

**MINUTES OF THE MEETING OF THE
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, *Statutes of Nevada 1999*)
October 28, 1999
Las Vegas, Nevada**

The first meeting of the Legislative Commission=s Subcommittee to Study the Integration of State and Local Child Welfare Systems in Nevada (A.C.R. 53) was held on Thursday, October 28, 1999, 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 video conferenced to Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Pages 3 and 4 of these minutes contain the AMeeting 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
Assemblywoman Ellen M. Koivisto

SUBCOMMITTEE MEMBER ABSENT:

Assemblyman Joseph E. Dini, Jr.

OTHERS PRESENT:

The Honorable Charles M. McGee, Second Judicial District Court
The Honorable Dianne Steel, Eighth Judicial District Court (Family Division)
Myrna T. Williams, Clark County Commissioner

LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:

Elana S. Marton, Senior Research Analyst
H. Pepper Sturm, Chief Principal Research Analyst
Eileen G. O=Grady, Principal Deputy Legislative Counsel
Larry L. Peri, Senior Program Analyst, Fiscal Analysis Division
Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division
Debby Richards, Manager of Office Services, Research Division

**REVISED
MEETING NOTICE AND AGENDA**

Name of Organization: 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

Date and Time of Meeting: Thursday, October 28, 1999
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 video conference conducted at the following location:

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

AGENDA

- I. Introductions
Assemblywoman Barbara E. Buckley, Chairwoman
- II. Review of Subcommittee=s Mission; Background Information Regarding 1999 Legislation Leading Up to the A.C.R. 53 Study
Assemblywoman Barbara E. Buckley, Chairwoman
- III. Background Information Regarding Nevada=s Child Welfare System
 - A. Elana S. Marton, Senior Research Analyst, Research Division, Legislative Counsel Bureau (LCB)
 - B. Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, LCB
- IV. Report on Significant Events Affecting Child Welfare in Nevada
Thom Reilly, School of Social Work, University of Nevada, Las Vegas
- V. Report on Nevada=s Current Child Welfare System: Structure, Responsibilities, Operation, Results, and Fiscal Components
 - A. Stephen A. Shaw, Administrator, and MaryEllen White, Social Welfare Program Chief, Division of Child and Family Services, Nevada=s Department of Human Resources
 - B. Kirby Burgess, Director, and Adrienne Cox, Assistant Director, Department of Youth and Family Services, Clark County
 - C. May Shelton, Director, and Michael Capello, Acting Director, Department of Social Services, Washoe County
- VI. Judicial Perspective on Nevada=s Child Welfare System
 - A. Judge Robert E. Gaston, Eighth Judicial District Court, Family Division, Clark County
 - B. Judge Charles M. McGee, Second Judicial District Court, Family Division, Washoe County
 - C. Frances Doherty, Juvenile Court Master, Washoe County
- VII. Discussion of Foster Care in Nevada
Deanne Blazzard, President, Foster Care Association of Nevada
- VIII. Future Meeting Dates and Topics

IX. Public Testimony

X. Adjournment

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 Debby Richards, at (775) 684-6825, as soon as possible.

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.

INTRODUCTIONS;
REVIEW OF SUBCOMMITTEE=S MISSION; AND BACKGROUND INFORMATION
REGARDING 1999 LEGISLATION LEADING UP TO
THE A.C.R. 53 STUDY

Chairwoman Barbara E. Buckley detailed the subcommittee=s mission, which is to study Nevada=s child welfare system. Specifically, the subcommittee is charged with examining the separation of child protection responsibilities between Nevada=s urban counties, Clark and Washoe Counties, and the Division of Child and Family Services (DCFS) of Nevada=s Department of Human Resources (DHR). The subcommittee will consider how to improve the system, streamlining and increasing its efficiency, so that the lives of Nevada=s abused and neglected children are saved, both physically and mentally.

She then introduced the members and staff of the subcommittee, noting that Speaker Dini=s absence is excused due to a conflict with an event in his district.

Chairwoman Buckley urged the public to inform the subcommittee of any persons or entities who should be included in the subcommittee mailing list.

BACKGROUND INFORMATION REGARDING NEVADA=S
CHILD WELFARE SYSTEM

Chairwoman Buckley then explained the origins of the subcommittee, stating that the Assembly Committee on Judiciary of the 1999 Legislative Session was informed that Nevada is the only state that has a bifurcated child welfare system. In practice, this means that urban counties are responsible for investigating claims of abuse and neglect, providing emergency or temporary out-of-home placements, and providing case management services on substantiated maltreatment cases to children who remain with their alleged abusers. Children who require long-term placement are transferred to the state. Under this bifurcated system, a permanent plan for the care and treatment of an abused or neglected child is often delayed for six months or longer. Even if a permanent plan is implemented, the child is still harmed if he is moved to a different system. During this period, the child may be moved multiple times, from home to home and school to school, sometimes without even the medical records following the child. As part of the plan to improve Nevada=s child welfare system, and to bring it into compliance with federal law, Assembly Bill 158 (Chapter 435, *Statutes of Nevada*) was passed by the 1999 Legislature. This bill aligns Nevada with the Federal Adoption and Safe Families Act (AFSA). It sets tighter time lines for terminating parental rights and conducting permanency hearings.

Continuing, the Chairwoman noted that the purpose of the A.C.R. 53 study is to conduct a comprehensive evaluation of the appropriate manner in which to integrate the current state and local child welfare systems, and to examine whether responsibility for managing an integrated child welfare system should be assumed entirely by the state,

counties, or another entity, and how that system would be funded. The subcommittee will review the child welfare systems of other states, the manner that current employees of child protective service agencies and the DCFS will be affected if an integrated service agency is created, and any other issues that may come up in determining the most appropriate way to help protect Nevada=s children.

The subcommittee is budgeted for five meetings, which must be held by June 30, 2000. The next meeting is scheduled for December 8, 1999.

Objectives for the first meeting include reviewing the system, how it is structured, how the children are faring, and the details of caseloads and budgets for the individual systems.

The second meeting of the subcommittee will concentrate on the study of other systems within the country in order to establish which components the ideal system would include.

Senator Coffin stated that it may be necessary to increase funds to supply the needed services.

Elana S. Marton

Elana S. Marton, Senior Research Analyst, Research Division, Legislative Counsel Bureau (LCB), introduced herself and made the following observations:

\$ Under the present system, in the rural areas of the state, Nevada=s Division of Child and Family Services is responsible for providing all aspects of child protective services, from investigating the initial report of abuse or neglect to - if necessary - finding a long-term placement for a child. In Nevada=s urban areas (Clark and Washoe Counties), the county child protective service agency conducts an investigation when a case of child abuse or neglect is reported. Then, the county offers case management services on substantiated maltreatment cases for up to six months and sometimes significantly longer. Only once it is determined that a child will need a long-term out-of-home placement will he or she be transferred to the custody of the state.

\$ It is reported that typically a child who is transferred from the county to the state is assigned a different case manager, placed in a different foster home, and treated by a different therapist. Statistics indicate that every child under 3 years of age is moved an average of 3.5 times in six months. Children over 3 years of age are moved more than 3.5 times.

\$ The current separation of state and county roles was developed in a 1988 agreement. Under this agreement, the counties agreed to conduct investigations and provide short-term family support services, as well as temporary out-of-home placements. Further, this agreement specified that cases were to be transferred to the state after 90 days of service, or the cases would be transferred to the state when it was determined that long-term services and/or out-of-home placements would be required. This agreement was developed, in part, on the principle that the more expensive, longer-term services were a more appropriate state responsibility.

Today, however, there are several reasons that this arrangement is reported by many to no longer be workable:

\$ First, both the state and the counties are under increasing financial pressure to control costs.

\$ Second, the case transfer hearings between the state and the counties, which were intended to be a collaborative method of transition for the staff and the family, in practice have been reported often to not be.

\$ Third, when foster children are transferred to state responsibility, they often have to change foster homes, case managers, and therapists.

\$ Finally, caseload demands are creating time delays in following prescribed procedures and in meeting the needs of children and families, which in and of itself is a problem. However, with the new federal requirements (pursuant to ASFA), states now also are mandated to meet certain deadlines for finding permanent placements for a child. To meet these new federal requirements, A.B. 158 (as Chairwoman

Buckley mentioned) was adopted this past legislative session. Two deadlines of particular note were included in this measure:

- < Under the new standard, if a child has lived outside of his home for 14 out of any 20 months, the termination of parental rights must be initiated. This deadline is more stringent than the ASFA requirement, which requires that termination proceedings begin if a child has lived outside of his home for 18 out of the last 24 months.
- < The second notable deadline requires that permanency hearings be conducted within 12 months (rather than 18) after the initial removal of the child from his home.

Since 1993, there have been seven studies that have included an analysis of Nevada=s bifurcated child welfare system. Following are a few quotes from these studies:

- \$ AThe counties and the state have poor communication and cases get caught between the two systems.@
- \$ AIt would be helpful to combine child welfare and child protection under one unit in order to deal with issues of the bifurcated system.@
- \$ A[Nevada=s bifurcated] system does not promote continuity of service or positive outcomes for children and families.@

In a study conducted by the National Committee to Prevent Child Abuse, a number of issues that appear to cause confusion between the state and the urban counties were identified. For instance:

- \$ Which cases should be transferred from the counties to the state?
- \$ When should cases be transferred?
- \$ How can a smooth and speedy transfer of the cases be effected, and at the same time ensure that the family has contact with both state and county staff during the transfer?

Mark Stevens

Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, LCB, discussed the actions taken by the 1987 Legislature, which involved a state/county swap of mental health and child protective services.

See Exhibit A which outlines the financial and service delivery responsibilities of state and local governments before and after the Aswap.@

Mr. Stevens explained that during the 1987 Legislative Session a proposal was presented by Jerry Griepentrog, then director of the Department of Human Resources, to exchange service delivery responsibilities for mental health and child protective services between the state and the counties. Before the 1987 Legislative Session:

- \$ The counties were responsible for the cost of psychiatric hospital services provided to mentally ill individuals until that person was committed by the courts to the state for ongoing hospitalization. In Clark County, initial hospitalization was provided in a psychiatric unit at the University Medical Center. A patient would spend two to nine days in that unit before being court-committed to the state. At that time, the state became responsible for providing those services. In northern Nevada, the state provided services at the Mental Health Institute and billed Washoe County and the rural counties for that service.
- \$ A significant problem existed in the bifurcated system of providing child protective services in Clark County. The state was responsible for investigating complaints involving child abuse, while the county was responsible for investigating complaints of child neglect. There were reports of confusion within the community concerning where a complaint should be made.

- \$ Since approximately 20 percent of child protective service cases involved both abuse and neglect, this caused difficulty between the agencies. Cases were transferred between the agencies which resulted in unproductive expenditure of staff resources.
- \$ Clark County received a \$20 subsidy from the state for providing services involving investigation of child neglect cases.
- \$ At that time, in Washoe County, both child abuse and neglect investigations were county responsibilities, and Washoe County funded those services in full.
- \$ The rural counties or judicial districts were responsible for child protective services, and each received a subsidy from the state for providing those services.
- \$ The 1987 Legislature passed Assembly Bill 853 and A. B. 861. Assembly Bill 853 (Chapter 602, *Statutes of Nevada* 1987) repealed the provision that required the county to pay for the cost of hospitalization of an indigent mentally ill person prior to court commitment, which transferred the cost of providing these mental health services from the counties to the state. Assembly Bill 861(Chapter 597, *Statutes of Nevada* 1987) transferred responsibility for providing and funding protective services for children, both abuse and neglect investigations, to counties with populations over 100,000. In counties with populations less than 100,000, child protective services were shifted from a local to a state responsibility (DCFS).
- \$ The effective date of both A.B. 853 and A.B. 861 was September 1, 1988.
- \$ Representatives of the DHR, the Nevada Association of Counties, and Clark County supported this swap in delivery of services between the state and local counties.
- \$ Testimony indicated that the swap was designed to be cost neutral.
- \$ Today, the state continues to be responsible for the provision of all mental health services prior to commitment. In the urban counties, the county is responsible for funding child protective services.

Chairwoman Buckley commented that the state traded bifurcated child protective services in abuse and neglect cases for a bifurcated child protective service system.

She also noted that Clark County Commissioner Myrna Williams, who was instrumental in assuring that the county would be a full participant in the A.C.R. 53 study, had just joined the audience.

REPORT ON SIGNIFICANT EVENTS AFFECTING CHILD WELFARE IN NEVADA

Thom Reilly, Ph.D.

Dr. Thom Reilly, Ph.D, Professor, College of Urban Affairs, University of Nevada-Las Vegas, (UNLV), noted that while Nevada is to be commended for its dedication to children=s issues, from the early years of statehood the jurisdictional responsibility has been unclear and scattered for much of the state=s history (see Exhibit B). Dr. Reilly made the following remarks:

- \$ As early as 1864, Nevada provided for the care of orphaned children. Nevada=s Supreme Court ruled that state monies could not be used for children.
- \$ The first orphanage was founded in Carson City in 1899.
- \$ In 1937, the State Welfare Department was created under the Board of Relief, Work Planning, and Pension

Control.

- \$ In 1943, the State Orphan=s Home was put under the jurisdiction of the State Welfare Department. During this period, Washoe County was responsible for child abuse and neglect investigations, while foster care and adoption services were state responsibilities.
- \$ During the 1940s and 1950s, child welfare was primarily concerned with abandoned and neglected children. Investigation of abuse cases did not occur until the 1960s.
- \$ In 1949, the Board of Relief for Planning and Pension Control was abolished and replaced with a revised welfare department that handled child welfare services.
- \$ In 1960, the first legislation was adopted by Nevada which directed the State Welfare Department to establish and administer a program of child welfare services (Chapter 432 of *Nevada Revised Statutes*), and empowered the Department to begin providing maintenance services. Before 1960, welfare workers were required to ask individual counties if a foster or group home could be funded. No provision existed before this time which allowed the state to pay for those services.
- \$ The 1960 legislation provided that any county that wanted to participate had to pay for one-third of the non-federal share for maintenance costs. Subsequently, Washoe County entered into an agreement with the state to provide its non-federal share.
- \$ In 1961, an agreement between the Director of the Welfare Department and the juvenile court was reached which stipulated that the juvenile court in Clark County would assume responsibility for Adependent care functions,@ which included abuse and neglect investigations. There was no written documentation of this agreement.
- \$ In 1962, a temporary structure known as Child Haven was built in Clark County to house children placed by the courts.
- \$ In 1963, the state reorganized health and welfare activities, and established the Department of Health and Welfare. Child Welfare Services was placed under a broader program of social services, and remained within the Welfare Department.
- \$ In 1965, federal legislation requiring all states to develop policies and procedures on how to investigate child abuse and neglect was passed.
- \$ By 1967, every state was required by federal law to have a statute addressing child abuse. Specifically, the legislation stated that all abuse reports referred by law enforcement must be investigated by the Welfare Department. This was interpreted to mean that only the state, and not the county, was required to investigate abuse.
- \$ In 1966, Clark County returned responsibility for investigation of abuse cases to the state, but retained the responsibility for investigations of neglect cases.
- \$ In 1967, the Southern Nevada Children=s Home was established in Boulder City. By 1971, administrative offices and several cottages were in existence.
- \$ In 1973, state legislation was passed which allowed for initial reports of child abuse and neglect to be processed directly by the Welfare Division, any law enforcement agency, or any authorized county agency. An authorized agency included any juvenile probation office that a local county designated.
- \$ In rural Nevada, the Welfare Division continued to investigate child abuse and neglect cases. However, in some counties, the juvenile probation office began to investigate neglect complaints for all families receiving Aid to Dependent Children (ADC) payments, and developed various types of agreements with the Welfare Division.

\$ Some counties, such as Elko County, did not participate at all, and investigations were the responsibility of the Welfare Division or local law enforcement.

Senator Porter asked Dr. Reilly to specify the criteria for placement in the Southern Nevada Children=s Home at that time. Dr. Reilly stated that prior to 1973 an investigation usually would be initiated by law enforcement. The law enforcement agency would then make a referral to the Welfare Division. In 1973, reports could go directly to Probation or the Welfare Division. He continued, stating:

\$ The practice of the local juvenile probation offices being involved in child protective services ceased in 1988.

\$ In 1973, an agreement was reached between the state Welfare Division and Clark County, in an attempt to clarify which agency would have responsibility for each type of case. It was agreed that abuse cases would be investigated by the state and neglect cases would be handled by the county. The county then returned neglect complaints for all current ADC families, creating a trifurcation of responsibilities.

\$ In 1986, Washoe County voters approved a 4-cent tax override for children=s services, which established a stable funding source.

\$ During 1986, the state began placing workers within the juvenile court to gain experience in abuse cases.

\$ In 1987, the exchange (or swap) of responsibility for child protective services and involuntary hospitalization of individuals alleged to be mentally ill occurred between Clark County and the state. The exchange also included transfer of all CPS investigations in rural Nevada to the state.

\$ In 1990, to alleviate confusion regarding the timing of case transfers, an agreement was reached between Clark and Washoe Counties and the Welfare Division. Cases generally would not be transferred from the county to the state level before 90 days, even if it was immediately determined that a child would require long-term care.

\$ In 1991, the Nevada Legislature created the Division of Child and Family Services (DCFS). The intent was to take services from the Department of Human Resources and combine them under the DCFS. Yet, not all children=s services were placed in DCFS at that time. For instance, child, adolescent, and mental health services in rural Nevada and the Special Children=s Clinic were not included in the DCFS.

\$ In 1992 and 1993, both children=s homes ceased operations in Nevada, due to efficiency and legal concerns.

\$ In 1993 and 1994, the Family Court system was created and began operation. In Clark County, child protective services, which had been under the juvenile court, was separated and became a county department.

\$ In 1994 and 1995, the Mailin Stafford case in Washoe County focused on problems within the system. Subsequently, Washoe County has had an infusion of funding for services and currently has one of the best-staffed programs in the West.

\$ In 1997, the Washoe County Board of Commissioners approved a one-half cent property tax increase for child protective services.

\$ In 1997, DCFS merged its three separate divisions (Child Welfare, Mental Health, and Youth Services) and created three regions (North, South, and Rural).

Senator Porter asked if clear leadership existed during this history. Dr. Reilly replied that the system has been marked by inconsistency.

REPORT ON NEVADA'S CURRENT CHILD WELFARE SYSTEM: STRUCTURE, RESPONSIBILITIES, OPERATION, RESULTS, AND FISCAL COMPONENTS

Stephen A. Shaw

Stephen A. Shaw, Administrator, DCFS, Department of Human Resources, Carson City, stated that he would present a brief overview of the context in which DCFS, Washoe County Social Services, and Clark County Family and Youth Services operate. He referred to information provided by the Legislative Counsel Bureau (see Exhibit C) and noted that:

\$ Adoptions increased 46 percent from Fiscal Year (FY) 1998 to FY 1999.

\$ Thirty years ago, the primary state child abuse and neglect law was concerned with serious physical injury. Since then, the definition of child abuse has been expanded by the Nevada Legislature to include emotional, psychological, and sexual abuse, as well as educational, medical, and physical neglect.

\$ Dr. C. Henry Kemp published an article in 1961 regarding battered child syndrome. In the past, the medical professions were charged with the responsibility of notification, whereas now a vast array of professionals and non-professionals are responsible for reporting abuse.

\$ Substance abuse has become a serious factor in abusive families. Nationwide, today, 60 to 90 percent of these families have substance abuse issues.

\$ Family violence is also a factor in these cases, somewhere between 20 and 60 percent nationally.

\$ The severity of abuse and neglect has escalated in recent years. However, public and media scrutiny also has increased and become more intense in the past few years, and nationally, child abuse deaths have had a 14 percent reduction between 1990 and 1995.

\$ Litigation is a constant threat to those working in the child welfare field. So far, 31 states have been under some sort of consent decree.

\$ The National Center for Youth Law is a presence in the Nevada systems. It is evaluating the systems to gauge if reason exists for court intervention.

\$ While federal intervention may not be desirable, it would mean more funding for child welfare programs.

\$ Complaints are a normal part of the system, given the competing values intrinsic in child welfare and abuse cases, the protection of the welfare of children, the protection of parental rights, and the respect for privacy of the family.

\$ Temporary Assistance to Needy Families (TANF) may help ease the burdens on needy families, which could result in a corollary drop in child abuse cases.

\$ Seventy percent of the children serviced by child welfare are poverty stricken and meet the previous Aid to Dependent Children (ADC) standards.

\$ Compliance with the federal ASFA is not feasible at this time.

Senator Washington asked if studies had been performed regarding the relationship between substance abuse and the abuse of children. Mr. Shaw stated that although he had not been involved in any such studies, several studies have been performed linking substance abuse with child maltreatment. Senator Washington then asked if there is a correlation between poverty levels, substance abuse rates, and the rates of abuse and neglect of children. Mr. Shaw stated that Dr. Vicky Albert from UNLV is studying the relationship of neglect to the receipt of TANF benefits in Nevada, and part of that study involves substance abuse. Mr. Shaw stressed that most poor people do not abuse their

children.

Chairwoman Buckley then asked if Mr. Shaw had statistics detailing the length of time children are in care, broken down by age, and if there is a difference between the length of time a child is in care in Clark County, Washoe County, and the rural communities. Responding, Mr. Shaw stated that the average time period is 37 months for children in DCFS care.

MaryEllen White, Social Welfare Program Specialist, DCFS, Carson City, stated that the Federal Government is now making that sort of information part of the outcome measures for child welfare. Mr. Shaw stated that the UNITY Data System, which should be operational by February 2000, will make statistical information more easily obtainable. He added that Washoe County does have some outcome data based on resources at this time.

Responding to Chairwoman Buckley, Mr. Shaw stated that about 1,500 children are in the system for three or more years. Chairwoman Buckley then asked for statistics regarding children in the system for five years or more. Ms. White stated that data is not readily available, although it can be researched.

Assemblyman Anderson noted that he had recently attended a national program in Colorado, and although the focus was the placement of children relative to divorce and family courts, it had an extensive report that might be helpful to the subcommittee. Mr. Shaw stated that a national consultant will be brought in at some time, but currently national data exists which details the savings brought by increased adoption and shorter stays in care. He continued, stating:

\$ In 1998, there were 134 adoptions in Nevada, and in 1999 there were 202.

\$ Each adoption in the state brings between \$4,000 to \$6,000 in revenue which is returned to the adoption program and not placed into the State General Fund.

Senator Porter noted that many foster parents are to be commended for providing loving homes to children in crisis. Senator Washington asked if a bifurcated system would be advocated if resources were available. Mr. Shaw responded that under no circumstances would a bifurcated system be the optimum.

Mr. Shaw stated that a high level of cooperation currently exists between agencies and that problems are due mostly to the system itself, not the agencies involved. He added that this is primarily a resource issue, not one of responsibility among agencies. Continuing, he said the closer the governmental system is to the child, the more beneficial and better supported the child. While mandating the state takeover of child welfare is the more economical solution and has other advantages, it is not in the best interest of children. Mr. Shaw then stated that Washoe County has the best supported system. Senator Washington helped get a Washoe County pilot program started, which begins on November 1, 1999. This program will co-locate state and county staff and share the costs for care. Dr. Thom Reilly of UNLV will be performing the evaluation of the project.

Senator Rawson requested a breakdown of the budget expenditures to ensure that children throughout Nevada are treated equally.

MaryEllen White

MaryEllen White, Program Chief, Social Welfare Program Specialist, DCFS, Carson City, reviewed a chart entitled ADCFS Child Welfare System@ (see Exhibit D.) She noted that:

\$ Reports of abuse or neglect are generally received via telephone.

\$ These reports are received from the public and mandated reporters.

\$ A determination concerning the appropriateness of agency involvement is made by the intake worker who performs the initial interview.

\$ If it is deemed appropriate, the intake worker will perform background checks for prior history and then pass

the case to the supervisor for review.

\$ The supervisor then has several options, depending on the case:

- < If the case is one that is required to be immediately initiated pursuant to statute, the case immediately is assigned for investigation by a social worker.
- < If immediate investigation is not statutorily mandated, the supervisor may take up to three days to decide on the path of investigation or evaluation.
- < If a child is removed from the home at the point of initial contact, the child could be placed in shelter care or with a relative.
- < If the child is not removed from the home, the investigation continues to closure.

\$ Within 72 hours after the child is removed from the home, excluding weekends and holidays, the case must come before the court for a protective custody hearing. The parents are notified in advance of the hearing and are present for the hearing. The purpose of the hearing is to determine if the facts indicate continued involvement of the court, and if the child should remain out of the home.

\$ The investigation and assessment continue when the child remains out of the home.

\$ Should the Division find that continued custody is to be pursued, the case proceeds in the courts.

\$ Ten days from the protective custody hearing, a petition must be filed by DCFS for continued custody of the child.

\$ If the petition is granted, the case continues to a 30-day disposition. If the parent denies the allegations in the petition, then an evidentiary hearing is held. The court then makes a decision regarding need for protection.

\$ Federal law mandates that cases be reviewed every six months.

\$ The ASFA has shortened the time frame for a permanency hearing from 18 to 12 months.

Mr. Shaw clarified that the 12-month period begins on the day the child is taken into custody.

Ms. White continued, stating that:

\$ The ASFA also deals with those children not in continuous care. Those who have their permanent plan decided at 12 months have generally been in continuous care for those 12 months.

\$ The ASFA requires that the time frame for children who go in and out of care be shortened. Previous state law required a Temporary Placement Review (TPR) to be considered at 18 and 24 months. The ASFA shortened that to 15 out of 22 months, and then, Nevada shortened it to 14 out of 20 months.

\$ The ASFA provides for several permanency options for children, including:

- < Reunification;
- < Adoption;
- < Guardianship;
- < Independent living; or
- < Placement with a relative.

It no longer recognizes long-term foster care as a permanency option.

Exceptions to the requirement to file a termination petition at 14 out of 20 months include:

\$ Placement with a relative at the state=s option;

\$ Compelling reasons to forgo filing the petition, such as age of the child, serious medical needs that an adoptive parent may not be able to support, et cetera; or

\$ The Division=s failure to provide reasonable efforts to reunite the family.

In the event that permanency is achieved through one of these exceptions, the case continues to be reviewed every six months, and there is a continual effort to monitor the placement.

In answer to a question from Senator Porter, Ms. White noted that during the 12-month period specified by ASFA, the child can be placed in a single foster home, various foster homes, or a combination of settings depending on the needs of the child. She further noted that it is normally desirable to keep siblings together. Chairwoman Buckley asked how many siblings are involved in Nevada=s system, and whether they have been placed together. Mr. Shaw stated that data is available, and will be more easily accessible with the UNITY system. He did note, however, that occasionally it is not clinically recommended to keep siblings together.

Senator Porter noted that UNITY will be providing the needed tracking system, and asked if funding was in place for the program. Mr. Shaw stated that the program is within budgeted funds, however it is about 90 days behind schedule.

Ms. White continued, stating that should the case begin with a voluntary relinquishment, the parent has some input into the type of adoption.

Assemblyman Anderson asked Ms. White to clarify the 14-month issue, asking specifically if the rule is retroactive to before the passage of the legislation. Ms. White explained that federal law mandates that children be divided into those who were in custody at the time of the passage of ASFA or before, and those who have come into care after the passage. The state has 18 months from the effective date of our state law to bring those cases under the ASFA requirements in groups of at least one-third starting with the oldest children in care prior to the passage. The state law was passed on October 1, 1999. Therefore, by March 31, 2000, parental rights of one-third of those children in custody prior to the ASFA must be terminated. Ms. White stated that most of the children in the system at the time of passage will have been in the system longer than 20 months.

Assemblyman Anderson then asked whether the change since ASFA=s passage provides a long enough history to gauge the effect of the law. Ms. White noted that DCFS does have a responsibility to move all the children in the system at the time of passage through the system by March 2001. She added that approximately 80 percent of the agency=s adoptions are by foster parents. The agency engages in several methods to find adoptive parents for the remaining 20 percent. Each region has a unit that performs recruitment and training. Media and public events are utilized to call attention to the need for adoptive parents, particularly for special needs children. These methods locate families who can be interviewed, evaluated, and become potential adoptive parents.

Senator Washington asked how long it takes to evaluate an adoptive family and complete the adoption. Responding, Ms. White stated that generally home study and background checks can take from three to six months. The local checks can be done more quickly. A mandatory 60-day time frame exists for home studies for private adoptions. Mr. Shaw noted that a private adoption normally involves a higher income family, and the state is subsidizing that private adoption. Special needs children=s adoptions are pushed back to accommodate these private adoptions. He added that Senator Porter=s bill (Senate Bill 232, Chapter 60, *Statutes of Nevada* 1999) will allow the state to charge fees for private adoption services that are similar to the fees charged in that area by private adoption agencies.

Senator Porter asked that a time line be prepared regarding a child in the system and Senator Washington added that the actual cost for each position on the time line should be included.

Jim Baumann

Jim Baumann, Administrative Service Officer, DCFS, made the following comments about the DCFS budget :

- \$ The cost disparity between Clark County, Washoe County, and the state concerns the length of stay of the individuals and the numbers of children in care.
- \$ The state system provides services when Clark and Washoe Counties= assistance has concluded.
- \$ The average length of stay for DCFS is 37 months; the average length of stay in Washoe County before the transfer to state custody is 117 days; and in Clark County, it is approximately 60 days.
- \$ Two budgets within DCFS primarily cover child welfare costs. The first, 3229-Youth Community Services, has a total budget of \$41 million. This is primarily the placement budget, but also provides for ancillary services, subsidized adoptions, and medical expenses. This portion of the budget provides no funding for positions. Of the approximate \$40 million spent on placement, about \$10.7 million is spent in the north, \$26.5 million in the south, and the remaining \$2.2 million in the rural counties. The breakdown of funding sources for this budget is as follows:
 - < 47 percent state;
 - < 49 percent federal, which includes the Title IV-E funding (\$5,045,000 for FY 2000) and requires approximately a 50 percent state match. Another \$6 million is Medicaid Rehabilitation, which also requires matching funds from the state, and Medicaid from Category 17 which accounts for approximately \$5.5 million; and
 - < 4 percent other.
- \$ The second budget is 3145-Children and Family Administration. This budget provides administrative, fiscal, and program support for all of the programs in DCFS. Staff positions are included in this budget. This budget accounts for approximately \$21 million; \$4.1 million is spent in the north, \$13.5 million is allocated to the south, and \$1.4 million goes to the rural counties. The funding resources for this budget are as follows:
 - < 31 percent state;
 - < 68 percent federal; and
 - < 1 percent other.

Mr. Shaw noted that the Urban Institute has recently completed a study of states= mixtures of funding sources for their children=s services. The DCFS was commended for having the broadest mix of funding.

Mr. Baumann then directed the subcommittee=s attention to a spreadsheet detailing the DCFS budget (see Exhibit E). He noted that the lower portion of the spreadsheet covers other services included, such as the Placement Prevention category, medical categories, transportation for foster children, the independent living program, funeral expenses, respite care, and drug testing.

Assemblyman Carpenter asked what criteria the Federal Government uses to determine the allocation of funding. Mr. Shaw noted that several funding sources exist, primarily Medicaid and the IV-E Entitlement Program. If an individual meets these funding guidelines, he is eligible for a reimbursement at a rate of 50 percent federal matched by 50 percent state funds. Two years ago, DCFS conducted a study which indicated that 17 percent of the children handled by DCFS were eligible for IV-E payments. Currently, in excess of 70 percent of the children handled by DCFS are eligible. Mr. Shaw stated that DCFS has maximized eligibility for these payments.

Senator Washington asked if the financing for Intensive Family Services showed a \$35,000 transfer. Mr. Baumann noted that those funds are budgeted from Washoe County to provide family preservation services.

Kirby Burgess

Kirby Burgess, Director, Clark County Department of Family and Youth Services, and Adrienne Cox, Assistant Director, presented an overview of the Clark County child welfare system (see Exhibit F). Mr. Burgess noted that the Clark County Department of Family and Youth Services is responsible for child protective services, as well as juvenile delinquency services. The agency has over 450 employees, and while the two different services compliment each other, often funding, staffing, and service level problems can arise. Mr. Burgess referred to a survey conducted several years ago, which found that in over 50 percent of cases, delinquency problems are a direct result of abuse and neglect earlier in the juvenile=s life. He further noted that:

- \$ Child Protective Services (CPS) in Clark County provides services to families covering approximately 8,000 square miles.
- \$ Under the bifurcated system, the department initially was responsible primarily for child neglect cases, and the state was responsible for ADC, neglect, and abuse cases. Then the abuse and neglect services were combined, which resulted in the departmental system which now exists.
- \$ The department provides service from the time of the initiation of a complaint.
- \$ The goal of the department is to keep as many children as possible out of the foster care system. Provision of services which allow a child to be reunited with his family is a primary goal of the department.
- \$ When the family is under supervision, the department attempts to encourage the family to become self-sufficient and make use of other resources for support systems.

Core departmental services include:

- < An emergency response team available 24 hours a day to respond to complaints.
- < The shelter care system, including Child Haven, an 80-bed facility, which normally has over 100 children on the campus each day. An initiative has been passed to provide funding to expand Child Haven. The department also has 10 shelter homes in the Las Vegas area. These homes take those children who are ill or need special care.
- < An in-home services unit, which works in cooperation with the investigative unit.
- < Case planning and treatment planning for the family.

Mr. Burgess continued, stating that occasionally the department has to initiate court action to terminate parental rights. Prior to that action, the department holds a multi-disciplinary meeting to determine what is in the best interest of the family. The department begins to work with the state upon that initiation of court action. Normally, it takes about 60 days from the filing of the petition to the time the child is placed in foster care. During that time period, the child is usually placed in Child Haven.

Assemblywoman Koivisto asked about the average length of stay for a child at Child Haven, and about schooling for the children living there. She also asked Mr. Burgess to clarify that Child Haven is only a temporary placement. Mr. Burgess stated that the average length of stay is approximately 30 days. Children normally are educated onsite, although occasionally the school district will provide transportation to the child=s home school. Child Haven is designed to be a temporary shelter facility, and a last resort. The child is placed in a foster home once it has been determined the child needs foster care.

Adrienne Cox noted that some children are at Child Haven for an extended period of time because a suitable foster care match cannot be found. She also stated that ideally a child would be placed in a loving foster home immediately,

and stay in that home until resolution of his case. However, it is unusual to make a successful long-term match early in the process, and Child Haven provides excellent care in the interim.

Judge Charles M. McGee, Chief Justice, Second Judicial District, Family Division, Washoe County, commented on the Kansas City, Missouri, system, which has a full-time judge monitoring 230 newborns. Each of these newborns are drug-affected at birth. Generally, nine-tenths of the children are taken from drug-addicted parents. However, these newborns are not separated from their mothers. Instead, the mothers are required to submit to drug testing every day and appear in court once a week. He suggested the same sort of system for Nevada: keeping the children at home with the parent or parents, while simultaneously providing constant monitoring of the home situation and the parents.

Assemblyman Carpenter asked what problems would be apparent should Clark County take over the entire system. Mr. Burgess explained that Clark County is one of the fastest growing communities in the country, and the school district has over 200,000 students. Clark County would need additional resources in order to effectively run the program, including an infusion of funds and additional staff. He added that funding should not be capped in the event of takeover of the system by Clark and/or Washoe Counties. He stated that cooperation between agencies currently is high.

Mr. Shaw noted that, in the rural areas, judicial districts used to oversee the child welfare function, and the subcommittee might wish to explore returning this responsibility to them. However, if this was to happen the rural counties would need adequate resources. He suggested that the monies and existing staff should follow the children. In addition, he remarked that if Nevada's child welfare system was reorganized, either the state or the counties and the judicial districts should be given responsibility for providing all aspects of child welfare. Responsibility should not be divided, as it is now, between the state and the local entities.

Mr. Burgess commented that his agency is already beginning to redesign the system to provide resources at the front end. Further, he noted that Clark County runs the largest parent education project in the state, and also pursues community partnering. Ms. Cox stated that A.B. 356 of the 1997 Session enabled the county to enter into agreements, contracts, and partnerships with other entities and provide training to increase the number and skill level of people in the community available to help keep children safe.

Chairwoman Buckley asked what resources are available to parents who have had a child removed from the home. Ms. Cox responded that the department has increased the funding provided to help families access services early, however, it is not adequate to comply with the requirements of ASFA. Parental rights cannot be terminated on behalf of a child in the foster system unless reasonable efforts to reunify the child with his original family can be demonstrated.

Assemblyman Anderson asked if, considering some of the programs have moved from the jurisdiction of the court to the fiscal responsibility of the county commission, the rural area programs are coordinated at the district court level. He also asked if judges are willing to take this responsibility. Mr. Burgess stated that a capable, caring judge is a critical element, and would be able to coordinate the various county commissions and create the funding stream. Training for judges in these districts would be essential.

Mr. Burgess introduced the operations-type budget example (see Exhibit F-a which is an attachment to Exhibit F detailing expenses, funding sources and staffing in Clark County). Michael Alastuey, Assistant County Manager, Clark County, stated that this initial data gathering and format for reporting was made in cooperation with the Legislative Counsel Bureau staff, and Washoe County and state officials. The format is intended to capture, on a consistent basis, a reading of the full-time equivalent positions and the sources of financing by their origin to enable statewide figures to be aggregated and comparisons to be made between Washoe and Clark Counties and the remainder of the state. The exhibit shows that the sum total for child protective services available for allocation in Clark County is just under \$12 million. Chairwoman Buckley noted that it would be helpful to create a master document which would be similar to that shown in Exhibit F. This document compares the budget information by gross total, the case load data, and staff-to-client ratios in the three jurisdictions (DCFS and Clark and Washoe Counties). She asked Mr. Alastuey to continue working on the document, and stated it would be discussed further at the subcommittee's third meeting.

Senator Carlton noted that it would be helpful to compare county and state job descriptions, and case workers on both levels should have input in whether to, and how to, reform the child welfare systems in Nevada. Chairwoman Buckley stated that this topic would be discussed at the second or third meeting of the subcommittee. She also explained that A.C.R. 53 asked that a variety of sources be heard, including representatives from the State of Nevada Employees Association (SNEA).

May Shelton and Michael Capello

May Shelton, Director, Washoe County Social Services, Washoe County, stated that several changes have recently been made in the Washoe County system in case loads, and budgets, which are early outcomes of the change in service provision. Michael Capello, Director, Children=s Service Division, Washoe County, stated that in January 1998, following direction from the Washoe County Board of Commissioners, a broad-based family assessment program was implemented. Historically, Washoe County had been Aincident-focused.@ This did not always address other issues in the family. The Board directed the Children=s Service Division to explore ways to look at families from a broader perspective, shifting from an incident-driven investigation to a comprehensive family assessment. The Children=s Service Division developed internal protocols, ensured consistency between staff members, and consulted with national experts in an effort to improve the system. The Board was then presented with a package of information describing the assessment procedure in Washoe County, which included the following:

- < Nature and extent of the report;
- < The child=s development;
- < The child=s community visibility;
- < Home environment;
- < Attachment issues;
- < Basic needs of the family;
- < Violence potential;
- < Employability; and
- < Characteristics of the parent or caretaker.

Previously, the Children=s Service Division was staffed with approximately one worker per 15 investigations. Currently, the ratio is one worker per 12 investigations. The division was appropriated monies from the county to employ Senior Human Service Support Specialists, who can work with families on a voluntary basis for up to one year. At the same time, the division received another \$300,000 to put into community support programs, including developing community partnerships, substance abuse treatments, contracts with counseling agencies, and working with local programs. In addition, the county commissioners now recognize that in some cases no abuse or neglect is substantiated after investigation, however, some of these families may be in crisis and are in need of services.

Assemblyman Carpenter asked if the judiciary branch was involved in these requests for funds. Ms. Shelton stated that occasionally judges and other individuals working in the system do attend. In the case of the 1998 directive, the changes were precipitated by a grand jury investigation of 11 child fatalities over approximately a three-year period in Washoe County. The commissioners appointed a citizen task force to look at prevention of child abuse, appointed a committee consisting of professionals working in the system (attorneys from the state and county, court appointed special advocate [CASA] workers, the court, police, and social workers), and the commissioners contracted with Norma Harris of the National Child Welfare Leadership Center to do a study of the entire system, not just of the CPS agency. Ms. Harris presented 29 recommendations. Two of the most important recommendations were to expand child protective services through broad-based family assessment and to offer services beyond the incident.

Mr. Capello stated that recidivism rates are a serious concern in the system. He then explained the county=s tracking system. During the first year surveyed, in June 1996, 240 investigations were conducted. After 12 months, 53 were back in the system with a substantiated re-referral, which is a recidivism rate of 22.1 percent. In June 1997, there were 284 investigations, 47 were returned, a 16.5 percent rate. In June 1998, six months after the implementation of the under-six years of age assessment, 207 investigations were conducted, 20 returned to the system in the following 12 months, which is a recidivism rate of 9.6 percent. He offered to provide the subcommittee with these statistics.

Assemblyman Carpenter asked if Washoe County has a facility similar to Child Haven in Clark County. Ms. Shelton stated that Washoe County has established Kids Kottages, which are staffed by employees of Adams and Associates and are available for emergency placement. Washoe County also has between 25 and 30 contract homes which provide care when possible, to infants. The cost is \$40 per day. These homes are asked to provide a higher level of care than a regular foster home. For example, these foster parents are asked to attend medical and therapy appointments and to provide transportation to and from those appointments.

Ms. Shelton noted that if a DCFS child is placed in either Kids Kottages or one of the contract homes, the county is reimbursed by DCFS at half the cost of care. This is a first step towards integrating the system.

Senator Washington noted that Ms. Shelton will soon be retiring, and commended her for her many years of service to Nevada=s children. Chairwoman Buckley noted that Ms. Shelton has volunteered to serve the subcommittee for the duration of the interim A.C.R. 53 study.

In regard to staffing and budgets in Washoe County (see Exhibit G), Chairwoman Buckley asked that Ms. Shelton compare Washoe County=s figures with those in the information provided by DCFS (previously mentioned on page 21, see Exhibit E). Ms. Shelton noted that Washoe County has fewer child abuse and neglect reports than does Clark County and fewer investigations. Workers who work with assessment and investigation of reports of families with children under the age of six, require more time for these tasks. Following the recommended caseload standards established by the Child Welfare League of America and the National Child Welfare Leadership Center, Washoe County has set the caseload guidelines at one to 12. For older children, the maximum is one to 15 cases at any one time. For the ongoing unit, the maximum is one to 18 families, with an average of two children per family, as well as the parents of these at-risk children. Paraprofessionals, who are not required to have social work degrees or licenses, work with cases that are not in the court system. They work with families in the home. The recommended caseload for these workers is one to 30 children.

Chairwoman Buckley asked how these numbers compare to Clark County, and noted that it is her understanding that Washoe and Clark Counties have approximately the same number of workers, and yet a large difference in population exists between the two counties. Ms. Shelton referred to the chart, A Washoe County Department of Social Services: Fiscal Information Needed to Address Issues Involving A.C.R. 53 for FY 1999-2000.@ (See Exhibit G.) She made the following observations:

\$ Fifty-seven full-time equivalent positions are shown.

\$ There are 40.5 full-time equivalent support staff positions, which are devoted to CPS.

\$ For FY 1999, \$8.4 million is the estimated cost for providing CPS services approved by the Washoe County commissioners.

\$ During FY 1998, Washoe County received 5,967 reports of abuse and neglect.

\$ Washoe County receives federal pass-through monies, primarily from the TANF, reimbursements from Medicaid, and Title IV-E. The state provides some funding for placements. The county total is almost \$2.3 million and the special tax is considered county money.

\$ In 1986, the voters approved a four-cent ad valorem tax and in 1997 the county commissioners approved another half-cent tax.

\$ The total Washoe County Social Services budget is approximately \$8.4 million.

Ms. Shelton then noted that Washoe County has almost completely utilized the funds available via federal reimbursements. The county budget provides approximately \$5.4 million, and the federal reimbursements are approximately \$2.5 million. She further stated that Washoe County is staffed and budgeted considerably better than is Clark County, and Washoe County=s caseload standards are consequently more manageable.

Assemblyman Anderson asked Ms. Shelton if Washoe County expends the most per case. Ms. Shelton stated that the county spends about \$1,400 per report, but she was not sure how that compares to expenditures in Clark and the rural counties.

Chairwoman Buckley requested that Mr. Burgess provide figures indicating the number of case workers in Clark County. Mr. Burgess stated that total CPS staff, including investigators, in-home workers, and grant-funded positions, total approximately 85 positions. Mr. Alastuey noted that CPS worker totals in Clark County are approximately 190. He further stated that the special taxes in Washoe County constitute a unique policy question for consideration by the subcommittee. Chairwoman Buckley then asked him to clarify the 56 positions listed as emergency positions for emergency placement at Child Haven. Mr. Burgess stated that CPS has 51 positions.

Ms. Shelton continued, stating that Washoe County has 32 investigative positions, including supervisors of the workers.

Ms. Buckley commented that subcommittee work would continue on comparing the elements of each system, the counties and state, and the subcommittee will invite experts on model systems to appear at future meetings.

JUDICIAL PERSPECTIVE ON NEVADA'S CHILD WELFARE SYSTEM

The Honorable Charles M. McGee

Judge Charles M. McGee, Chief Justice, Second Judicial Court, Family Division, Washoe County, stated that he presides over a court which was established as one of the first model courts in permanency planning by the National Council of Juvenile and Family Court Judges. He made the following observations:

\$ Children should be treated as individuals, and each unique situation should be assessed and treated in a manner which benefits that particular child.

\$ Using the example of a child named AFelicia,@ he noted that due to her disabilities, she had been in foster care far longer than the 14 months after which he would be required to terminate parental rights under the new legislation. It was very difficult to find this child a permanent home due to her numerous disabilities, but because of efforts by the court and DCFS, AFelicia@ was reunited with her mother. The system should be dedicated to assisting biological parents, so the children do not have to be removed.

\$ Clark and Washoe Counties should have the primary responsibility for providing CPS, foster care, and adoption services.

\$ Jobs should not be sacrificed at the state level. He proposed that should it become necessary to eliminate jobs at the state level, then those employees should be transferred to county service.

Chairwoman Buckley noted that the rural counties do not have a bifurcated system, and asked if service to abused and neglected children is better in these counties than it is in the urban areas. Judge McGee stated that it is, since the state provides total funding for the rural counties.

DISCUSSION OF FOSTER CARE IN NEVADA

Deanne Blazzard

Deanne Blazzard, President of the Foster Care and Adoption Association of Nevada (FCAAN), Las Vegas, presented copies of her testimony (see Exhibit H), outlining the wishes of foster parents for the system. She stated that the FCAAN conducted a study and found that the percentages of DCFS homes, in contrast with private agency homes, has decreased dramatically, noting the following possible reasons for the success of the private agencies:

\$ Private agencies are more heavily involved in recruiting foster parents;

- \$ Social workers for private agencies have smaller caseloads;
- \$ Private agencies provide more services to foster parents such as:
 - < More frequent communication;
 - < Providing an opportunity to view a child=s file prior to placement, which allows the foster family to make a better informed decision; and
- \$ Private agencies exhibit appreciation for foster parents through many different events and opportunities, such as a planned respite care program.

While FCAAN has no specific plan for improving the system, it strongly agrees that the system must be changed. The State of Nevada must provide a foster care system that exemplifies the principles of best practice by allocating the necessary funds and redefining the delivery of services. She further noted that in some states, the foster care system has been privatized. This, however, does cause financial problems for those states.

Assemblywoman Koivisto asked Ms. Blazzard who refers children to the private agencies. Ms. Blazzard stated it is her understanding that the DCFS social worker refers the child to the private agency when he needs a higher level of care, or there are no other resources available for the child.

Mr. Shaw elaborated, stating that DCFS does contract with private providers, primarily for special needs children who require a higher level of care.

Chairwoman Buckley stated that the subcommittee would like to see the breakdown of private and DCFS homes, and then asked under what conditions a foster parent was considered a county home. In response, Mr. Shaw stated that the conditions vary from county to county.

Assemblywoman Koivisto then asked who oversees the private agencies, and how they are funded. Mr. Shaw noted that DCFS oversees and funds these agencies.

FUTURE MEETING DATES AND TOPICS

Chairwoman Buckley announced that the next meeting of the subcommittee would be held on December 8, 1999, in Las Vegas. Senator Washington noted that he has a prior commitment that day and will be unable to attend that meeting. Other future meeting dates and topics were discussed.

PUBLIC TESTIMONY

Chairwoman Buckley asked if there were any members of the public who wished to testify. Seeing none she moved for adjournment.

ADJOURNMENT

There being no further business, the meeting was adjourned at 3 p.m. Exhibit J is the Attendance Record@ for this meeting.

Respectfully submitted,

Sally Trotter
Senior Research Secretary

Elana S. Marton
Senior Research Analyst

APPROVED BY:

Barbara E. Buckley, Chairwoman

Date: _____

LIST OF EXHIBITS

Exhibit A is a memorandum dated October 19, 1999, from Mark Stevens, Assembly Fiscal Analyst, Fiscal Analysis Division, to Elana Marton, Senior Research Analyst, Research Division regarding the AState/ County Swap of Mental Health/Child Protective Services.@

Exhibit B is a document provided by Dr. Thom Reilly, Ph.D, Professor, College of Urban Affairs, University of Nevada-Las Vegas, entitled ASignificant Events Affecting Child Welfare in Nevada,@ dated October 19, 1999. Attachment (a) is a diagram titled, AChild Welfare in Nevada: Public Agency Involvement,@ October 1999 and (b) is a diagram titled, AChild Welfare in Nevada: Public Service Involvement,@ October 1999.

Exhibit C is a copy of memorandum dated October 14, 1999, to Elana S. Marton, Senior Research Analyst, Research Division from Department of Human Resources, Division of Child and Family Services, through Charlotte Crawford, Director, Department of Human Resources, from Stephen A. Shaw, Administrator, Division of Child and Family Services, containing response to request for information from the A.C.R. 53 Legislative Commission=s Subcommittee to Study the Integration of State and Local Child Welfare Systems in Nevada.

Exhibit D is a flow chart titled ADivision of Child and Family Services Child Welfare System,@ presented by MaryEllen White, Program Chief, Social Welfare Program Specialist, Division of Child and Family Services.

Exhibit E is a spreadsheet containing fiscal information in table format entitled, ANevada=s Division of Child and Family Services: Fiscal Information Needed to Address Issues Involving A.C.R. 53, SFY 98,@ presented by Jim Baumann, Administrative Service Officer, Division of Child and Family Services.

Exhibit F is a copy of letter to Elana S. Marton, Senior Research Analyst, State of Nevada Legislative Counsel Bureau, dated October 14, 1999, from Clark County Department of Family and Youth Services, Director=s Office, Kirby L. Burgess, containing information in response to a request for information from the A.C.R. 53 Legislative Commission=s Subcommittee to Study the Integration of State and Local Child Welfare Systems in Nevada. Exhibit F(a) is an attachment to this exhibit detailing expenses, funding sources and staffing in Clark County.

Exhibit G is a copy of letter to Washoe County Social Services, May Shelton, Director, dated October 6, 1999, from Elana S. Marton, Senior Research Analyst, Research Division containing information in response to information requested by the A.C.R. 53 Legislative Commission=s Subcommittee to Study the Integration of State and Local Child Welfare Systems in Nevada.

Exhibit H is a copy of the written remarks presented by Deanne Blazzard, President of the Foster Care and Adoption Association of Nevada.

Exhibit I is the Attendance Record@.

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.