mexico continues to struggle with increased stresses on the child welfare system. Despite tough economic conditions, funding to improve child well-being remained a priority of the Legislature; however, performance outcomes remain mixed. The Protective Services program did not meet a significant number of targets including high turnover and repeat maltreatment rates. In addition, the Early Childhood Services program reported a significant decline in the percent of children ready for kindergarten. However, a recent report from the Legislative Finance Committee (LFC) found participation in prekindergarten increased academic performance and attendance through the fifth grade. In order to improve long-term outcomes for New Mexican families, child and family well-being must remain a priority. Continued focus on building infrastructure and support for high quality services targeted to the most at-risk families and children will be key to improving performance outcomes for the Children, Youth and Families Department.

Early Childhood Services. The Early Childhood program exceeded targets to provide children with the highest level of quality childcare, level five. However, level four and three enrollment and providers fell below targeted performance. The agency reported several childcare providers have yet to transition to the state's newest tiered quality rating improvement system (TQRIS), which rates licensed provider quality on a scale from two through five. As more providers are verified statewide in the newest system, the agency believes these performance measures will improve. Additionally, the state has made several investments to increase providers rates during the previous two years in anticipation of costs associated with the TQRIS. These investments have increased the average cost per child from \$419 in FY15 to \$521 in FY17, an increase of 24 percent. The significant increase in provider rates is intended to pay for higher quality services required by the TQRIS.

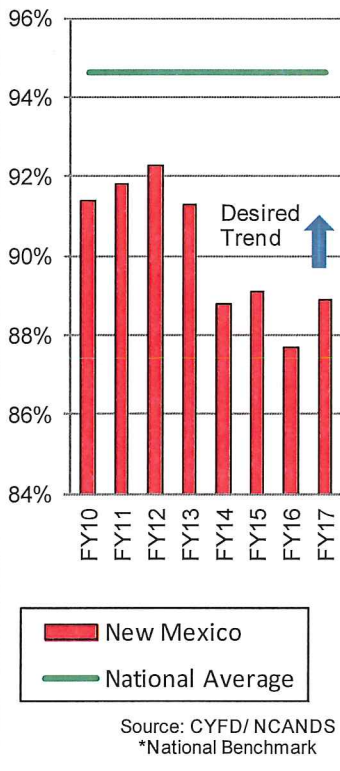
Budget: \$227.9 **FTE:** 181.5

Measure	FY15 Actual	FY16 Actual	FY17 Target	FY17 Actual	Rating
Children receiving state subsidy in focus, level four	New	New	6.0%	5.2%	Y
Children receiving state subsidy in focus, level five	New	New	14.5%	30.8%	G
Licensed child care providers participating in focus, level four	New	New	5.0%	3.2%	Y
Licensed child care providers participating in focus, level five	New	New	15.0%	22.1%	G
Parents who demonstrate progress in practicing positive parent-child interactions	New	43.8%	30.0%	44.0%	G
Mothers who initiate breastfeeding	New	88.0%	75.0%	89.7%	G
Children receiving state subsidy, excluding child protective services child care, that have one or more Protective Services-substantiated abuse or neglect referrals	New	New	1.3%	1.2%	G
Children in state-funded pre-kindergarten showing measurable progress on the preschool readiness for kindergarten tool	94.0%	94.3%	93.0%	91.0%	R
Program Rating					Y

Children in Care of Protective Services



Children not the Subject of Substantiated Maltreatment within Six Months of a Prior Determination of Substantiated Maltreatment



Protective Services. The Protective Services program did not meet a majority of performance targets for FY17. Rising caseloads have increased pressure on an already stressed child welfare system. The number of children in care of the Protective Services program in June 2017 was 2,674, 150 children above the previous year. The statewide average caseload for permanency workers during this same time was 19, close to the national average. However, placement caseloads were close to 26 per worker. Despite high caseloads, the turnover rate declined 4.2 percent from the previous fiscal year. The continued reduction of turnover rates going forward is important to provide families with experienced staff and a less fragmented system.

Budget: \$147.4 **FTE:** 927.8

Measure	FY15 Actual	FY16 Actual	FY17 Target	FY17 Actual	Rating
Children who are not the subject of substantiated maltreatment within six months of a prior determination of substantiated maltreatment	89.1%	87.7%	93.0%	88.9%	R
Children who are not the subject of substantiated maltreatment while in foster care	99.8%	99.8%	99.8%	99.9%	G
Children reunified with their natural families in less than twelve months of entry into care	64.1%	60.4%	65.0%	58.2%	R
Children in foster care for twelve months with no more than two placements	73.8%	70.5%	76.0%	72.9%	R
Children adopted within twenty-four months from entry into foster care	32.1%	23.3%	33.0%	24.6%	R
Children reentering foster care in less than twelve months	9.8%	12.6%	9.0%	11.3%	R
Children in foster care who have at least one monthly visit with their caseworker	New	95.6%	97.0%	94.8%	R
Turnover rate for protective services workers	29.0%	29.7%	20.0%	25.0%	R
Program Rating					R










Juvenile Justice Services. While recidivism to adult facilities slightly missed targets, performance improved from the previous two fiscal years and recidivism to CYFD facilities declined significantly. Detouring youth from participating in future criminal behaviors and re-entering adult or youth facilities is a significant cost savings for public resources. However, the Juvenile Justice Services (JJS) program continued to struggle to reduce violence in committed youth facilities. According to JJS, 12 repeat offenders accounted for 39 percent of the physical assault in facilities. Reducing physical altercations going forward will be a priority for the agency through increased physical programming, de-escalation training, and advancing group facilitation training. As the state invests more resources in upstream preventative services, there is hope the number and severity of youth involved in juvenile justice programs will decline. Reductions in exposures to adverse early childhood experiences (ACEs) in early years may reduce the risk of later criminal involvement.

Research indicates that exposure to adverse childhood experiences (ACEs) may place youth at greater risk for involvement with the juvenile justice system. ACEs include incidents of physical, sexual, or emotional abuse, as well as other household conditions such as domestic violence, the presence of substance abuse or mental illness, parental separation or divorce, or an incarcerated household member.

Percent of Children with 3 or more Adverse Childhood Experiences (ACE)	
National Average	New Mexico
11 Percent	14 Percent



Source: LFC Files

Budget: \$73.1 **FTE:** 943.3

Measure	FY15 Actual	FY16 Actual	FY17 Target	FY17 Actual	Rating
Clients who successfully complete formal probation	83.2%	85.4%	80.0%	82.7%	
Clients re-adjudicated within two years of previous adjudication	6.4%	5.5%	5.8%	6.0%	
Clients recommitted to a CYFD facility within two years of discharge from facilities	7.6%	9.5%	8.0%	6.9%	
JJS facility clients age 18 and older who enter adult corrections within two years after discharge from a JJS facility	11.9%	13.1%	10.0%	11.0%	
Incidents in JJS facilities requiring use of force resulting in injury	2.2%	1.6%	1.5%	1.7%	
Physical assaults in juvenile justice facilities	374	448	<255	398	
Client-to-staff battery incidents	108	147	<108	143	
Turnover rate for youth care specialists	22.4%	18.3%	14.0%	20.6%	
Program Rating					

Behavioral Health Services. The Behavioral Health Services (BHS) program failed to provide FY17 fourth quarter data for two of the three performance measures. In order to fulfill reporting requirements, BHS reported the program is waiting for the Human Services Department, Behavioral Health Services Division, to provide necessary data to the Children, Youth and Families Department.

Budget: \$18.2 **FTE:** 33

Measure	FY15 Actual	FY16 Actual	FY17 Target	FY17 Actual	Rating
Youth hospitalized for treatment of selected mental health disorders who receive follow-up with a mental health practitioner within seven calendar days after discharge	31.3%	28.0%	50.0%	53.5%	
Youth receiving community-based and juvenile detention center behavioral health services who perceive that they are doing better in school or work because of received services	83.9%	82.2%	75.5%	Not reported	
Infants served by infant mental health programs who have not had re-referrals to the Protective Services program	New	New	Baseline	88.0%	N/A
Program Rating					