



**MINUTES OF THE MEETING OF THE
LEGISLATIVE COMMISSION'S SUBCOMMITTEE ON THE STUDY
OF THE INTEGRATION OF STATE AND LOCAL
CHILD WELFARE SYSTEMS IN NEVADA
(Assembly Concurrent Resolution No. 53, File No. 141, *Statutes of Nevada 1999*)
April 25, 2000
Las Vegas, Nevada**

The fourth meeting of the Legislative Commission's Subcommittee on the Study of the Integration of State and Local Child Welfare Systems in Nevada (A.C.R. 53) was held on Tuesday, April 25, 2000, at 9:30 a.m., in Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. This meeting was videoconferenced to Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Pages 2 and 3 of these minutes contain the "Meeting Notice and Agenda."

SUBCOMMITTEE MEMBERS PRESENT:

Assemblywoman Barbara E. Buckley, Chairwoman
Senator Maggie A. Carlton
Senator Bob Coffin
Senator Jon C. Porter
Senator Raymond D. Rawson
Senator Maurice E. Washington
Assemblyman Bernie Anderson
Assemblyman John C. Carpenter
Assemblyman Joseph E. Dini, Jr.
Assemblywoman Ellen M. Koivisto

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Nicolas C. Anthony, Senior Research Analyst, Research Division
Allison Combs, Principal Research Analyst, Research Division
Eileen G. O'Grady, Principal Deputy Legislative Counsel, Legal Division
Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division
Larry L. Peri, Senior Program Analyst, Fiscal Analysis Division
Sally Kennedy, Senior Research Secretary, Research Division

MEETING NOTICE AND AGENDA

Name of Organization:	Legislative Commission's Subcommittee to Study the Integration of State and Local Child Welfare Systems in Nevada (Assembly Concurrent Resolution No. 53; File No. 141, <i>Statutes of Nevada 1999</i>)
Date and Time of Meeting:	Tuesday, April 25, 2000 9:30 a.m.
Place of Meeting:	Grant Sawyer State Office Building Room 4401 555 East Washington Avenue Las Vegas, Nevada

Note: Some members of the subcommittee may be attending the meeting, and other persons may observe the meeting and provide testimony, through a simultaneous videoconference conducted at the following location:

Legislative Building
Room 3138
401 South Carson Street
Carson City, Nevada

If you cannot attend the meeting, you can listen to it live over the Internet. The address for the legislative web site is <http://www.leg.state.nv.us>. For audio broadcasts, click on the link "Listen to Meetings Live on the Internet."

AGENDA

- I. Opening Remarks
Assemblywoman Barbara E. Buckley, Chairwoman
- *II. Approval of Minutes of Meeting held on February 10, 2000, in Las Vegas, Nevada
- III. Proposed Model for Integrating Nevada's Child Welfare System
 - A. Overview of the Proposed Model - Thom Reilly, Professor, School of Social Work, University of Nevada, Las Vegas
 - B. Presentation on the Elements of the Proposed Model
 - 1. Stephen A. Shaw, Administrator, Division of Child and Family Services (DCFS), Nevada's Department of Human Resources
 - 2. Kirby Burgess, Director, and Adrienne Cox, Assistant Director, Department of Youth and Family Services, Clark County
 - 3. Michael Capello, Acting Director, Department of Social Services, Washoe County
- IV. Reports on Selected Child Welfare Programs in Nevada
 - A. Steve Hiltz, Esq., Children's Attorneys Project, Clark County Legal Services
 - B. Michael Capello, May Shelton, and Kevin Schiller, Washoe Pilot Program, Washoe County, and MaryEllen White, Social Welfare Program Chief, DCFS
 - C. Linda Ley, Executive Director, Court Appointed Special Advocate (CASA) Program, Clark County, and Mary Herzik, Executive Director, CASA Program, Washoe County
 - D. Laurel Swetnam, Program Manager, New Wish Program, Early Childhood Services, DCFS
- V. Perspectives on Child Welfare in Nevada
 - A. Gard Jameson and Frank McKoy, Children's Advocacy Alliance
 - B. Theresa M. Anderson, Program Manager, Northern Region Placement Resource Team, Northern Region Adoption Unit, and Family Preservation Services, DCFS
 - C. John and Michelle Laws, CASA Volunteers and Foster Parents, Las Vegas

- D. Bryan Link, Licensed Independent Social Worker (former director of Specialized Alternatives for Youth, Las Vegas, Nevada)

*VI. Future Meeting Dates and Topics

VII. Public Testimony

VIII. Adjournment

*Denotes item on which the subcommittee may take action.

Note: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the Research Division of the Legislative Counsel Bureau, in writing, at 401 South Carson Street, Carson City, Nevada 89701-4747, or call Kennedy, at (775) 684-6825, as soon as possible.

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Notice of this meeting was posted in the following Carson City, Nevada, locations: Blasdel Building, 209 East Musser Street; Capitol Press Corps, Basement, Capitol Building; City Hall, 201 North Carson Street; Legislative Building, 401 South Carson Street; and Nevada State Library, 100 Stewart Street. Notice of this meeting was faxed for posting to the following Las Vegas, Nevada, locations: Clark County Office, 500 South Grand Central Parkway; and Grant Sawyer State Office Building, 555 East Washington Avenue.

OPENING REMARKS

Assemblywoman Barbara E. Buckley, Chairwoman

Assemblywoman Barbara E. Buckley, Chairwoman, called the meeting to order at 9:49 a.m. and directed the secretary to call roll. A moment of silence was observed in memory of Assemblywoman Jan Evans who passed away on April 24, 2000.

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APPROVAL OF MINUTES

OF MEETING HELD ON FEBRUARY 10, 2000, IN LAS VEGAS, NEVADA

A correction was noted on page-18 to identify the location the Children's Home as being in Boulder City, Nevada and not in Boulder City, Colorado.

SENATOR RAWSON MOVED FOR APPROVAL OF MINUTES OF THE MEETING HELD ON FEBRUARY 10, 2000, IN LAS VEGAS. THE MOTION WAS SECONDED BY ASSEMBLYMAN CARPENTER AND CARRIED UNANIMOUSLY.

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PROPOSED MODEL FOR INTEGRATING NEVADA'S CHILD WELFARE SYSTEM

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OVERVIEW OF THE PROPOSED MODEL

Thom Reilly

Thom Reilly, Professor, School of Social Work, University of Nevada, Las Vegas (UNLV), Nevada, said the proposed model is a starting point for the various jurisdictions to begin a dialogue and should be viewed as a work in transition not as an end point. He noted the following points of the proposed model of integrated child welfare (Exhibit A, Tab A):

- The following departments and associated responsibilities would theoretically transfer to or remain with Clark and Washoe Counties:
 1. The Family Preservation staff and duties.

2. Family foster care and emergency care. Funding for family foster care will transfer to larger counties.
 3. County and State representatives would jointly chair a local county collaborative structure to determine prioritization and access to care for all populations requiring child welfare and juvenile justice services, as well as voluntary populations.
- The following departments and associated responsibilities would theoretically transfer to or remain with the Division of Child and Family Services (DCFS):
 1. Foster/group home licensing and child welfare eligibility.
 2. An enhanced regulatory oversight department for statewide child welfare programs, including the evaluation of programs and services.
 3. All child and adolescent mental health programs including early childhood, outpatient treatment, on-campus treatment homes, acute residential services, clinical case management, and long-term residential services.
 4. Fiscal administration of all purchase placement dollars for higher levels of care.
 5. County and State representatives would jointly chair a local county collaborative structure to determine prioritization and access to care for all populations requiring child welfare and juvenile justice services, as well as voluntary populations.

Mr. Reilly identified that a major concern for the state is to ensure that appropriate “gate keeping” and cost control mechanisms are maintained. Clark and Washoe Counties are concerned that access to services for children in their legal care continue in a timely manner. He suggested the following components be added to the proposed model:

- Criteria for accessing mental health and higher level of care services.
- A mechanism to maintain the current level of effort being expended for the child welfare population in each county.
- Flexibility with county collaborative structure dollars. While each county would need to function within the legislatively approved allocation, special circumstances would need consideration. For example, if a child within a family has a severe emotional disorder, the entire family should be eligible to receive services. Also, services to keep siblings together need to be accessible.
- A legislative oversight committee to periodically review the model as well as offer troubleshooting measures during the integration.

PRESENTATION ON THE ELEMENTS OF THE PROPOSED MODEL

MaryEllen White

MaryEllen White, Social Welfare Program Chief, DCFS, Carson City, Nevada, said she also supported the proposed model as a starting point for more detailed discussion and noted:

- Attempts to unify the system will be difficult due to the complex nature of the current child welfare system.
- Several issues within the model need attention in order to comply with the requirements of the Adoption and Safe Family Act (ASFA), and to meet new federal regulations for evaluation, licensing, and eligibility.
- The State recognizes the difficulty in managing the mental health piece in terms of fiscal responsibilities and providing county access to services.

- A strong oversight body needs to be created to monitor and evaluate the new system. Input from financial experts to examine funding streams would also be helpful. Funding is currently fragmented because counties access different sources than the State. A blended system would provide better access to and maximization of every available funding source.

Ms. White concluded by saying the treatment and outcome of this effort for employees is essential. Employees who serve children are hard-working, diligent professionals who are experiencing tremendous anxiety over how the integration will affect their own lives, families, and futures.

Assemblyman Anderson observed that the current model might not envision the need for standardization of protocol for funding. Ms. White said DCFS assumes it will take a strong regulatory role in the proposed model and did not see a problem with meeting new federal funding standards for Titles IV-B and IV-E.

Chairwoman Buckley asked the Committee members to consider the following questions at future meetings:

- If the Committee is interested in ending bifurcation, then how can this be accomplished and how detailed should the recommendations be?
- Should the Committee adopt a proposed model?
- Should the State's new role be included in terms of a regulatory oversight?
- Would accountability be required of the counties and would it apply to caseload standards?
- What exact functions would transfer?
- Can the Committee mandate counties to hire state workers who have been laid off as a result of their jobs being transferred?

In response to Chairwoman Buckley's remarks, Senator Coffin suggested that the Committee consider all possibilities including reinstating the concept of orphanages in an attempt to keep the best interests of children in the equation.

Senator Porter concurred with Senator Coffin and said that continuity, detailed guidance, and follow-up from the Committee should be ongoing for the integrated system. He recommended the formation of an ongoing standing committee.

Chairwoman Buckley said final Committee recommendations are due by June 2000. She is, however, considering asking the Legislative Commission for an additional hearing in the fall of 2000 to gather more financial data.

Assemblyman Dini raised the possibility of staff of the Fiscal Analysis Division of Legislative Counsel Bureau (LCB) reviewing DCFS's performance to determine if they are financially solvent. He supported the idea of an extra meeting.

Kirby Burgess

Kirby Burgess, Director, Department of Youth and Family Services, Clark County, stated that his department includes both child protective services and juvenile justice. Children frequently belong to both systems. He asked the Committee to be mindful of the following:

- Clark County has a system that is not functioning at its optimum. In his opinion, the solution will be found in living up to the ideals outlined in ASFA.
- DCFS is not functioning at its optimum best in Clark County. Resources and staff efficiencies are issues which need attention.

- Washoe County staff will continue to work with the State of Nevada Employees Association to blend many issues into one seamless system including automation, caseload, and financial issues.

Adrienne Cox

Adrienne Cox, Assistant Director, Department of Youth and Family Services, Clark County, stated that Clark County is in support of Mr. Reilly's proposal. She said there are several issues that must be resolved before the child welfare system can be unified, and noted:

- Federal reimbursement dollars must be captured more effectively by merging the management information systems of Clark County and the State of Nevada. This will be necessary to comply with federal regulations.
- Recruitment and retention systems need to be created when foster and adoption care systems are transferred to Clark County. Insurance regulations cause difficulty in recruitment and retention of optimal foster homes at a county level.
- The financial issues must assure an equitable financial distribution to counties as they assume more child welfare programs.

Mr. Burgess said the following issues need resolution before Clark County will willingly assume these added responsibilities:

- Clark County wants the best level of service possible for foster and adoption care and needs assurances it will have access to adequate resources to support this goal.
- Minimum standards for caseloads must be established with sufficient funding to reflect any increases.
- County foster parents are compensated at a rate of \$11 per day. This figure needs to be examined.
- Funding is needed for supportive services that allow families to stay together. Supportive services should address substance abuse, mental health, and other issues.
- Clark and Washoe Counties need greater ease in licensing foster homes.
- Clark County needs the State's expertise to learn how to maximize federal reimbursements for support services.

Concluding, Ms. Cox said that merging two ailing systems will not improve outcomes for children; yet without unification; it will be impossible for Nevada to comply with ASFA guidelines.

Michael Capello

Michael Capello, Director, Department of Social Services, Washoe County, said the slide presentation being made at this meeting to communicate integration recommendations (Exhibit B) will also be presented before the Washoe County Commissioners on May 23, 2000. He explained the following suggestions and recommendations for the Committee:

- Establish minimum program standards.
- Create minimum standards for staff to caseload ratios, including supervisory staff to line staff, and support staff to professional staff.
- Institute guidelines for management information systems.
- Determine funding sources including State and local revenue streams.

- Combine the Assembly Concurrent Resolution No. 13 (juvenile service) with the A.C.R. 53 Committee to establish a statutory legislative committee on children, youth, and families.
- Provide funding for ongoing program evaluations to assure compliance with Assembly Bill 158 (Chapter 435, *Statutes of Nevada 1999*), Child Abuse Prevention and Treatment Act (CAPTA), and ASFA.
- Design child and adolescent mental health programs.
- Integrate the Child Protective Services (CPS) and child welfare programs in counties where the system is bifurcated (Clark and Washoe Counties).
- Perform a review of the CPS and child welfare system in Clark, Washoe, and rural counties, by an outside evaluator.
- Provide funding for the development of a transition plan.
- Lastly the State should retain responsibility for recruiting, training, licensing, and regulating foster homes and institutions.

Responding to questions from Chairwoman Buckley, Mr. Capello said Washoe County has remained neutral on the issue of whether child welfare should be delivered by the county or the state, but added it was the belief of his constituents that local control is preferable. He said the Washoe Pilot Program was viewed as a mechanism to integrate two systems and a transition point to be expanded upon.

Chairwoman Buckley directed the Committee's attention to a letter from Second Judicial District Court Judge Charles M. McGee, which expressed concerns that the Committee was considering continuing bifurcation (Exhibit A, Tab D). She said the letter pointed out that unless bifurcation ended, judges could not make the necessary judicial determinations to ensure that permanency was achieved, which would jeopardize Title IV federal funding.

REPORTS ON SELECTED CHILD WELFARE PROGRAMS IN NEVADA

Steve Hiltz, Esq.

Steve Hiltz, Esq., Lead Attorney, Children's Attorneys Project, Clark County Legal Services, credited Chairwoman Buckley for the success of the Children's Attorneys Project (CAP) and said 30 states now require children in neglect and abuse cases to have attorneys. He said CAP is the first step in bringing legal representation for children to Clark County. Mr. Hiltz, a former resident of New York City, New York, said he is impressed by the goodwill of Nevada. He has witnessed the devastating effect of bifurcation, where young children suffer because of the lack of shared information, cooperation, and communication.

Mr. Hiltz spoke of the need for improvement in the foster care system and pointed to private agencies in the county who manage foster homes much like a business. He said they discourage families from adopting, yet the foster homes are very high quality. He concluded by saying compliance with the guidelines of ASFA would create many legal orphans because the unreasonable timelines have a tendency to leave children languishing in foster care.

Responding to questions by Senator Washington, Mr. Hiltz said the project is comprised of two attorneys who represent abused and neglected children based on referrals. A major part of the project is to offer independent representation to the child. The CAP attempts to represent a child whose outcome in life will be determined in a courtroom where the child is not even present. The most rewarding cases occur when caseworkers are uncomfortable making recommendations and ask the CAP to intervene by speaking with the child and making a presentation to a review board or judge.

Responding to a question from Assemblyman Anderson, Mr. Hiltz said that CAP referral criterion are based on: (1)

termination proceedings; (2) cases where a child had a definite point of view; (3) cases based on objective analysis; and (4) cases with unclear outcomes making it vital that the child be heard. He said that all cases are accepted but CAP does not automatically provide representation at every summary review. The program is not set up to observe every case in the system, but operates on referrals. Assemblyman Anderson pointed out that a commonality of standards needed to be addressed, to ensure a system that finds the child abuse, neglect, and termination cases where the level of CAP's expertise was obviously needed.

Chairwoman Buckley said it was difficult to standardize the criterion, but added that the best criterion was based on choosing cases where the attorney could make the biggest difference. She said the degree to how much the outcome of a case can be changed is often used to determine representation.

Assemblyman Carpenter inquired about cases involving abused and neglected children who were without legal representation. Mr. Hiltz said the judge and the caseworkers determined the outcome was without any practical input from an unrepresented child.

MaryEllen White

MaryEllen White, previously identified on page 5 of these minutes, gave the committee background information on the Washoe Pilot Program. She said it began as a grassroots effort to lessen the disparity between county and state foster parents payment rates. In the fall of 1998, foster parents took the issue to Senator Maurice Washington. By early 1999, the meetings continued with more involvement from individuals and agencies. She said the momentum began to build as individuals attempted to address the bifurcated system and as a result, the Washoe Pilot Program was launched in November 1999.

Michael Capello

Michael Capello, previously mentioned on page 8 of these minutes said the goals of the Washoe Pilot Program include:

- Reducing the number of placements because children were being moved around in a bifurcated system to satisfy the system's needs and not the child's.
- Decreasing the length of stay and to send children home sooner.
- Finding a way to share resources between the county and the State.
- Implementing the innovative approaches that ASFA requirements call for, such as concurrent planning early in the case.
- Refocusing the existing resources.

Mr. Capello concluded by saying the task of developing an integrated unit began with these goals in mind.

Kevin Schiller

Kevin Schiller, Senior Social Service Practitioner, Washoe Pilot Program, listed the current staff: one unit supervisor, one full-time county social worker, two full-time social workers from DCFS, and one part-time family support worker.

Mr. Schiller said that a case starts with an allegation. A supervisor then decides if the case meets the regulations. If so, the case is assigned to an investigator. If the allegation is substantiated, a supervisor will decide if court intervention is warranted. If the Deputy District Attorney agrees that court intervention is warranted they will then file a petition. The Deputy District Attorney randomly assigns petitions to the Washoe Pilot Project, which currently has 41 cases and 81 children.

Mr. Schiller referred the Committee to a flow sheet of the proposed model of integration (Exhibit C) and reviewed the multi-disciplinary team staffing process. He said the proposed model demonstrates the ability to access services on both county and state levels.

Mr. Schiller continued by saying the Washoe Pilot Program was “behaviorally specific” and worked in a concurrent manner. A concurrent case plan has two goals: (1) a permanency goal; and (2) an alternative permanency goal. The first goal may be reunification and the alternate goal may be guardianship/custodianship with a relative or adoption. Efforts will be made toward both goals at the same time to achieve a permanent placement within the ASFA timeline. They are not sequential but parallel to each other until either reunification or permanency in another setting is achieved.

Mr. Schiller listed the evaluation tools for the Washoe Pilot Project, DCFS, and ongoing units:

- Quality and level of case management service is measured through an ongoing worker log to capture the dates and location of visits by the case worker with the child, foster family, out of home setting, natural family home, and the purchased services obtained for children and families.
- A child’s functioning level is monitored by using a Child Behavioral Checklist filled out by substitute care providers. It is an assessment of the child’s school functioning, behavioral and disability problems, and severity of case at placement. It becomes a tool for workers to compare the functioning of children who have multiple placements against those who are permanently placed. The Child Behavioral Checklist is given to caretakers at different intervals: (1) after 60 days of placement; (2) at ten months of placement (so results can be included in 12-month permanency hearing); and (3) at every six-month interval until the child is permanently placed.
- A parental corporation index was created to measure the frequency of visits, level of cooperation, and the quality of parent-child interaction on a monthly basis.
- Satisfaction questionnaires/surveys and personal interviews are used to ascertain perception of the benefits to children and families. Personal interviews are conducted with internal stakeholders. Satisfaction questionnaires/surveys will be sent to external customers such as natural parents and foster parents.

Mr. Schiller concluded by saying that there is an enormous effort and motivation toward the success of the Washoe Pilot Program and that no problem exists that cannot be worked through.

Responding to a question from Senator Washington, Mr. Schiller said the court does not sit on the multi-disciplinary team staffing, but the judicial branch is very supportive.

Assemblyman Anderson pointed out that the model program ratio of 41 cases with 81 children for a staff of five is lower than the current state ratio. He then asked if these figures were realistic when projected forward into the overall caseload. Ms. White responded that a basic goal is achieving manageable caseload sizes but large sibling groups coming unpredictably into foster care created anomalies in staffing.

Assemblyman Anderson said in order to address that anomaly, the focus should be the ratio of children to staff instead of the ratio of cases to staff. He noted that a sibling group may contain one child having serious problems while the rest of the siblings do not require intensive staff attention.

Senator Washington said he had the opportunity to visit with some of the key participants in the Washoe Pilot Program and made the following recommendations in conjunction with the State of Nevada Employees Association (Exhibit D):

- Increase the size of the Washoe Pilot Program and provide adequate compensation.
- Speed up the adoption process by closing the “back-end.”

- Extend the sunset date of June 2001.
- Incorporate the methodology of the Washoe Pilot Program into Clark County's Child Protective Services.

Chairwoman Buckley said that these would be addressed later by a Committee work session and pointed out that lessons learned from the Washoe Pilot Program would apply to the integration of state and local child welfare systems.

Responding to a question from Assemblyman Carpenter, Mr. Schiller said workers were chosen by positions slotted prior to the interview process. He noted that differences between county and state workers were most apparent in the approach each took; county caseworkers were "front-end" oriented, while state caseworkers were "back-end" oriented. He said it is a blending of two cultures and has enhanced overall case delivery.

Responding to a question from Assemblywoman Koivisto regarding process, Mr. Schiller said that a child is typically in a foster home when his or her case is transferred to the State. He said there is a real need for more foster/adoption homes if true concurrent planning is going to be put into practical application.

Linda Ley

Linda Ley, Executive Director, Court Appointed Special Advocate Program (CASA), Clark County, said her staff included eight full-time people and 200 volunteers. The CASA program for Clark County started in 1978, but the CASA concept started in Seattle, Washington, in 1977. She said CASA serves over 50 percent of the children in care in Clark County leaving many children whose voices are not heard in court. She expressed concern that all of the children in the system are not being served as is mandated by law. Ms. Ley acknowledged the work of CAP in terms of legal service CASA cannot provide and said she was concerned that the current system is not effectively serving children or their families.

Ms. Ley concluded by saying Nevada has an opportunity to produce an innovative system to address the needs of children in a manner very different from other systems in the nation. She said that consolidated systems do not always serve the needs of the children and suggested that the Committee learn from the mistakes of others in order to give Nevada the opportunity to identify the benefits of front-end services. She said that removing labels from resources can give a better perspective and hope.

Mary Herzik

Mary Herzik, Executive Director, CASA Program, Washoe County, said that child representation is a statewide issue. She reported the Washoe County CASA program began in 1982 and had developed strong, innovative, funding sources utilizing 150 volunteers. She suggested that other counties developing CASA programs model their programs after Washoe County.

Ms. Herzik noted that in the rural Nevada, attorneys are appointed to children in all dependency actions, but the urban areas are falling behind. Washoe County would like to replicate CAP in order to better represent the children.

Ms. Herzik said Washoe County CASA has developed Family Fitness, which is a program where additional supervised visitation is offered on weekends. The court-approved goal is reunification as the program attempts to develop ways for families to interact while offering fun activities. She reported that both the county and the State are supportive of this effort to serve families.

Concluding, Mrs. Herzik reported that 500 children are served by Washoe County CASA per year, which is a very large program in comparison to the size of the community it serves.

Responding to a question from Assemblyman Carpenter, Ms. Ley identified the greatest obstacles as: (1) finding a dedicated funding stream for the Clark County CASA project; (2) keeping a thoughtful and planned approach; and (3) measuring outcomes in a meaningful way. She expressed concern for the timeline ASFA and A.B. 158 created. She said that in order to stay in compliance, CASA has 14 out of 20 months of a child's stay in care before parental rights are terminated. She said the potential for creating a "whole new population of legal orphans" exists because the

timeline does not leave adequate time to locate enough adoptive homes. Ms. Ley added that another big obstacle was how she looked at the way she recruited, trained, and retained foster and foster/adoption homes. She predicted that it would be a challenge to keep licensing foster homes with the State while moving the actual service to the counties. She concluded by saying 14 months is not a long time to make such major changes in a child's life and she advised that much more effort be put into "front-end" services.

Chairwoman Buckley said the creation of standards and deadlines on foster home recruitment, licensing, and emergency placements would need to be examined.

Laurel Swetnam

Laurel Swetnam, Program Manager, New Wish Program, Early Childhood Services, DCFS, gave a slide presentation and made the following points (Exhibit E):

- The New Wish organization is funded by the Substance Abuse and Mental Health Services Administration and the Casey Family Program. Families who have not accessed services are the target of the program with the ultimate purpose being to strengthen families. There are 12 grantees nationwide. The funding expires in October 2001. There is a research component with a control group.
- DCFS is the grantee, but this is a collaborative project with the services originating at Head Start and a partnership with Nevada Parents Encouraging Parents, along with a number of other entities that assist by providing resources.
- New Wish is an integrated services model. Integrated means that mental health and substance abuse services are provided to young children and to their families in a coordinated manner. Community and family values are incorporated.
- The values of an integrated service delivery include: (1) avoids the stigma of traditional mental health services; (2) offers universal screening and treatment for children on site; (3) improves family access to care; and (4) increases quality of childcare through consultation and training.
- There are four counselors placed on-site in five different Head Start centers. Services are developed based on an initial needs assessment. Services include prevention activities to support emotional wellness and intervention for individuals with identified needs.
- The program is designed so that 50 percent of the Head Start sites are the integrated services groups and the other 50 percent are the comparison groups. Outcomes measured include: child well-being, family violence, parent mental health and stress, and substance abuse. Videotaped interaction between caregiver and child provide qualitative data.
- New Wish services include: (1) screening of children in integrated sites; (2) consultation with preschool teachers; (3) classroom interventions; (4) support and educational groups for staff and caregivers; (5) brief treatment on-site or in homes; (6) case management; and (7) outcome evaluation.
- New Wish outcomes include: (1) early identification of children with severe emotional disturbances; (2) increased access to behavioral health service for children and caregivers; (3) improved development outcomes; (4) enhanced quality of childcare; and (5) stronger community partnerships.

Responding to a question by Assemblyman Anderson, Ms. Swetnam said there is no county funding associated with the New Wish Program and a financial request has been made to the Legislature. She said additional funding can be matched with federal money, and grants are another option. She added that if the project could continue for one more year then the outcome data would be available. She said it was her ultimate goal to train a cadre of childcare workers which would support the mental health needs of children and families.

Chairwoman Buckley reported that LCB staff would assist the Committee in gathering the fiscal information from the

counties and the State. She recommended that a complete fiscal analysis be completed prior to the Committee's final recommendation to the full Legislature.

PERSPECTIVES ON CHILD WELFARE IN NEVADA

Gard Jameson

Gard Jameson, Children's Advocacy Alliance, Las Vegas, directed the committee's attention to a letter (Exhibit A, Tab C) and said he was in mostly in favor of Mr. Reilly's proposed model. The one caveat, associated with this consensus view, relates to the treatment of smaller counties and their caseloads. He stressed the importance of treating every county within the State equitably.

Theresa M. Anderson

Theresa M. Anderson, Program Manager, Northern Region Placement Resource Team, Northern Region Adoption Unit, and Family Preservation Services, DCFS, challenged the Committee to expand Mr. Reilly's model because rural Nevada was not included. She said that rural communities could offer unique and innovative approaches to child welfare especially in terms of offsetting financial burdens. She referred to a model in Placer County, California (Exhibit A, Tab F).

Ms. Anderson said the process of integration could go into individual program detail to the extent of losing sight of the larger picture. She pointed out the volume of obstacles facing the Committee and made the following recommendations:

- A forced collaboration between the involved agencies is vital and should include other State partners such as Adult Mental Health, Mental Retardation Services, and the Division of Health.
- Funding must be prioritized with resources located at the front-end. Washoe County Social Services should serve as the model not the Washoe Pilot Program.

Chairwoman Buckley invited members of the audience to speak on Medicaid eligibility in response to a question from Senator Washington. Ms. White, previously identified on page 5 of these minutes, said the Medicaid requirements change when a child departs from homecare to return to parental care and is based on a child's eligibility as a citizen in the community that includes the parent's income levels. Chairwoman Buckley added that Medicaid is a federal regulation.

Assemblyman Anderson mentioned a letter from the White Pine County District Attorney who referred to the work of the Committee as ". . . utterly unrealistic and irresponsible." He pointed out to Ms. Anderson that the rural counties are unable to carry the economic burden of the child welfare system and the State was aware of its ongoing obligation. He also acknowledged that the anomaly of bifurcation did not exist in the rural counties and asked Ms. Anderson how she envisioned meeting federal guidelines for financing in economically deprived rural counties that struggled to meet the basic essentials of their own systems. Ms. Anderson responded that she had limited knowledge of the budget structure but had witnessed unnecessary barriers. She suggested infrastructure adjustments to facilitative business operations with the State and "house cleaning" within the rural counties. She said the counties have more flexibility and an easier contract process than the State.

Assemblyman Anderson noted that multiple compensation from foster programs such as welfare, unemployment, et cetera, put well intending individuals at risk of losing funding. He said there are conflicting state and federal regulations.

Chairwoman Buckley said the Committee would like to improve the rural services and directed the Research staff of the LCB to collect issues for child welfare services in rural Nevada.

John and Michelle Laws

John and Michelle Laws, CASA Volunteers and Foster Parents, Las Vegas, voiced concerns that the largeness of bureaucracy sometimes loses site of better life choices for children. Mr. Laws said he wanted to make sure the best interest of a child was kept in mind during the creation of a new system and said quality control is necessary in the process of integration.

Michelle Laws said foster parent recruitment is vital and compensation is not the compelling reason for foster parent's participation. She said foster parents need help and would benefit from any training programs offered to them and suggested the creation of a job description.

Bryan Link

Bryan Link, Licensed Independent Social Worker, Las Vegas, stated that he was the former Director for Specialized Alternative for Youth in Las Vegas. He listed factors impacting the private agencies in Nevada with a slide presentation (Exhibit F), which included top trends likely to impact child welfare agencies in the next three years and organizational certainties.

Mr. Link expressed concerns with Title IV-E and Medicaid funding which is paid out to agencies with large administrative fees that do not operate in Nevada. He cautioned the Committee about the increased potential to lose money through collaboration with agencies operating in that manner, namely three private non profit and one for profit agency in therapeutic foster care, behavioral health, health care, and other children's programs. Mr. Link suggested the development of regulatory practices in the Committee's new model to ensure that finances intended for Nevada remained within the State.

PUBLIC TESTIMONY

Cindy Hannah

Cindy Hannah, Chairperson, Nevada Human Association of County Human Service Administrators (NACO), Carson City, said she wanted to enter their position into the record (Exhibit G). She said that 14 out of the 15 counties are in agreement with the following:

- Rural counties encourage the continuation of DCFS to be the provider of child protective services.
- Clark and Washoe Counties continue their relationship with the State of Nevada and contract for the services they have the ability to administer.
- Human services administration would offer increased support and collaboration to DCFS in order to continue the successful services already in existence in the area of child protective services.
- Human service administrators would like to meet with the regional district representatives of DCFS and together identify local agencies that can support or provide resources to enhance the delivery of child protective services.
- Schedule a meeting with the local multi-disciplinary teams to develop a continuum of services with DCFS as the facilitator and lead agency.

She stated NACO's mission is to maintain and enhance the vision of the Nevada State Legislature, to protect the rights of parents and children, and to provide a system for the services necessary to protect the welfare and development of abused and/or neglected children.

John Morrow, Esq.

John Morrow, Esq., Washoe County Public Defender's Office, Carson City, referred to Exhibit H which explains how his office is involved in the child welfare system. He noted that lawyers have been mentioned in the meeting in

the context of representing children in the court. He said that representation of children in court is a large area and suggested that the Committee give serious consideration to the issues of representation to both children and parents.

Mr. Morrow expressed concern for Chairwoman Buckley's search for CAP attorneys to include only dedicated people who were willing to work for less than standard wages as being too limiting for the vast majority of attorneys who would be able to provide quality representation for fair compensation. He said the potential existed for the development of a bifurcated system of attorneys, some whom are very dedicated and others who are working at low-paying jobs because it was job of "last resort," and said less than perfect representation for the child would be the result.

Chairman Buckley noted for the record that attorneys who work for nonprofit legal services can be dedicated and competent.

Assemblyman Anderson said that teachers enjoy their work and do not choose the profession for monetary gain. He said public defenders frequently believe that everyone deserves a fair opportunity in court. He expressed concern because the United States Supreme Court is considering eliminating the Miranda Law, which could likely leave attorneys "looking around for children to represent." He told Mr. Morrow that representing children is a worthwhile career goal and agreed that everyone should be compensated. He said that social workers or anyone who chooses to work with children has the highest ideals because they touch the future.

Mr. Morrow responded that Assemblyman Anderson's point was well taken.

Deanne Blazzard

Deanne Blazzard, President, Foster Care and Adoption Association of Nevada, told Committee members that she agreed with Ms. Cox's earlier remarks regarding ending bifurcation. She said that foster parents could offer valuable input toward a transition plan and should be included in the planning. Responding to the comment ". . . most of the good foster parents are not with DCFS," Ms. Blazzard stated that the caliber of participants in the DCFS foster parent program is excellent. She urged the Committee to support the foster parents in terms of fair reimbursement, training, access to services, and support groups. She concluded by saying foster parents should be appreciated for the role they play and should not be pressured to become adoptive parents.

Mark Nichols

Mark Nichols, Executive Director of the National Association of Social Workers (NASW), Nevada Chapter, Las Vegas, told Committee members that the NASW president was concurrently attending the meeting in Carson City. He said that NASW has not taken a position to support one alternative over another at this time. Further, Mr. Nichols offered a framework for the Committee to use when making their decision (Exhibit I):

1. The best interests of the children and youth must be paramount.
2. The State's child welfare system must be in alignment with professional standards for the social work practice of child protection.
3. The child welfare system must be adequately funded and supported by Nevada's tax revenues.
4. Workers who are transferred from the county to the state or visa-versa deserve to be treated fairly by retaining their benefits and seniority. Work conditions and caseloads should not be allowed to deteriorate as a result of any reform.

FUTURE MEETING DATES AND TOPICS

Chairwoman Buckley announced that July 1, 2000, is the statutory deadline for the Committee to request bill drafts. The next meeting is scheduled for June 15, 2000, at the Legislative Building in Carson City, and will be videoconferenced to the Grant Sawyer State Office Building in Las Vegas. Permission to hold an additional meeting in the Fall of 2000 may be requested from the Legislative Commission.

Chairwoman Buckley said topics for the next meeting would include of examining models and reviewing additional data from the counties and the State.

ADJOURNMENT

There being no further business, the meeting was adjourned at 2:43 p.m. Exhibit J is the "Attendance Record" for this meeting.

Respectfully submitted,

Sally Kennedy
Senior Research Secretary

Nicolas C. Anthony
Senior Research Analyst

APPROVED BY:

Barbara E. Buckley, Chairwoman

Date: _

LIST OF EXHIBITS

Exhibit A is a document dated April 25, 2000, prepared by Legislative Counsel Bureau Staff containing:

A three-page document dated April 19, 2000, titled "Legislative Commission's Interim Subcommittee to Study the Integration of Nevada's State and Local Child Welfare Systems (A.C.R. 53) – Proposed Model, Nevada's Integrated Child Welfare System: The Next Step," submitted by Thom Reilly, Professor, School of Social Work, University of Nevada, Las Vegas.

A three-page undated document titled "Court Appointed Special Advocate Program, Washoe County, Nevada.

A packet of information from the Children's Advocacy Alliance, submitted by Gard Jameson.

A letter dated March 13, 2000, from Second Judicial District Court Judge Charles M. McGee to Assemblywoman Barbara Buckley, submitted by Chairwoman Buckley.

A letter dated April 18, 2000, to County Managers and Commissioners from Assemblywoman Barbara E. Buckley.

A 21-page document dated August 1996, titled "Placer County, SMART System of Care, A Brief History," submitted by Theresa M. Anderson, Program Manager, Northern Region Placement Resource Team, Northern Region Adoption Unit, and Family Preservation Services, DCFS.

A two-page memorandum dated April 10, 2000, from Elana Marton, Senior Research Analyst, Research Division, LCB, to Chairwoman Barbara E. Buckley and Members of the Legislative Commission's Subcommittee, regarding the child welfare educational site visit in Jacksonville, Florida.

Exhibit B is a document dated April 21, 2000, titled “Suggestions/Recommendations for the A.C.R. 53 Subcommittee,” submitted by Michael Capello, Director, Department of Social Services, Washoe County.

Exhibit C is a packet of information dated April 2000, titled “Washoe County Department of Social Services and Nevada State Division of Child and Family Services – Integrated Permanency Planning Project,” submitted by Kevin Schiller, Senior Social Service Practitioner, Washoe Pilot Program.

Exhibit D is a one-page letter dated April 20, 2000, from the State of Nevada Employees Association to Assemblywoman Barbara Buckley regarding suggestions for Committee consideration.

Exhibit E is a 15-page copy of a slide presentation dated April 25, 2000, and titled “New Wish – Integrated Mental Health and Substance Abuse Services for Young Children and Their Families,” presented by Laurel Swetnam, Program Manager, New Wish Program, Early Childhood Services, Division of Child and Family Services.

Exhibit F is three-page undated document titled “Child Welfare League of America – Top Trends Likely to Impact Child Welfare Agencies in the Next Three Years,” a one-page undated document titled “Six Certainties for Organizations,” and a three-page article titled “Building the Capacity for Change,” submitted by Bryan Link, Licensed Independent Social Worker, Las Vegas.

Exhibit G is a two-page letter dated April 21, 2000, from Cindy Hannah, Chairman, Nevada Association of County Human Services Administrators, to Chairwoman Barbara E. Buckley and Committee Members regarding its position, and a one-page letter dated April 24, 2000, from Robert S. Hadfield, Executive Director, Nevada Association of Counties, to Chairwoman Buckley and Committee Members, regarding suggestions and issues for the Committee to consider.

Exhibit H is a three-page memorandum dated April 25, 2000, with attachments, to Chairwoman Barbara E. Buckley and Members of the Legislative Commission’s Subcommittee on the Study of the Integration of State and Local Child Welfare Systems in Nevada (A.C.R. 53) from Elana Marton, Senior Research Analyst, Research Division, LCB, regarding representation at protective custody hearings, submitted by John Morrow, Washoe County Public Defender, Reno.

Exhibit I is a two-page letter dated April 25, 2000, from Mark Nichols, Executive Director, National Association of Social Workers, Nevada Chapter, Las Vegas, to the Legislative Committee’s Subcommittee to Study the Integration of State and Local Child Welfare Systems in Nevada, regarding public testimony on A.C.R. 53.

Exhibit J is the Attendance Record for this meeting.

Copies of the exhibits are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the library at 775/684-6827.