

Department of Legislative Services
 Maryland General Assembly
 2006 Session

FISCAL AND POLICY NOTE

House Bill 1452
 Appropriations

(Delegate Griffith, *et al.*)

Department of Human Resources - Study of Maryland's Child Welfare Workforce

This bill requires the Department of Human Resources (DHR) to facilitate a comprehensive study of the recruitment, selection, and retention of the child welfare workforce to develop strategies to lower the turnover rate and increase workforce qualifications. With assistance from the University of Maryland School of Social Work, the study must determine DHR vacancy rates, the number of licensed social workers, the number of nonlicensed staff, retention rates, and any other necessary information to properly evaluate the State's services to children. By July 1, 2007, DHR must report its findings and recommendations to the Governor and the General Assembly.

The bill terminates September 30, 2007.

Fiscal Summary

State Effect: DHR general fund expenditures could increase by \$100,000 in FY 2007 to pay for the University of Maryland School of Social Work to conduct the child welfare workforce study. No effect on general fund revenues or expenditures in future years.

(in dollars)	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	100,000	0	0	0	0
Net Effect	(\$100,000)	\$0	\$0	\$0	\$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: In 1988, DHR entered into a consent decree to settle a federal court dispute, *L.J. v. Massinga*, brought on behalf of children in the Baltimore City Department of Social Services' custody. The class action lawsuit alleged that foster children were subject to maltreatment in foster care homes, denied necessary health and educational services, and not given adequate opportunities for reunification or visitation with birth parents and siblings. The consent decree required DHR to meet caseload ratios that allowed caseworkers enough time to work with the children in foster care and work with birth and foster parents or relative caregivers to assure the children were safe, cared for, educated, and had a plan for continuing relationships and preparing for adulthood.

Chapter 544 of 1998 required DHR and the Department of Budget and Management to take necessary steps to improve the child welfare system, including meeting appropriate caseload-to-staff ratios based on Child Welfare League of America (CWLA) standards.

DHR may disclose child abuse or neglect records or reports to specified local or State personnel or officials, entities, or individuals.

Background: DHR's February 18, 2005 report showing that it was close to achieving the CWLA-recommended caseworker staffing levels statutorily required by the General Assembly was unreliable, according to a December 2005 Department of Legislative Services (DLS) Office of Legislative Audits report. The DHR estimate did not include all pertinent factors affecting staffing, such as all relevant CWLA staffing standards, the use of the most current data available, and factors for employee leave. The report estimates that, under one scenario, DHR understated the required staffing level by 130 caseworkers and 26 supervisors by not considering leave usage. The report continues that auditors were unable to determine the actual staff levels and ratios because certain data were missing from the files or were not being accumulated.

Auditors also disclosed problems impacting virtually every facet of child protective services (CPS). CPS investigations tested were often not initiated or completed within time frames required by State law, and certain documents were not always completed during the required investigation. In numerous cases, required supervisory review of decisions not to accept allegations of neglect or abuse for formal investigation was not documented. Auditors also found that, in some cases, when efforts to contact the alleged victim were impeded, the cases were closed without pursuing the available legal means to

gain access. Additionally, critical CPS data recorded in the automated DHR Client Information System were not always complete and accurate.

Further, auditors discovered that DHR's automated system was not capable of tracking foster care case assignments to help management ensure cases were continually assigned to active employed caseworkers. In all 111 cases tested (active during the period of January through June 2005), the cases were assigned to active caseworkers. However, caseworker contact with foster care children was inconsistent. In 54 cases, there was no documentation that required monthly visits occurred in each of the six months tested. Missed or undocumented visits ranged from 26 cases where one month was missed to 2 cases for which there was no documented visit for the entire six-month period. Caseworkers acknowledged to auditors that monthly visits do not always occur.

Finally, although the auditors were asked to determine if the Baltimore City Department of Social Services complied with a consent decree requirement to transfer foster care cases within five days of a foster care caseworker leaving or transferring, the auditors could not test this measure because DHR has not tracked or reported the results of this specific requirement in the six-month reports.

State Expenditures: One-time general fund expenditures to conduct the study of the State's child welfare workforce could increase by \$100,000 in fiscal 2007.

DHR advises that it would pay the University of Maryland School of Social Work \$75,000 for the study.

However, the university advises that it would need \$210,358 in fiscal 2007 and \$92,216 in fiscal 2008 to pay the following existing staff to design and conduct the study and write the report: a principal investigator, a co-investigator, a statistical consultant, and three research staff. These costs also include operating expenses. The university further advises that, as part of the study, its staff would interview 500 individuals at multiple points in time.

DLS advises that the scope of the study the university plans as a result of this bill may be broader than the bill's requirements. To the extent that DHR and the university agree on additional information that is necessary to be included in the study to evaluate the State's services to children, general fund expenditures in fiscal 2007 may increase.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Human Resources; University System of Maryland; *Department of Human Resources: Social Services Administration: Certain Aspects of Child Welfare System*, Department of Legislative Services' Office of Legislative Audits, December 2005; Department of Legislative Services

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