

COMMUNITY AFFAIRS COMMITTEE

DATE: November 2, 2006

CALLED TO ORDER: 5:05 p.m.

ADJOURNED: 5:40 p.m.

ATTENDANCE

ATTENDING MEMBERS

Greg Bowes, Chair

Patrice Abdullah

Paul Bateman

Susie Day

Joanne Sanders

ABSENT

James Bradford

Ginny Cain

AGENDA

PROPOSAL NO. 555, 2006 - approves an increase of \$8,575,355 in the 2006 Budget of the Department of Child Services (Family and Children Services Fund) to appropriate revenue from retroactive reimbursements to provide necessary funds to cover all obligations in 2006

"Do Pass"

Vote: 4-1

Community Affairs Committee

The Community Affairs Committee of the City-County Council met on Thursday, November 2, 2006. Chair Greg Bowes called the meeting to order at 5:05 p.m. with the following members present: Patrice Abdullah, Paul Bateman, Susie Day, and Joanne Sanders. Absent were Ginny Cain and James Bradford.

PROPOSAL NO. 555, 2006 - approves an increase of \$8,575,355 in the 2006 Budget of the Department of Child Services (Family and Children Services Fund) to appropriate revenue from retroactive reimbursements to provide necessary funds to cover all obligations in 2006

Dan Carmin, Director of the Department of Child Services (DCS) stated that there have been some positive changes within the agency. He stated that many of the changes are driven by the reduced case load size and that DCS has added 74 new case managers with no additional expense to the County. Mr. Carmin stated that DCS has been stabilizing the number of Children In Need of Services (CHINS) cases that have been sent to the agency and that since January 1, 2006, there are less CHINS cases. Mr. Carmin stated that one of the revenue sources DCS has is federal reimbursements. He stated that this year, DCS has implemented an intensive review of cases over the past two years to see if there were possibilities of any retroactive revenue available that the agency might have missed in that two year period. Mr. Carmin stated that the County has received \$8.5 million in reimbursements and, DCS is asking the committee to approve the proposal to appropriate these funds to make sure DCS meets all obligations for the current year. He also said that if there are any funds left over they will be applied to the short term loan to reduce that amount.

{Clerk's Note: Mr. Carmin supplied a handout which is on file in the Clerk's office as Exhibit A.}

Councillor Sanders asked that when the projections were done for the reimbursements, did DCS include the \$8.5 million or were those reimbursements based on the annual budget. Mr. Carmin stated that they were based on current reimbursements and not budgeted. Councillor Sanders asked for the amount carried over from 2005 in expenses into 2006. Mr. Carmin stated that the amount was \$6.2 million.

Chair Bowes asked if the \$8.5 million is included in the \$23.7 million of reimbursements through September 30, 2006 (which is more than the planned \$18.1 million in reimbursements). Mr. Carmin answered in the affirmative. Chair Bowes asked if DCS is expected to have recovered a total of \$28.75 million (which includes the \$8.5 million) at the end of the 2006 year. Mr. Carmin answered in the affirmative.

Councillor Abdullah asked what had prevented the agency from looking for this money before and what are some of the reasons why this reimbursement did not come earlier. Mr. Carmin stated that this year DCS contracted with a private agency called the Secoya Corporation, who has some national experience in using federal regulations and policy to the maximum to generate this revenue. He stated that DCS has not been keeping up on the federal regulations on how to receive every potential dollar and part of that involves the determination of rates with institutions. He also said that the contractor DCS uses was able

to enhance some of their rates that are generated from certain residential facilities, which means that DCS can go back two years on that increased rate and receive more reimbursements. Councillor Abdullah asked how the funds are specifically being used. Mr. Carmin stated that the funds would be primarily used for the cost of children placed in foster homes, institutions, and residential facilities.

Councillor Bateman asked what the average case load is for case managers. Mr. Carmin stated that there are approximately 30 children per case manager. He said that in Child Protection Service (CPS), the average assigned number of investigations is around 15 per month per investigator.

Councillor Sanders asked if DCS has drawn down the total amount that was borrowed in this current year, and is it on an as needed basis. Mr. Carmin stated that he is not sure of the arrangements in terms of the loan with the Indianapolis Bond Bank. Kim Diller, Office of Finance and Management (OFM) stated that it is on an as needed basis. Councillor Sanders asked if Ms. Diller knew of the amount as it stands now. Ms. Diller answered in the negative stating that she would supply that information to the committee.

Councillor Abdullah stated that there has been concern from citizens regarding how DCS cases are assigned and resolved. It is important to let the citizens know how the money is being spent to best care for the County's children. He said it is also important that CPS be able to substantiate criteria that decides when a child is taken from a home and when they can be returned. Chair Bowes asked what recourse parents have in challenging the decision to take a child from their home. He also asked how the other family members can keep a child that is taken from a home within the family setting, so that the child is not traumatized further. He asked if the family would need to take the matter to juvenile court.

Mr. Carmin stated that it is important that every effort is made to make sure there is an alternative method to taking that child into DCS. He said that the first responsibility is the safety of the child. Mr. Carmin stated that if there is a need to remove a child from the home, the opportunity for family members to come forward is a consideration so that the child is with familiar family. He said that if DCS does retain a child, within 48 hours DCS is required to go before the juvenile court in a detention hearing. He said that DCS is required to present to the court the reasons to detain that child so the court can make a determination of whether that decision was just or whether the child should be returned home or placed with a relative. He said that at that time, a family member has an opportunity to be represented by counsel or have counsel appointed to them if the parent cannot afford one. Chair Bowes asked if the court provides counsel for a family member who wants to take custody of the child, or if the court appoints counsel only for the parent of the child. Mr. Carmin stated that the family member would have to provide their own counsel.

Mr. Carmin stated that the other opportunity to review an appeal of DCS comes with the implementation of State's compliance with Child Abuse Prevention and Treatment Act (CAPTA). He said that CAPTA is a federal law that provides some financial resources to the state for prevention programs. In order for DCS to be compliant with CAPTA, DCS must institute an appeal process for individuals who have had substantiation of abuse or neglect against them. Mr. Carmin explained the process of the appeal, stating that the first process is when the individual receives notice that there has been substantiation of abuse or neglect. They will also receive notice so that individuals can request an administrative review of that determination with DCS staff. He said that if DCS sustains the original substantiation, then that individual has the right to appeal that determination to the State Department of Child Services.

Chair Bowes asked if DCS seeks out the relatives of that child or if the relatives have to come to DCS. Mr. Carmin stated that DCS seeks out relatives and asks the parents if there are any relatives that they would like for placement of the child.

Councillor Abdullah asked if there was a citizen's review panel formed for DCS. Mr. Carmin stated that it is in the process of being formed. He said that part of the CAPTA provisions were for a citizen's review panel to be established. Mr. Carmin also stated that the other citizen's review opportunity has always been the child protection team. He said that the team is a multi disciplinary group who meets monthly here in Marion County and includes a representative from the community, and schools to meet and talk about child protection policies. Mr. Carmin stated that the coordinator of that team has always been in a position to receive any complaints or discussions that a person wants to make or appeal to that team. Chair Bowes asked if the child protection team has the opportunity to look at individual cases or study general policy. Mr. Carmin stated that they are prepared to look at individual cases, and, by statute, the team is able to sign an agreement of confidentiality in those cases. Chair Bowes asked if the citizen's review panel that is being formed through CAPTA is designed to have the same ability to dig right into the facts of a particular case. Mr. Carmin answered in the affirmative.

Chair Bowes asked if Mr. Carmin can provide the name and contact information for the child protection team. Mr. Carmin stated that the coordinator of the team is Rhonda Allen and the address is 4150 North Keystone, Indianapolis, IN 46205.

Councillor Bateman asked what the average seniority of each case manager is and what type of training they receive. Mr. Carmin stated that he does not know what the average seniority or experience level is but the rate of turnover of those positions seems to have declined. He stated that with regards to training, case managers are required to enter a 12 week program that DCS has in place and is conducted at state level by persons of expertise. Mr. Carmin stated that some of the training includes that the case manager will spend at least one or two weeks in class and then be assigned to a mentor at DCS to shadow them to see what kind of work is to be done.

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Councillor Sanders asked if DCS requires Bachelors in Social Work (BSW) degree. Mr. Carmin stated that DCS requires a Bachelors level degree in particular fields such as, social work, psychology, and sociology but not necessarily a BSW itself.

Councillor Sanders moved, seconded by Councillor Bateman, to send Proposal No. 555, 2006 to the full Council with a "Do Pass" recommendation. The motion carried by a 4-1 vote, with Councillor Abdullah casting the negative vote.

With no further business pending, and upon motion duly made, the Community Affairs Committee of the City County Council was adjourned at 5:40 p.m.

Respectfully submitted,

Greg Bowes, Chair
Community Affairs Committee

GB/lw